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Human Rights Monitoring Report

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Odhikar believes that 'democracy' is a form of the State and presupposes that freedom and human rights are its foundations. Democracy is not merely a process of electing a ruler. Democracy is the result of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the State defining

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 recognise 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 right to life and livelihood, right to environment and health; and the dignity and integrity of citizens. If all these are 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. In recent times, Odhikar’s human rights defenders have been persecuted for their work and beliefs. However, this has only strengthened the organisation’s resolve to fight for human rights, with no discrimination whatsoever.

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, Odhikar prepares and releases monthly situation reports. Odhikar has released this human rights monitoring report for April 2014, despite facing harassment and threats to its existence.

Political violence persists

1. According to information gathered by Odhikar, in April 2014, 25 persons were killed and 592 injured in political violence. 40 incidents were recorded of internal violence in the Awami League during this period. In addition to this,

eight were killed and 396 were injured in internal conflicts of the Awami League.

2. Criminalisation of politics, intra-party clashes, extortion, tender bids, attacks at educational institutions and incidents of illegally acquiring residential halls in the universities by Chhatra League¹ and Jubo League² activists continues, after the Awami League (AL) reassumed power through a controversial Parliamentary Election on January 5, 2014. Furthermore, acts of violence were taking place between Awami League and BNP activists and supporters over various issues in relation to vested interest. Some examples of political violence in April are as follows:
3. On April 2, 2014, one Amjad Hossain (55) died and 10 people were injured during a clash between two factions of Awami League – the Abu Sayed and Golam Kofil groups – over catching fish in a pond at the Chor Baburampur area of Bharara Union under Pabna Sadar Upazila.³
4. On April 9, 2014 a Jamaat activist Alamgir Hossain (30) was killed and 10 people were injured in a clash between supporters of Awami League and Jamaat-e-Islami in Chor Dhulgagra village under Belkuchi Upazila in Sirajganj.⁴
5. On April 10, 2014 a group of criminals led by Government Brindabon College unit Chhatra League leaders Badal and Rasel, vandalized the academic building and private cars and also used abusive language towards College teachers over the expulsion of three HSC examinees, who were copying during English second paper examination at Hobiganj Government Girl's College exam centre in Hobiganj.⁵
6. On April 13, 2014 physical altercations took place between supporters of Dhormagarh Union unit Awami League General Secretary, Farid Mia and its former Organising Secretary, Mezbaul Rob Polash over a tender bid for Dhormagarh Dighi (lake) in Madhobpur Upazila under Hobiganj District. At least 30 people were injured, of whom seven were shot during the clash. College student Sohel Mia (17) and one Kala Mia (55) later died in hospital.⁶
7. On April 21, 2014 two school students were killed during shootouts and acts of arson between two groups supported by Awami League and BNP, over taking control and establishing supremacy in Amani Laxmipur, Dewpara and Latifpur villages under Chondraganj Union in Laxmipur District. Six houses and six business places belonging to Awami League and BNP supporters were set on fire. Some anonymous victims of the arson attack said that BNP-

¹ Student wing of Awami League

² Youth wing of Awami League

³ Report sent by human right defender associated with Odhikar from Pabna.

⁴ Report sent by human right defender associated with Odhikar from Sirajganj.

⁵ The daily Manabzamin, 11/04/2014

⁶ Report sent by human right defender associated with Odhikar from Sylhet.

supported Zishan Bahini has been controlling the area for a long time. Another criminal, Nasir Dacoit, tried to take control over the area with the support of ruling Awami League. On the night of April 21, a gun-fight started between the two groups over taking control of the area. When Nasir Group retreated, criminals of Zishan Bahini entered Motilal Mazumder's house and set fire to it and six other business places in Dewpara village. Before this incident, criminals looted gold ornaments and cash at gun-point. Domestic animals and houses were burnt down. Attackers also kidnapped Motilal Mazumder, demanding a ransom of six hundred thousand taka. He was released upon promise of payment. Criminals also set fire to and looted the houses of Amani Laxmipur Chhatra League unit Vice-president, Noman and Chhatra League member Mamun in the same area. In revenge, members of Awami League supported 'Nasir Bahini' set fire to houses belong to local BNP leader Tofael Ahmed of Dewpara village and Ali Karim, member of Latifpur village and looted their valuables in the early morning of April 21. Forhad Hossain, a student of class 10 and the grandson of Tofael Ahmed died in the fire. Hearing this news when 'Zishan Bahini' stepped forward, a shootout occurred between 'Nasir Bahini' and 'Zishan Bahini'. At one stage, members of 'Zishan Bahini' attacked and set fire to a house belonging to Chhatra League leader Kazi Bablu. Bablu's nephew, Robiul Hassan Shimul, a student of class eight, was shot dead while escaping.⁷

Post Upazila election violence

8. The Upazila Elections 2014 were held in five phases. The first phase was held on February 19; the second phase on February 27; the third phase on March 15; the fourth phase on March 23; and the fifth phase of elections were held on March 31.⁸ Incidents of vandalism and violence, snatching away of ballot papers and ballot boxes; casting fake votes; 'capturing' polling centres mainly by the ruling party agents, occurred between the second and fifth phases (last phase) of the elections. Several incidents of post election violence took place across the country after the last phase of Upazila Elections held on March 31, 2014.
9. On April 1, 2014, after the Upazila elections, incidents of violence, vandalism and attacks took place in Daulatpur of Kushtia, Rajnagar of Moulavibazar, Bishombhorpur of Sunamganj, Teknaf of Cox's Bazar, Laxmipur and Pakundia of Kishorganj.
10. In the night of April 1, 2014, 15-20 criminals in masks attacked, vandalized and looted the houses of BNP-Jamaat supporters, including Mosleuddin,

⁷ Report sent by human right defender associated with Odhikar from Laxmipur.

⁸ Election Commission Bangladesh, <http://www.ecs.gov.bd/English/index.php>

Abdul Qader and Afazuddin in Udmara village of Chor Ababil Union under Raipur Upazila in Laxmipur District. During the attack, criminals also beat people in the houses and looted their valuables, including gold ornaments. 10 persons, including Ruma Begum, Aleya Begum, Mofizuddin and Farooq were injured. It is to be mentioned that activists of BNP-Jamaat of that area were in hiding since Election Day on March 31.⁹

11. On April 1, a clash took place between supporters of BNP-backed winning Upazila Chairman, Harun-Ar-Rashid and Awami League-backed defeated Chairman candidate, Rafiqul Islam Talukder in Chinakandi Bazaar under Bishombhorpur Upazila in Sunamganj District. Six people were injured in this incident.¹⁰
12. Supporters of the ruling party were engaged in incidents of vandalism, arson and looting after the Upazila Election results were declared on March 31, 2014 in Bhuapur Upazila under Tangail District. Leaders and activists of BNP left the area in fear of supporters of the ruling party. Most of the villages in Nogda Shimla, Hemnagar and Jhaowail Union under the same Upazila were free of BNP activists. At night on election day, 5-7 armed criminals attacked Hemnagar village and vandalised the houses belonging to Humayun Kabir Liton, Noornabi and Lokman.¹¹

Significance of credible elections

13. The controversial 10th Parliamentary Elections were held on January 5, 2014. Most of the political parties, registered with the Election Commission, including the main Opposition, the Bangladesh Nationalist Party (BNP) led 18-Party Alliance, did not participate in the elections. The Opposition alliance called for boycotting and resisting these elections. As a result of this boycott, 153 candidates from the ruling Awami League and its alliance were elected uncontested out of the 300 constituencies even before the elections were held; which is an unprecedented incident in a democratic electoral system. Across the country, a total of 40,802,739 voters out of 91,948,861 voters could not cast their vote, as the candidates for the 153 constituencies, to which they belong, were declared elected unopposed.¹² Among the rest of the voters, only 12-15 percent could cast their votes on Election Day, as reported by various newspapers and election monitoring organisations.¹³ The ruling party Awami League reassumed power through this controversial election and its former political alliance, Jatiya Party have become the Opposition but also accepted

⁹ Report sent by human right defender associated with Odhikar from Laxmipur.

¹⁰ Report sent by human right defender associated with Odhikar from Sunamganj.

¹¹ The daily Manabzamin, 02/04/2014

¹² The daily Manab Kantha, 08/01/2014 and Bangladesh Election Commission, <http://www.ecs.gov.bd/English/index.php>

¹³ The daily New Age, 07/01/2014 and the Daily Star 06/01/2014

ministries of the government. As a result, a vulnerable situation for democracy has been created due to absence of an effective Opposition in the Parliament. After this Parliamentary Elections, Upazila Parishad Election were held in five phases. Due to the reluctance of the Election Commission and the domination of the ruling party, incidents of violence, vandalism, snatching away of ballot papers and boxes; casting fake votes; and 'capturing' polling centres occurred between the second phase and the fifth phase (last phase) of the elections.

14. Odhikar expresses grave concern due to the crisis created in the electoral systems of the country, which has caused mistrust amongst the political parties. Odhikar believes that it is very important to ensure a free, fair and impartial electoral process through participation of all political parties in a democratic process, which is equally significant for political stability. Odhikar also believes that political leadership has gained vested interest by misdirecting youth. They have blocked the way for youth to play a timely role for the nation. This dirty politics must be stopped immediately. The reality is that among the major political parties, leaders and activists are being involved in criminal activities. Odhikar demands that the government take legal action against its party activists who are involved in criminal activities, in order to stop criminalisation of politics, and decrease crime in the country.

Meetings and assemblies prohibited

15. The government and ruling party put up barriers to holding meetings and also attack meetings and assemblies of the Opposition and groups that have alternative beliefs. The rights to freedom of assembly and holding of peaceful meetings, rallies and processions are the democratic and political rights of every citizen as enshrined in Article 37 of the Constitution of the People's Republic of Bangladesh.
16. Odhikar condemns the prohibition and attacks on such meetings. Odhikar believes that this kind of prohibition and attacks on a rally interfere with democratic rights and are contrary to the Constitution.

Extrajudicial killings

17. According to information gathered by Odhikar, a reported total of 18 persons were extra judicially killed in April 2014. Types of deaths and the identities of the deceased are stated below:

Types of extrajudicial Killings

Crossfire/encounter/gun fight:

18. Among the 18 persons extra judicially killed, 14 were killed in 'crossfire/encounters/gun fights'. Among the deceased, five were allegedly killed by the Rapid Action Battalion (RAB), four were killed by the police, three were killed by Coast Guard, and two by RAB-BGB.

Shot to death:

19. Among the deceased, four were shot and killed by police.

Identities of the deceased

20. Of the 18 persons who were killed extra-judicially, one was an Elangi Union Parishad member and Jamaat leader, one was a general secretary of the student wing of Jamaat-e-Islami of Satkhira, one was an activist of Jamaat-e-Islami, one was a member of New Biplobi Communist Party, one was a garment factory worker, one a higher secondary student of Islamia Government College and 12 were alleged criminals.

21. On April 21, 2014 the body of Elangi Union Parishad member and Jamaat leader Abul Kalam Azad was recovered with gunshot wounds from Bakultola area in Mamunshia Village under Jhenaidah Sadar Upazila. Hasina Begum, wife of Abul Kalam Azad alleged that at 11:00 am on April 18, 2014, police of Kotchadpur Police Station led by Sub Inspector (SI) Mizan arrested and took her husband from their house. Abul Kalam Azad was first taken to Gurpara Police Camp where he was allegedly tortured. When people surrounded the camp after hearing his screams, police baton charged the crowd to disperse it and took him to another place by a white microbus (Dhaka-Metro-Ga-11-2231). Since then, she did not know the whereabouts of her husband. Hasina Begum also said that SI Mizan had demanded four hundred thousand taka from one of their close relatives. SI Mizan said that if paid, Azad would be produced before the court under a case filed by police instead of being taken into 'crossfire'. The family was unable to arrange the money demanded by police as the bank was closed on Friday and Saturday.¹⁴

22. Odhikar expresses grave concern over the incidents of extrajudicial killings. Odhikar believes that the country's laws and criminal justice delivery system are under serious threat due to the prevalence of extrajudicial killings perpetrated by RAB and police and the government is not doing enough to stop extrajudicial killings which only encourage the perpetration of this crime. The government must uphold human rights as committed to international forums and human rights defenders. Odhikar urges the government to

¹⁴ The daily Manabzamin, 22/04/2014

immediately put a stop to extrajudicial killings and also demands that all perpetrators be brought to justice.

Allegations of enforced disappearance against law enforcement agencies

23. Many people 'disappear' after being picked up by men alleging to be members of the law enforcement agencies, as claimed by their families. The whereabouts of the persons either remain unknown or their bodies are later found. Law enforcement agencies deny involvement.
24. According to information gathered by Odhikar, a reported total of ten persons were allegedly disappeared by law enforcement agencies in April 2014.¹⁵ Among them, three were found dead and seven were shown arrested in a case after being disappeared.
25. On April 26, 2014 the dead body of Laxmipur District unit Jubo League Joint General Secretary, Shamsul Islam Solaiman was recovered from Basurhat area under Laxmipur District. His wife Salma Islam informed Odhikar that on April 24, 2014 at around 11:00 pm, her husband brought her and their son to Joynal Market at Uttara sector-6 to see the doctor. After visiting the doctor at around 11:15 pm, there was a power cut while they were passing the rail crossing. A microbus stopped in front of the rickshaw which was carrying them. Three or four men got down from the microbus and asked for her husband's identity. Solaiman was involved with BNP politics and he was also an accused in a case. The men took her husband from the rickshaw and started slapping him. When local witnesses approached, the men took out arms and identified themselves as members of the law enforcing agency. Salma stepped back with the locals, in fear of the arms. The men took Solaiman away in the microbus. After that, Salma went to Uttara Police Station with a stranger who had witnessed the incident. That man had recorded the whole incident and the registration number of the microbus on his mobile phone. After taking this video clip from that man, police informed her that a case will be registered when the Officer-in-Charge (OC) of the police station arrives. Later the man who was with her left the police station. But the OC did not come to the station. At around 3:00 am, Salma returned home. The next day she returned to the police station to file a complaint. At around 3:00 pm, her complaint had been lodged in the police station (though police did not give her any receipt copy of the complaint letter) and she was informed that the police did not arrest her husband. Police also suggested that she contact the RAB office. She went to RAB-1 office but could not find the whereabouts of Solaiman.

¹⁵ According to Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance, "enforced disappearance" is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.

On April 26, 2014 in the morning, her relatives from Laxmipur informed her over cell phone that the body of Solaiman had been found in Laxmipur. Hearing this news, she went to Laxmipur. Salma's mother in-law and other relatives told her that three vehicles of RAB were on patrol in their area since the evening of April 25. She assumed that RAB members came to their area to identify a safe and secure place to dump Solaiman's body.¹⁶

26. Odhikar expresses grave concern regarding the incidents of 'enforced disappearance'. It demands that the Government rescue or recover the victims of enforced disappearances and take stern action against perpetrator by forming an independent inquiry committee.

Death in jail

27. According to information gathered by Odhikar, in April 2014, seven persons died in jail. Among them, six persons reportedly died in jail due to 'illnesses' and one committed suicide.

Freedom of the media

28. In April 2014, according to information gathered by Odhikar, 25 journalists were injured, two were assaulted and two were threatened. It has been alleged that in most cases leaders and activists of the ruling party were involved in such incidents of attack.
29. On April 3, 2014 Assistant Director (School) of the Directorate of Primary Education, Debesh Sarkar went to the Office of the Upazila Education Officer to investigate reports of irregularities of the Head Teacher, Masufal Islam of Chapainawabganj Government Primary School. During this time Emran Farooq Masum, district correspondent of the daily Jugantor and RTV went to that office to gather information. After a while Awami League backed Member of Parliament (MP), Abdul Wadud came to the spot and, infuriated at seeing journalist Emran Farooq Masum there, got into an argument with him. At one stage MP Abdul Wadud and his associate Jem, physically assaulted Masum. There have been allegations that Marufal Islam is involved in various irregularities with the help of MP Abdul Wadud. As a result, MP Abdul Wadud and his associates attacked Masum.¹⁷
30. On April 10, 2014 at around 9:00 pm, Sitakunda correspondent of the daily Amar Desh¹⁸, Zahirul Islam was attacked by a group of 15/20 criminals led by Jubo League¹⁹ leader Amir Hossain, at Sitakunda Bazaar, while he was

¹⁶ Fact finding report of Odhikar and the daily Manabzamin, 27/04/2014

¹⁷ The daily Jugantor, 04/04/2014

¹⁸ The Government closed down the daily Amar Desh on April 11, 2013 and arrested its Acting Editor Mahmudur Rahman. Presently the daily Amar Desh is publishing online version.

¹⁹ Youth wing of Awami League

returning home from the Sitakunda Press Club. It is to be mentioned that Amir Hossain is an associate of former Commissioner of Sitakunda Municipality and local Jubo League leader Mainul Uddin Mamun. The criminals beat him with iron rods and hockey sticks and later tried to pick him up in a microbus. At that time, local people recovered and admitted him to Sitakunda Health Complex. From there, he was transferred to Chittagong Medical College Hospital for better treatment. A case was filed with Sitakunda Police Station in this connection and police arrested Amir Hossain. It is also to be noted that journalist Zahirul Islam published a report in the online version of the daily Amar Desh on criminal activities of Jubo League leader Mainul Uddin Mamun, based on allegations gathered from the local people. Apart from Amar Desh, the same type of news was also published in various other newspapers.²⁰

31. On April 16, 2014 the video camera of Shomoy Television's Rangpur correspondent, Ratan Sarkar was taken away when he was filming the casting of fake votes by Thakurgaon District unit Jubo League General Secretary, Abdul Mazid Apel at Thakurgaon Road Girls High School polling centre, during Upazila Elections²¹. Ratan Sarkar was also severely beaten by Abdul Mazid Apel. The members of law enforcement agencies were present there during that time but were silent spectators.²²
32. On April 20, 2014 at night a clash took place after an altercation between the guardians of a patient and intern doctors, regarding treatment, at Ward number 13 in Rajshahi Medical College Hospital. Intern doctors vandalized some rooms in the hospital. Hearing this news, some journalists arrived but were stopped from entering the hospital. Later journalists managed to enter and tried to take pictures. Intern doctors united and attacked the journalists with bamboo sticks and iron rods. Ten journalists, including camera person of Channel 24, Abu Raihan; Reporter of Jamuna Television, Rashel Mahmud; Photojournalist of the daily Kaler Kantha, Salahuddin; and reporter of Shomoy Television, Salam, were injured. The attackers snatched away their cameras and broke them. During the attack, the Officer-in-Charge of Boalia Police Station, Sayedur Rahman was present but played the silent spectator.²³
33. It has been observed that journalists are often attacked by criminals backed by the ruling party and influential groups. Odhikar believes that the government has to be proactive in order to stop attacks on journalists and also demands that the criminals involved in attacking journalists should be arrested and tried for their crimes. Furthermore, it is also very important for the media to

²⁰ Report sent by human right defender associated with Odhikar from Chittagong.

²¹ This upazila election was pending and scheduled to hold on April 16, 2014.

²² Report sent by human right defender associated with Odhikar from Thakurgaon.

²³ Report sent by human right defender associated with Odhikar from Thakurgaon and the daily Manabzamin, 22/04/2014

publish and circulate fair and impartial news, free from any kind of bias or negative influence.

Detained newspaper acting editor Mohmudur Rahman allegedly being deprived of treatment

34. On April 19, 2014 the Acting Editor of the daily Amar Desh, Mahmudur Rahman was brought to the Physical Medicine and Rehabilitation Department of Bangabandhu Sheikh Mujib Medical University (BSMMU) from Kashimpur Central Jail for better medical treatment. Chairman of the Physical Medicine and Rehabilitation Department, Professor Dr. Moinuzzaman advised him to come to the hospital from Kashimpur Jail to take treatment every alternative day as Mahmudur Rahman had severe pain in his right shoulder and hands. However, the family of Mahmudur Rahman said that he is in no physical condition to make the almost six-hour journey to and from BSMMU for physiotherapy every alternative day. Due to severe pain in his hands and body, it is not possible for him to take treatment regularly by traveling such a long distance. Mahmudur Rahman has been detained in jail from April 11, 2013 and received cruel and degrading treatment in remand. Due to this, he has been suffering from Osteo-Arthritis and blood pressure and severe pain in his right shoulder and hands, including frozen shoulder and decay of vertebra for over a month. It is to be mentioned that, on April 16, 2014 on his application the Court ordered the jail authority to provide Mahmudur Rahman with proper treatment in a specialized hospital.²⁴ On April 28, 2014 a District and Session Judge, Basudeb Roy ordered framing of charges against Mahmudur Rahman, when he was produced before the Special District and Session Judge Court-3 from Kashimpur Jail under a case filed by the Anti Corruption Commission (ACC). Mahmudur Rahman addressed the Judge, "The Prime Minister had asked the ACC to file fabricated cases to punish me, as a report was published in the daily Amar Desh regarding corruption against the Prime Minister, her son and the Power, Energy and Mineral Resources Affairs Adviser".²⁵
35. Odhikar believes that depriving someone from medical treatment in prison is a serious violation of human rights. Odhikar demands that the government immediately take steps to provide Mahmudur Rahman with proper treatment.

²⁴ The daily Naya Diganta, 21/04/2014

²⁵ The daily Amar Desh online version, 29/04/2014

Public lynching

36. In April 2014, 13 people were reportedly killed due to public lynching.
37. People are often being killed by lynch-mobs. The lack of respect for law, distrust of the police and instability in the country has increased the fear and insecurity among people, who have resorted to taking the law into their own hands, fearing that they will not get justice any other way.
38. Odhikar believes that due to the weak criminal justice system, the tendency to resort public lynching is increasing, as people are losing their confidence and faith in the police and judicial system.

Violence against religious minority communities

39. Some vested interest groups are attacking citizens belonging to religious minority communities over such issues as land and for extortion. Incidents of attacks on minority groups are being politicised and thus action cannot be taken against the perpetrators. Some incidents are as follows:
40. On April 17, 2014 local Awami League leader Mohammad Shahjahan used petrol to set fire to Bholar Dighi Radha Gobinda Durga Mandir (temple) in Sarpukur Union under Aditmari Upazila in Lalmonirhaat. The priest of the temple Andaru Barman alleged that at around 4:00 am the fire spread all over the temple. Later local people residing near the temple took control of the fire before the fire service came. Doors and tin shed walls and roof were burnt. Locals alleged that on April 16 at around 10:00 pm Sarpukur Union unit Awami League President Mohammad Shahjahan assaulted the temple's priest over trifling matters. He and his associates threatened Hindu citizens to leave the village. In the morning of April 17, a group of criminals led by Awami League leader Shahjahan, set fire to the temple. The priest of the temple, Andaru Barman filed a case with Aditmari Police Station on April 17 at noon accusing 15 people, including Mohammad Shahjahan. The Officer-in-Charge of Aditmari Police Station, Aslam Iqbal said that a bottle of petrol was recovered as evidence. Police could not arrest any of the accused.²⁶
41. Criminals attacked and vandalized temple and houses belonging to Hindu citizens over the throwing of rubbish during *Chorok Puja* at the Hindu temple in Rishipara of Moheshwarpasha area under Doulatpur Upazila in Khulna District. General Secretary of Rishipara Temple Committee, Kalipada Das informed Odhikar that in the evening of April 15, 2014 four or five criminals threw rubbish on the place of worship during Puja at Moheshwarpasha Rishipara temple. When priests protested, an altercation took place between criminals and the priests. Criminals beat one Ponchanon Das. After this

²⁶ Report sent by human right defender associated with Odhikar from Lalmonirhaat.

incident at around 12:30 am, 15/25 criminals attacked houses in Rishipara with sticks, knives and axes. During this attack criminals also vandalized the family temple and three houses of one Pagol Das. Arun Das, Poncha Das and Ponchanon Das were also injured. The injured persons were admitted to the Khulna Medical College Hospital. General Secretary of the Temple Committee, Kalipada Das filed a case with Doulatpur Police Station, accusing 14 people in this regard. Police arrested five people including Harun Sheikh (40), Mohammad Newaz Sheikh (50), Mozammel Sheikh (55), Mohammad Polash Sheikh (30) and Sumon Sheikh (18).²⁷

42. Odhikar condemns the crime of attacks on the citizens belonging to religious minority communities. Odhikar strongly demands that criminals committing such crimes must be arrested and brought to justice, regardless of political affinity. Odhikar also urges the government to ensure the protection of the citizens belonging to all minority communities.

Information and Communication Technology Act 2006 (Amended in 2009 and 2013) is yet to be repealed

43. The repressive Information and Communication Technology Act, 2006 (amended in 2009 and 2013)²⁸ is still in existence. The latest amendment to the ICT Act was made on October 6, 2013. Section 57 of the ICT Act 2013, states that publishing or transmitting in a website in electronic form, of any defamatory or false information is considered to be a cognizable and non-bailable offence. Moreover, punishment for committing this offence has been increased for a term of a minimum of seven years and maximum of 14 years imprisonment. This law has curtailed the freedom of expression and the government is using this Act against HRDs, journalists, bloggers and people who have alternative beliefs.
44. Odhikar urges the government to repeal this repressive law immediately.²⁹

²⁷ Report sent by human right defender associated with Odhikar from Khulna.

²⁸ Section 57 of the ICT Act: (1) If any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity of his will be regarded as an offence.

(2) Whoever commits offence under sub-section (1) of this section he shall be punishable for a term of minimum of seven years' imprisonment and a maximum of 14 years or a fine of Taka one crore or both.

²⁹ The ICT Act 2006 (Amended in 2009) is also the law under which the Secretary and Director of Odhikar have been charged.

NGO Affairs Bureau puts up barrier to release Odhikar's funds

45. The NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has been putting barriers against releasing funds for Odhikar's programmes to be implemented. Activities of the two-year 10-month project on 'Human Rights Research and Advocacy' funded by the Netherlands Embassy was accomplished in June 2013 but the NGOAB did not release its last phase of funds till date. This project had been implemented mainly to document, research and advocate on human rights violations by the Indian Border Security Force along the border, extrajudicial killings, political violence, rights of the religious and ethnic minority communities and violence against women. In order to implement the project on time, Odhikar had to borrow money from its general funds. It is to be mentioned that the NGOAB had been putting barriers to release fund of this project since October 2010.
46. After completion of the first year programmes under the 'Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh' project, funded by the European Union Odhikar applied for the release of funds for the second year's activities on March 6, 2013. On May 15, 2013 the Bureau has given 50% of the fund for the second year after three months of submission of request. On August 21, 2013 Odhikar along with the first year's project completion audit report, submitted an application again to the NGO Affairs Bureau for releasing the remaining 50% fund for the second year's activities to be implemented. The NGOAB has been repeatedly putting up barriers against fund clearance to the said project. Over a year has passed still the NGOAB has not releases the remaining 50% of the project funds.
47. Odhikar urges the government to release its funding to continue its human rights activities.

Human rights violations in border areas by BSF continues

48. According to information collected, in April 2014, two Bangladeshis were shot dead and two were tortured by the Indian Border Security Force (BSF). During this time, four Bangladeshis were also abducted allegedly by the BSF.
49. The BSF also illegally trespass to Bangladesh territory and attack and loot the houses of Bangladeshi citizens or pick up Bangladeshi citizens. After taking them, many are tortured and left at the border. Furthermore, there were allegations against the BSF, of occupying agricultural lands after entering into Bangladesh.

50. On April 10, 2014 BSF chased Bangladeshi farmers and occupied crop lands near border pillar 157/1(S) at Ramkrishnapur Union under Doulatpur Upazila in Kushtia. Member of Ramkrishnapur Union and farmer of Mohammadpur village, Mukul Hossain informed Odhikar that Fazlu Biswas, Tulu Mandol, Rezaul Karim and Nur Mandol went to cultivate jute on about 20 Bighas of land through a power tiller that morning. The BSF of Bausmari camp under Hogolbaria Police Station in Nodia District of West Bengal, stopped them. When farmers protested, BSF members chased them with arms. As a result, farmers left the field in fear. Later farmers informed this matter to the local Border Guard Bangladesh (BGB) and the BSF left the field when a patrol team of Ramkrishnapur BOP's BGB reached to the spot.³⁰
51. On April 12, 2014 a Bangladeshi citizen went near 870 No. pillar under Zengra Union at Dhabolguri border of Patgram in Lalmonirhaat District to cut grass. At that time, six BSF members of Lolongibari Camp under Falakata-35 Battalion in Kochbihar of India chased him. The man went into hiding in a maize field on Bangladesh territory. Later BSF members entered 300 yards inside Bangladesh and attacked and vandalized the house of one Sirajul Islam. BSF also tried to assault Sirajul Islam's daughter when she tried to stop them. BSF members escaped when locals at the area chased them with sticks, hearing her screams. While leaving, BSF members looted 12 goats belonging to Bangladeshis from the border.³¹
52. On April 18, 2014, BSF members of 124 Notkobari (Korla) outpost opened fire at a group of Bangladeshi cattle traders near the international pillar 931/3 at Phulbari border in Kurigram, when they went to India to bring cows. During this incident Bangladeshi citizen Shamsul was shot in the head and back. He died on April 20, 2014 while under treatment at Rangpur Medical College Hospital.³²
53. Odhikar believes that the role of the Bangladesh Government should be independent and sovereign in order to protect its citizens. According to the Memorandum of Understanding and related treaties signed between Bangladesh and India, if citizens of either country 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 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.

³⁰ Report sent by human right defender associated with Odhikar from Kushtia and the Daily Inqilab, 14/04/2014

³¹ Report sent by human right defender associated with Odhikar from Lalmonirhaat and the Daily Inqilab, 14/04/2014

³² Report sent by human right defender associated with Odhikar from Lalmonirhaat.

54. Odhikar believes that the Bangladesh Government should demand specific explanations from the Indian Government regarding killing, abduction and torturing of Bangladeshi citizens living along the border areas.

Bangladesh deprived of getting adequate water

55. Another threat from across the border is the threat on water rights. In 1982 India established a barrage across the River Teesta at Gajaldoba. After that India took water unilaterally to Mohananda River through a diversion canal. At present the Indian Government is following very negative attitude in terms of releasing water. As a result, Bangladesh's largest Teesta Barrage Project is about to stop. This is the largest irrigation project in Bangladesh. The water flow has decreased from February, 2014. Now only 300 – 400 cusec water has been flowing through Teesta.³³ As a result, more than 100 kilometers of area at the Teesta basin is now suffering from scarcity of water. The dry river bed of Teesta has brought crisis to Bangladeshi farmers' life, mainly in the northern areas. The farmers of Nilphamari, Dinajpur and Rangpur are dependent on the Teesta Barrage Project. Water experts state that this adversity has been formed due to refusal of undivided Teesta river water sharing, unilaterally by India. Bangladesh has 54 undivided rivers with India. Among them, the Teesta River is 366 kilometers long. This river runs from a glacier in Sikkim of India and winds through the Nilphamari District of Bangladesh. The Teesta River has been flowing along 117 kilometers in Bangladesh and 249 kilometers in Sikkim and West Bengal in India.³⁴ It is to be noted that India had struck first on Bangladesh's river flow by establishing the Farakka barrage on the River Ganges in 1975 and a large part of its flow had been diverted to the Bhagirothi River of that country.³⁵
56. Odhikar expresses grave concern over New Delhi's aggressive attitude on rigid and unilateral refusal of water sharing. Odhikar believes that this kind of attitude from a neighbour country shows disrespect to mutual friendly relationships between two countries. Adequate water sharing of 54 undivided rivers of Bangladesh is yet to be recognised.
57. Odhikar urges the United Nations and human rights defenders to actively campaign for adequate water from India in order to save the lives and livelihoods of the people of Bangladesh.

³³ The daily JaiJaiDin, 18/03/2014

³⁴ The daily Manabzamin, 22/04/2014 and JaiJaiDin, 18/03/2014

³⁵ The weekly Budhbar, 12/02/2014

Situation of ready-made garment workers

58. According to information gathered by Odhikar, in April 2014, 51 workers were injured in the rush to leave the burning factories.
59. Odhikar observes that clashes also take place between the ready-made garment workers and factory owners. These mainly occur due to poor wages; and wages or bonuses not being paid on time; or on demands for increased wages. The tripartite agreement must be implemented in order to save this industry and the livelihood of factory workers.
60. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. The termination of workers without valid reasons, closing down of factories without prior notice, and the habit of not paying wages on time, violate their human rights.

Violence against women

61. During this reporting period, many women have been victims of rape, dowry related violence, acid attacks and sexual harassment by stalkers.

Dowry-related violence

62. In April 2014, according Odhikar documentation, 21 women were subjected to dowry violence. Of these women, it has been alleged that 14 women were killed because of dowry and seven were abused in various ways over dowry demands. Some incidents are as follows:
63. On April 15, 2014, at midnight a housewife named Sathi Khatun (17)³⁶ was strangled to death by her husband Jamal Sheikh over dowry demands in Doara village of Aichgati Union under Rupsha Upazila in Khulna District. Sathi Khatun was a student of class 10 in Dhankura High School in Gopalganj. On February 14, 2014 the father of the deceased arranged the marriage of Sathi to Jamal Sheikh (28). Sathi's father Rezaul Islam Mizan said that on April 11, 2014 Sathi and her husband came to his house and Jamal demanded four hundred thousand taka dowry for securing a job. Rezaul Islam was able to give only 10 thousand taka at that time. After returning from his house Jamal started to inflict inhuman treatment on Sathi. In the morning of April 15, Sathi was mistreated by her husband at Jamal's house. Finally at around 1:30 am Sathi was strangled to death by Jamal. Rezaul Islam filed a case with

³⁶ According to National Children Policy 2011, girls below 18 years of age are considered children and it is a criminal offence to arrange their marriage below 18 years.

the Rupsha Police Station in this regard. Police arrested Jamal Sheikh and his parents.³⁷

64. In the early morning of April 10, 2014, Joynal Abedin set fire to his wife Rozi Akhter by pouring kerosene on her while she was sleeping at their house in Ranirhat area under Rangunia Upazila in Chittagong District. After suffering for four days, Rozi Akhter died in the burn unit of Chittagong Medical College Hospital on April 14. About four years ago Rozi Akhter, daughter of Rofiqul Islam of Shortapara village in Rangunia married Joynal Abedin of Ranirhat area under the same Upazila. Soon after the marriage Rozi had been ill-treated over dowry demands by her husband and in-laws. Police arrested Joynal Abedin.³⁸

Acid violence

65. According to information gathered by Odhikar, in April 2014, it was reported that two women, two men and one girl became victims of acid violence. Incidents of acid throwing are occurring due to the lack of implementation of the Acid Crimes Prevention Act 2002 and the Acid Control Act 2002. Despite the obligation of completing cases under this Act by 90 days, it has never been implemented.
66. On April 6, 2014 at around 4:00 pm, a criminal named Sadik threw acid on a schoolgirl of class X named Shahnaz Kazi when she was taking a bath at a tube-well at Chor Bewtha village in Manikganj Municipality area. It was learnt that Sadik had been stalking her for a long time. After complaints, he gave his word at a village arbitration against him, that he would not tease her in the future. Victim's father filed a case with Manikganj Police Station.³⁹
67. On April 24, 2014 at night, a group of criminals wearing masks threw acid on a woman named Laily Akhter (19) when she was returning home with her cousin sister Chompa after recharging her mobile phone in Nolkata village under Bhandaria Upazila in Pirozpur District. Parts of Laily Akhter's back, legs and left eye were burnt with acid. She was admitted to Barisal Medical College Hospital. A case was filed with Bhandaria Police Station accusing seven criminals. Police arrested one of the culprits named Delwar Hossain in connection with this incident.⁴⁰

Rape

68. In April 2014, Odhikar recorded a total number of 45 females who were raped. Among them, 17 were women, 23 were children below the age of 16

³⁷ Report sent by human right defender associated with Odhikar from Khulna.

³⁸ Report sent by human right defender associated with Odhikar from Chittagong.

³⁹ The daily New Age, 08/04/2014

⁴⁰ The daily Prothom Alo, 26/04/2014

and the age of five persons could not be determined. Of the women, three were killed after being raped; eight were victims of gang rape and one committed suicide. Out of the 23 child victims, three were killed after being raped; 11 were victims of gang rape. Furthermore, two girls were victims of attempted rape. Some incidents are given below:

69. On April 1, 2014 a newly married bride (20) became a victim of gang rape after coming to her cousin's house in Senhatir Bedepara under Digholia Upazila in Khulna. About 7/8 criminals raped the woman after apprehending her husband. On April 3, the victim's cousin, Parvin Begum filed a case with Digholia Police Station against the alleged rapists Ekhlash (30), Chunnu Khan (40), Raju Sheikh (24) of Bedepara and Fatema Begum for helping the rapists. Police arrested Fatema Begum.⁴¹
70. On April 15, 2014 an adolescent from Kaliganj of Satkhira was waiting for her mother at Zero Point in Khuna. Her mother was supposed to arrive from Barisal by bus. She could not communicate with her mother as her cell phone battery had run out of charge. She was waiting beside the Khulna-Satkhira Highways till night fall. At around 10:00 pm Mazeda (42), the wife of a restaurant owner, Shahidul called out to the girl to give her shelter. Restaurant owner Shahidul raped the girl at midnight while she was sleeping. Rapists Shahidul was arrested when local people informed this matter to police station after they found the weeping girl the next morning. The girl filed a case in this regard with Lobonchora Police Station accusing Shahidul and his wife Mazeda.⁴²

Sexual harassment and stalking

71. According to information gathered by Odhikar, a total of 25 girls and women were victims of sexual harassment in April 2014. Among them, three were injured, one was assaulted, one was abducted, two committed suicide and 18 were sexually harassed in various ways. During this period, one man was killed and two were injured by the stalkers when they protested against such acts.
72. On April 15, 2014, a 15-year old madrasa student, Jamena Akhter was sexually harassed by Pallabi Thana unit Jubo League General Secretary Jewel Rana and his associates Rakib, Sahabuddin and Jewel at Pallabi's Bauniabad Colony in Dhaka. Jamena Akhter committed suicide in the evening after this incident.⁴³

⁴¹ Report sent by human right defender associated with Odhikar from Khulna.

⁴² Report sent by human right defender associated with Odhikar from Khulna.

⁴³ The Daily Ittefaq, 16/04/2014

73. Odhikar expresses serious concerns over the increase of violence against women. Odhikar demands that the perpetrators be brought to justice.

Statistics: January-April 2014*						
Type of Human Rights Violation		January	February	March	April	Total
Extrajudicial killings	Crossfire	20	13	7	14	54
	Tortured to death	0	2	1	0	3
	Shot to death**	18	1	5	4	28
	Beaten to death	1	0	1	0	2
	Total	39	16	14	18	87
Enforced Disappearances		1	6	2	10	19
Human rights violations by Indian BSF	Bangladeshis Killed	1	1	2	2	6
	Bangladeshis Injured	4	3	3	2	12
	Bangladeshis Abducted	13	8	12	4	37
Death in Jail		1	5	4	7	17
Attack on journalists	Injured	2	9	7	25	43
	Threatened	1	1	3	2	7
	Assaulted	0	1	0	2	3
	Arrested	4	0	0	0	4
Political violence	Killed	53	10	22	25	110
	Injured	1472	1166	1343	592	4573
Dowry related violence (including women victims, their children and relatives)		12	15	14	21	62
Rape		37	49	39	45	170
Sexual harassment /Stalking of women		14	12	29	25	80
Acid violence		1	3	6	5	15
Public lynching		16	6	11	13	46
RMG Workers	Killed	0	0	0	0	0
	Injured	60	135	65	51	311

*Odhikar's documentation

**From January-April, 17 persons were shot and killed by the law enforcement agencies which is also included in the statistical part of Political Violence

Recommendations

1. Political violence must be stopped. The Government should take legal action against criminal acts perpetrated by its party activists. Parliamentary elections must be held immediately by ensuring participation of all political parties.
2. Meetings and assemblies should not be obstructed. The government should refrain from attacking peaceful programmes and carrying out repressive, unconstitutional activities.
3. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators be brought to justice under criminal law. The Government should ratify the Optional Protocol to the Convention against Torture.
4. The government has to explain the incident of enforced disappearances and killing allegedly perpetrated by the law enforcement agencies. Odhikar urges the government accede to the International Convention for the protection all person from enforced disappearance adopted by the UN on December 20, 2006.
5. The Government must ensure the accountability of all members of law enforcement agencies and should take effective measures to end impunity.
6. The Government must investigate incidents of attacks on journalists and take legal means to punish the perpetrators. Freedoms of speech and expression must be ensured.
7. The detained and sick Acting Editor of the daily Amar Desh, Mahmudur Rahman should immediately be released for proper treatment.
8. Freedom of opinion and expression should not be violated.
9. The Government should take all measures to protect the rights of the citizens belonging to religious and ethnic minority communities and ensure their security. The State and Government has also to ensure their right to perform religious and cultural practice.
10. The repressive Information and Communication Technology Act 2006 (Amended in 2009 and 2013) should immediately be repealed. All repressive measure taken against Odhikar must be withdrawn.
11. The NGO Affairs Bureau should release funds of Odhikar to continue its human rights activities.
12. The Government should protest strongly against human rights violations on Bangladeshi citizens by the BSF and take initiatives to investigate and make the Indian Government accountable; and compensate the families of the victims. The Government should also ensure the safety and security of the Bangladeshi citizens residing at the border areas.
13. Bangladesh has to take bold steps in order to get adequate water from India through 54 undivided rivers.

14. Human rights violations of readymade garments factory workers must be stopped. RMG factories need to be brought under unified security programmes.
15. The Government must ensure the effective implementation of laws to stop violence against women and the offenders must be punished. The Government should also execute mass awareness programmes in print and electronic 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, with assistance from trained local human rights defenders.
4. Odhikar is consistent in its human rights reporting and is committed to remain so.