



March 1, 2014

## **Human Rights Monitoring Report**

February 1 – 28, 2014

**Political violence persists**  
**The Upazila Parishad Elections 2014**  
**Extrajudicial killings continue**  
**Public lynching continues**  
**The human rights of religious minority communities**  
**Harassment on Odhikar**  
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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 human rights monitoring report for February 2014 despite facing harassment and threats to its existence.

## **Political violence persists**

1. According to information gathered by Odhikar, in February 2014, nine persons were killed and 1167 injured in political violence. 23 incidents of internal violence in the Awami League and three in the BNP were also recorded during this period. In addition to this, 240 were injured in internal conflicts of the Awami League while 42 were injured in BNP's internal conflicts.
2. Criminalization of politics by Chhatra League<sup>1</sup> and Jubo League<sup>2</sup> commenced when the Awami League (AL) assumed power on January 6, 2009. This continues after the AL assumed power again through a controversial Parliamentary Election on January 5, 2014. Most of the criminal activities are linked to vested interest and mainly occur by using political influence. These groups are also involved in putting up barriers to administrative programmes in colleges and universities. For instance, rooms of the residential halls in the universities are supposed to be distributed among the students, regardless of

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<sup>1</sup> Student wing of Awami League

<sup>2</sup> Youth wing of Awami League

political belief, by the University authority. However, it has often been seen that Chhatra League forcibly ousted the general students or students belonging to Opposition from the residential halls and the authorities are not able to take any action.<sup>3</sup> Some examples of political violence in February are as follows:

3. Students of Rajshahi University were protesting against the increased tuition fees and for the removal of evening Maters degree courses in various Departments from January 28, 2014. On January 30, students called for a strike on the University campus. On February 1, the University authority declared a stay on the increased tuition fee. But the students continue their protest over increased tuition fees and the evening Maters Degree courses which remained in place. On February 2 at around 10.00 am, students surrounded the University Administrative Building. At around 11.30 am Chhatra League activists, led by University Chhatra League unit President Mizanur Rahman and General Secretary Touhid Al Hossain, brought out a procession. Chhatra League activists threw crude bombs on the protesting general students while passing the administrative building. They chased the protesters and 8-10 cocktails<sup>4</sup> were exploded by Chhatra League. The protestors retaliated by throwing bricks and some Chhatra League activists took out pistols and opened fire. The on-duty policemen allegedly fired rubber bullets and threw tear gas shells at the general students. At least 100 students were injured, including 12 with gunshot wounds, during this attack.<sup>5</sup>
4. On February 10, 2014, Chhatra League<sup>6</sup> leaders drove out 97 newly admitted students of Dhaka University from SM Hall<sup>7</sup>. Chhatra League leaders told the students that they would not be allowed in the residential hall if they were not Chhatra League activists.<sup>8</sup>

## The Upazila Parishad Elections 2014

5. The Election Commission of Bangladesh announced election schedules of 469 Upazilas out of a total of 487 in the country, to be held in five phases. Elections in 18 Upazilas could not take place as the tenure of the elected bodies of these Upazilas was not over and also due to demarcation problems. In the first phase, elections in 102 Upazilas were scheduled on February 19; elections in 117 Upazilas, on February 27, fell in the second phase; elections in 83 Upazilas on March 18 made up the third phase; in the fourth phase, 92

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<sup>3</sup> This is true of the students wing of the BNP as well. 'Capturing Halls' is common practice among students wings of political parties in power in Bangladesh.

<sup>4</sup> Cocktails are crude home-made hand bombs.

<sup>5</sup> The daily Prothom Alo, 03/02/2014

<sup>6</sup> Student wing of Awami League, an associate organisation of ruling Awami League

<sup>7</sup> Residential hall of Dhaka University

<sup>8</sup> The daily Prothom Alo, 11/02/2014

Upazilas would hold elections on March 23; and elections will be held in 74 Upazilas on March 31 in the fifth phase.<sup>9</sup> Even though the local government elections are elections with no direct participation of political parties, the major political parties are taking keen interest in the candidates. The Bangladesh Nationalist party (BNP) is participating in the Upazila Parishad Elections, though it boycotted the 10<sup>th</sup> Parliamentary Elections on January 5, 2014.

6. Elections were held in 97 Upazilas out of 102, on February 19, 2014 during the first phase of the Fourth Upazila Parishad Elections. Polling did not take place in 5 Upazilas due to various reasons. Incidents of clashes and altercations took place in many electoral areas and incidents of vandalising and taking away ballot papers and 'capturing' polling centres also occurred. The Election Commission postponed voting in 10 polling centres. On an average, the voter turnout was 62.44 per cent.<sup>10</sup> In Nagerpara High School polling centre under Gosairhat Upazila in Shariatpur a Chhatra League leader snatched a ballot paper from a voter and stamped it in favour of an Awami League supporting Chairman candidate. The same incident took place in Krishna Gobinda Government Primary School polling centre under Kazipur Upazila in Sirajganj. Incidents of fake votes; cocktail explosions; snatching away of ballot boxes; vandalism and destruction of electoral materials; entering polling centres and beating election officials all took place in 15 polling stations out of 49 in Sonatola Upazila under Bogra district. Supporters of Awami League nominated Chairman candidate, Sarwar Alam took control over Gazirchor Union Parishad polling centre under Bazitpur Upazila in Kishoreganj before the polling started. After the voting commenced, the Presiding Officer took signatures of the polling agents on election result sheets. Later, supporters of Sarwar Alam entered the polling booths and forced the polling agents of BNP supported candidate, Quayyum Khan to leave. Sarwar Alam's supporters remained till voting was finished.<sup>11</sup> Meanwhile, on February 20, BNP led 19-Party Alliance<sup>12</sup> called a dawn-to-dusk hartal in Kazipur of Sirajganj District; Sadar Upazila of Meherpur; Bajitpur Upazila of Kishoreganj District; Sadar and Shaikupa Upazilas of Jhenaidah District; Sujanagar Upazila of Pabna District; Gouranodi and Bakerganj Upazilas of Barisal District; and Sonatola Upazila of Bogra District over allegations of rigging, capturing polling centres and casting fake votes. BNP supported Chairman candidates won in 43 Upazilas; Awami League supported candidates won in 35; Jamaat-e-Islami

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<sup>9</sup> Election Commission Bangladesh, <http://www.ecs.gov.bd/English/index.php>

<sup>10</sup> The daily Bangladesh Protidin, 22/02/2014

<sup>11</sup> The daily Prothom Alo, 20/02/2014

<sup>12</sup> On January 25, 2014 Jatiya Party led by Kazi Zafar Ahmed joined the 18-Party Alliance. Thereafter this alliance named as 19-Party Alliance.

supported candidates won in 12 Upazilas; and Jatiya Party supported candidates won 1; while others won in 5 Upazilas.<sup>13</sup>

7. On February 27, 2014 the second phase of elections in 114 Upazila Parishads were held with allegations of massive rigging, casting of fake votes, snatching away ballot papers and boxes, violence and 'capture' of polling centres. Clashes took place in many Upazilas during the elections. About 200 people were injured and a Shibir<sup>14</sup> activist was shot dead in Sonaimuri of Noakhali during the violence.<sup>15</sup> Meanwhile the 19-Party BNP-led Alliance called for local hartals after boycotting polls in 12 Upazilas in protest of capturing of polling stations; stuffing ballot boxes; and driving out polling agents who support BNP-Jamaat supported candidates from polling stations. The Upazilas are - Sadar upazila of Barisal; Chorfesson and Burhanuddin Upazilas of Bhola; Faridganj of Chandpur; Shibchor of Madaripur; Companyganj, Kobirhat and Sadar Upazilas of Noakhali; Parshuram of Feni; Sadar Upazila of Munshiganj; Sharsha of Jessore; and Chakoria Upazila of Cox's Bazaar. The Election Commission had suspended elections to Noakhali Sadar Upazila Parishad and 34 polling centres in 13 Upazilas across the country due to violence.<sup>16</sup>
8. Noakhali district was worst hit by electoral violence. A Shibir activist was killed when police opened fire to disperse Awami League and BNP-Jamaat activists fighting over the control of a polling centre in Sonaimuri Upazila. The supporters of Awami League-backed Chairman candidate AFM Babul, tried to capture Nandiapara Degree College polling centre by firing gunshots and exploding crude bombs at around 1:30pm. A clash broke out as the supporters of the 19-Party-backed Chairman candidate, Anwarul Haque, resisted the ruling party men. At one stage, law enforcers opened fire to bring the situation under control. Saddam Hossain, (22) a resident of Nandiapara and a supporter of Islami Chhatra Shibir<sup>17</sup> died on the spot. Voting was cancelled at all 117 polling stations in Noakhali Sadar Upazila as the situation went out of control.<sup>18</sup>
9. Elections in Keraniganj Upazila were marked with capturing of polling stations and casting fake votes. Almost all the polling centres of this Upazila were under the control of leaders and activists of the Awami League. During this time, agents of the BNP-led 19-Party Alliance supported candidates were beaten and driven out from various polling stations. Furthermore, many voters had left the polling stations due to fear and threats given by the

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<sup>13</sup> The daily New Age, 21/02/2014

<sup>14</sup> Chhatra Shibir: the student wing of Jamaat-e-Islami

<sup>15</sup> The daly Manabzamin and Jugantor, 28/02/2014

<sup>16</sup> The daily Jugantor and New Age, 28/02/2014

<sup>17</sup> The student wing of Jamaat-e-Islami

<sup>18</sup> The Daily Star, 28/02/2014

activists of the ruling party. Voters' presence in the polling centres were found to be initially low, but at the end of the day the voters' turnout was shown higher. The electoral and responsible government officials took no action during the casting of fake votes in their presence. A clash took place when local Awami League activists threatened the polling agents of BNP supported candidate Nazimuddin Master to leave Hasnabad Ikuria Government Primary School polling centre at Shubhadda Union. During the clash, incidents of shooting occurred and a few people including a BNP activist Mizanur Rahman Dablu were injured.<sup>19</sup>

10. Incidents of attacks and firing at supporters of the BNP supported candidate; stuffing ballot boxes; capturing polling stations; and casting fake votes also occurred in Munshiganj Sadar Upazila during the polls. At least 20 persons were injured. During the violence, supporters of Awami League supported candidate Anisuzzaman Anis 'captured' almost all polling stations out of 106 after 10.00 am during the polls. The ruling party activists and supporters illegally stamped on ballot papers after forcibly driving out the agents of BNP supported candidates. Supporters of Awami League-backed Chairman candidate forcefully drove out voters from Kewar Government Primary School polling centre. Voters Sahabuddin, Ibrahim and Saleha Begum alleged that they were forcibly ousted from the polling station by supporters of the Awami League blessed candidate. In addition to this, Awami League activists started firing at supporters of the BNP supported candidate in front of Malirpathor Government Primary School polling centre. During this attack, Panchsar Union unit BNP's General Secretary Ayat Ali Dewan and his son Mamun Dewan were stabbed. Later BNP supported Chairman candidate of Munshiganj Sadar Upazila, Mosharraf Hossain Pusti called for a dawn-to-dusk hartal on Saturday in protest of the vote rigging and capturing of polling stations.<sup>20</sup> A human rights defender said that he reached Munshiganj from Dhaka on February 27 at around 2.00 pm. At around 3.00 pm he went to Nayagaon Government Primary School polling centre, situated at ward no. 9 in Nayagaon Union where the armed cadres of Awami League supported candidate Anisuzzaman Anis said, "Your vote has already been casted. Go home". Later he came to know that other members of his family could not vote. At around 10.00 am his uncle-in-law went to the same polling station to vote. The Awami League supported candidate's supporters and Nayagaon Union unit Jube League President Zahid Hassan forced him with threats to vote for Awami League supported candidate Anisuzzaman in the presence

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<sup>19</sup> The daily Manabzamin, 28/02/2014

<sup>20</sup> The daily Manabzamin, 28/02/2014

of the Presiding Officer. His younger brother too was obstructed by Awami League activists and could not cast his vote at the same polling station.<sup>21</sup>

## Post election violence

11. Incidents of election-related violence took place in many parts of the country after the first phase of the Upazila Parishad Elections. Some incidents are as follows:
12. On February 20, 2014 clashes occurred between the supporters of Awami League-backed Chairman candidate Altaf Hossain and BNP backed winner Chairman Anwar Hossain Majhi in Mollar Bazaar under Bhedorganj Upazila in Shariatpur District. Both the groups fought each other with homemade weapons. At least 10 people were injured during the clash.<sup>22</sup>
13. On February 20, 2014 supporters of the winning Upazila Chairman candidate, belonging to BNP, Faridul Kabir Talukder, vandalized and looted 8 houses and business offices belonging to Awami League supporters in Hironyabari village under Sharishabari Upazila in Jamalpur District.<sup>23</sup>
14. On February 21, 2014 at around 10.00 pm local Awami League activists Shamim, Asad and their associates attacked, vandalized and looted the house of BNP activist Altab Hossain for being a polling agent of the BNP nominated candidate in Bilodahar Motshyajibi para polling centre under Singra Upazila in Natore. During this attack, criminals severely beat Altab Hossain's teenage daughter Sweety Khatun, as he was not at home. The attackers vandalized and looted three houses and a shop. Sweety Khatun had to be admitted to Singra Upazila Health Complex.<sup>24</sup>
15. On February 21 at around 10.00 pm supports of Awami League nominated Vice-chairman candidate, Mezbah Uddin Khokon were attacked by supporters of Awami League's rebellious candidate Hasanuzzan. 20 persons were injured during the clash. Among them eight seriously injured persons were admitted to Sharankhola Hospital and later four of them were shifted to Khulna for better treatment.<sup>25</sup>
16. On the night of February 21, 2014 a clash took place among the BNP, Awami League and police in relation to post election violence at Rouha Bazar in Satpoya Union under Sharishabari Upazila in Jamalpur District. At least 20 persons, including three policemen and two members of the Ansar<sup>26</sup> were

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<sup>21</sup> Report send by human right defender associated with Odhikar from Munshiganj, 28/02/2014

<sup>22</sup> Shariatpur district correspondent of the daily Manabzamin, 21/02/2014

<sup>23</sup> The daily Prothom Alo, 21/02/2014

<sup>24</sup> The daily Manabzamin, 23/02/2014

<sup>25</sup> The daily Jugantor, 23/02/2014

<sup>26</sup> Ansar: An auxiliary force

injured during the clash. BNP leaders and activists also vandalised and looted 10 business offices belonging to supporters of Awami League.<sup>27</sup>

## Extrajudicial killings continue

17. According to information gathered by Odhikar, a reported total of 39 persons were extra judicially killed in January 2014. In February 2014, 16 were killed extra-judicially. Types of deaths and identities of the deceased are stated below:

### Types of extrajudicial Killings

#### *Crossfire/encounter/gun fight:*

18. Among the 16 persons extra judicially killed, 13 were killed in 'crossfire/encounters/ gun fights'. Among the deceased, two were allegedly killed by the Rapid Action Battalion (RAB) and 11 by the police.

#### *Shot to death:*

19. Among the deceased, one person was shot and killed by police during this period which is also mentioned in the 'Political Violence' part of this report.

#### *Tortured to death:*

20. During this period, two persons were allegedly tortured to death by police.

#### *Identities of the deceased*

21. Of the 16 persons who were killed extra-judicially, one was activist of youth wing of the Awami League, two were activists of the student wing of Jamaat-e-Islami, one was a member of Purba Banglar Sarbahara Party, one was a member of Jamaat-ul-Mujahideen Bangladesh (JMB), one was a mason, one was a driver and nine were alleged criminals. Some incidents are as follows:

22. On February 15, 2014 two youths named Salauddin (29) and Jewel (28) were killed in 'gunfight' with police at Sutikhalpar Balur Maath in Jatrabari under Dhaka Metropolitan area. Rumi, the wife of Jewel, said that they were going to her sister's house at Mirpur and were waiting for bus on the main road, from their home in Shonir Akhra. During this time, Salauddin called to Jewel and he went over to him. All of a sudden they ran away and took shelter at a house when police chased them. Both were arrested from there. Rumi wanted to talk to Jewel but the police threatened her by saying that they would shoot him. Jewel's brother-in-law Polash said that he was able to talk with Jewel soon after he was arrested. Jewel told him that he thought he and Salauddin

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<sup>27</sup> The daily Manabzamin, 23/02/2014

would be taken to the police station. Since there was no case filed against Jewel, Polash thought he would try to release him from the police station. However Jewel's family came to know that Jewel and Salauddin were killed in 'gunfight' within 10 minutes after they were arrested. The family members of Jewel claimed that he was labeled a criminal and shot dead by police.<sup>28</sup> Eye-witness to the incident and a resident of Jatrabari Sutikhalpar area, Azgor informed that both men were blindfolded and their hands were tied. One of the two was begging for his life. One was shot and he fell with a shout. The other one was on his knees on the ground. Police shot at his head. Despite that, he was alive and asking for water. Later Ajgor inquired about the identity of the youth and came to know that his name was Jewel.<sup>29</sup>

23. Odhikar believes that extra judicial killings are making a mockery of the country's laws and criminal justice system. The culture of impunity in the law enforcement agencies only adds to this.

## Torture in custody

24. According to information gathered by Odhikar, in February, two persons were tortured to death in custody by police, which was previously mentioned in the extrajudicial killing part of this report.
25. On February 1, 2014 Mohammad Mohsin (27), son of Sultan Uddin and a resident of Baroigaon village in Chokrada Union under Shibpur Upazila in Norshingdi, was arrested by police of Shibpur Police Station as a suspect in a robbery case. The family of Mohsin alleged that he was tortured by police in a room on the first floor of the police station for three days after he was arrested and as a result Mohsin died. The police publicized Mohsin's death as suicide by hanging. Odhikar's fact finding report reveals that police arrested Tara Mia and his nephew Mohammad Mohsin from their home at around 12.00 am on February 1, 2014 for a robbery at a cable factory in Shibpur. The Officer-in-Charge (Investigation) Mohammad Moniruzzaman led the operation. Tara Mia was kept in the police lock-up and Mohsin was taken to the first floor of the police station. On February 2, 2014 in the afternoon, OC (Investigation) Moniruzzaman demanded 50 thousand taka from Mohsin's father Sultan Uddin not to torture his son. Sultan Uddin agreed to give him 40 thousand taka. On that night, police raided his house again, bringing Mohsin with them. They took away Mohsin's cell phone, wallet, and National ID card. In the early morning of February 3, Mohsin died in a room on the first floor of the police station. After his death, police said that Mohsin was taken to the first floor of the station for interrogation. After interrogating Mohsin, police

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<sup>28</sup> The daily Bangladesh Protidin, 18/02/2014

<sup>29</sup> Ibid.

handcuffed one hand and left the room. They claimed that later Mohsin committed suicide by hanging himself with a woolen scarf. Mohsin's family members alleged that police did not allow them to see his body. When Mohsin's family gathered in front of the police station with local inhabitants after hearing of the death of Mohsin they were beaten by the police. On February 3 at around 5.00 pm, after post mortem, Mohsin was brought to his home with police protection and the family was forced to bury Mohsin quickly. It was also learnt during fact finding that police were trying to negotiate this quick burial in exchange of money with the deceased's family, with the help of local Union Parishad Chairman, Ariful Islam. On February 10, 2014 Advocate Siddiqur Rahman filed a murder case with the Additional Chief Judicial Magistrate's Court accusing the Officer-in-Charge of Shibpur Police Station, Kazi Mizanur Rahman; Officer-in-Charge (Investigation), Moniruzzaman; and Constable Hanif for the death of Mohsin.<sup>30</sup>

26. A youth named Mohammad Johny (25) died in the custody of Pallabi Police Station in Dhaka. On February 8 at midnight police arrested seven people, including Johny from his friend Billal Hossain's wedding programme at Irani Camp in Pallabi. Johny was seriously injured on the spot when police beat him. On February 9, Johny died in Dhaka Medical College Hospital while under treatment. Johny's brother and an eye-witness of the incident, Rocky said that he was also arrested by police with his brother. Sub-Inspector (SI) Zahid started beating him after taking them to the police station. Later Johny was handcuffed to a pole and severely beaten with a stick and cricket stumps. When Johny collapsed as a result of the beating, SI Zahid stood on his chest and also kicked him. Rocky alleged that Johny died due to police torture. A doctor of the Dhaka Medical College Hospital mentioned signs of physical injury on Johny's death certificate.<sup>31</sup>
27. Torture in custody is a grave human rights violation. On October 5, 1998 Bangladesh ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Despite this, Bangladesh does not follow the obligations in this international treaty. According to this Convention, "No one shall be subjected to torture and other cruel, inhuman or degrading treatment or punishment". Article 35(5) of the Constitution of Bangladesh states the same.
28. On October 24, 2013 ruling party Parliamentarian, Saber Hossain Chowdhury presented the 'Torture and Custodial Death (Prevention) Bill, 2013' in the Parliament which was passed by the Members of Parliament through a voice vote. Despite this new Law, incidents of deaths due to torture in custody continue.

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<sup>30</sup> Fact finding report of Odhikar

<sup>31</sup> The daily Manabzamin, 10/02/2014 and 13/02/2014

29. Odhikar also believes that despite the claim of 'zero tolerance' on torture, the Government has not taken steps or effective measures to curtail torture and other forms of custodial violence; and acts of impunity by law enforcement officers. Such lack of action against perpetrators only encourages human rights violations.
30. Odhikar urges the Government to implement the recommendations given by the High Court Division of the Supreme Court in the 2003 judgement of BLAST vs. Bangladesh; and to take strict legal measures to end the culture of impunity in the law enforcing agencies. Justice needs to be served effectively on perpetrators of such violations with no discrimination whatsoever.

## **Death in jail**

31. In February 2014, five persons reportedly died in jail due to 'illnesses'.

## **Freedom of the media**

32. In February 2014, according to information gathered by Odhikar, nine journalists were injured, one was threatened, one was assaulted and one was sued.
33. Odhikar strongly condemns attacks on journalists and also demands that the criminals involved in attacking journalists should also be arrested and tried in the Court of Law for their crime.

## **Public lynching continues**

34. In February 2014, six people were reportedly killed due to public lynching.
35. People are often being killed due to mob lynching. 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.
36. 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**

37. After the January 5, 2014 elections, incidents of attacks on citizens belonging to religious and ethnic minority communities occurred across the country. Houses, shops and businesses and places of worship were attacked during

this period.<sup>32</sup> These incidents of attacks continue. Some incidents are highlighted below:

38. On February 4, 2014 at around 2.00 am, a group of masked criminals attacked a temporary temple with lethal weapons at Boromi Bazaar under Sreepur Upazila in Gazipur district. The temple was set up by the Dhanshiri Club. During this attack, the attackers beat the priests and vandalised the place of worship.<sup>33</sup>
39. On February 5, 2014 at night, criminals vandalized an idol of goddess Saraswati in Char Basudebpur under Chapainababganj District. The General Secretary of the Puja Udjapon<sup>34</sup> Committee, Rony Karmokar said that the worshippers found the idol broken on the morning of February 6.<sup>35</sup>
40. On February 6, 2014 criminals vandalised Sree Nigamananda Saraswati Sebashrom in Kaharole Upazial under Dinajpur District and looted valuables. Nanda Dulal Chokraborty, Director of the Sebashrom said that at around 4.00 am 20-25 criminals entered the premises and vandalised the temple by holding people hostage at gun point. During this time, they took away one laptop, one IPS with two batteries and two mobile phones.<sup>36</sup>
41. Odhikar condemns the crime of attacks on the citizens belonging to religious minority communities during every pre and post election period. Odhikar believes that this kind of violence is taking place for achieving political gain and to threaten people to vote for a particular candidate or even punish them for voting. Odhikar strongly demands that criminals committing such crimes must be arrested and brought to justice, regardless of political affinity.
42. Odhikar expresses serious concerns over these criminal acts of violence against religious minority groups for whatever reasons; and also condemns the government's failure to protect the life and livelihood of the citizens belonging to religious minority communities.

## **Government tries to gag Odhikar's voice**

### ***Odhikar protests against untruths told about it in Parliament***

43. On February 14, 2014 a so-called audio message by Al-Qaeda top leader Ayman Al-Zawahiri, was published and circulated on YouTube, various other social media including blogs, newspapers and in some electronic media. In this 'audio message' the Al-Qaeda leader called for a movement (Intifada) against anti-Islamists in Bangladesh. Photographs of human rights violations

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<sup>32</sup> It has been seen since the independence of Bangladesh that after every elections the religious minority communities have been deliberately targeted for political and financial benefits. Awami League, BNP, Jamaat and Jatiya Party - all are allegedly involved in this attack.

<sup>33</sup> The Daily Ittefaq, 07/02/2014

<sup>34</sup> Worship Organising Committee

<sup>35</sup> The daily Prothom Alo, 07/02/2014

<sup>36</sup> The daily Prothom Alo, 07/02/2014

on the May 2013 Hefazate Islam rally were also shown with claims that thousands of people who gathered in the rally were killed by law enforcement agencies. In relation to this audio message on February 16, 2014 former Foreign Minister and current Member of Parliament Dipu Moni said in Parliament that Zawahiri's statement was similar to those of Khaleda Zia, Tarique Rahman, Amar Desh Acting Editor Mahmudur Rahman and Odhikar chief Adilur Rahman Khan.<sup>37</sup>

44. Odhikar condemns the ridiculous and uncalled for statement made by former Foreign Minister and current MP Dipu Moni<sup>38</sup>. As a human rights organisation, it is Odhikar's responsibility to protest against all acts of human rights violations by the State and also make the people aware of human rights and state accountability. The former minister and current Parliamentarian was attempting to gag dissenting and critical voices by making a link with Al-Qaeda's statement and Odhikar's fact finding report. This has further highlighted the culture of false statements and the blatant denial of human rights abuses by the government. It must be mentioned here that Odhikar does not function on the basis of any special political thought and due to its neutral role Odhikar has been victimised by all governments for being vocal against human rights violations. However, the present government exceeds all the limits of oppression perpetrated by past regimes.

### ***Harassment on Odhikar***

45. On August 10, 2013 Odhikar's Secretary Advocate Adilur Rahman Khan was detained and there after the Organisation has been continuously harassed and intimidated by the intelligence agencies for the last six months. Such harassment commenced after the release of its fact finding report on reported extrajudicial killings perpetrated by law enforcement agencies during an assembly organised by the group Hefazate Islam on May 5-6, 2013. Although the government has been putting barriers on Odhikar's activities since 2009, which Odhikar has mentioned at different times the present scenario is quite extreme. Monitoring and surveillance by the intelligence agencies on Adilur Rahman Khan, staff members of Odhikar and its office continue. Furthermore, the NGO Affairs Bureau, which is under the Prime Minister's Office, has been putting barriers against releasing of funds for Odhikar's programmes to be implemented. In light of this, Odhikar will face operational crisis from March 2014.<sup>39</sup>

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<sup>37</sup> The daily Dhaka Tribune, 17/02/2014

<sup>38</sup> Elected unopposed from Chandpur-3 constituency in the 10<sup>th</sup> Parliamentary Elections.

<sup>39</sup> "Human Rights Research and Advocacy" project has been accomplished in June 2013. But the NGOAB did not release the fund of the last three months of the project activities. Odhikar had to borrow loans in order to implement the project on time. On the other hand the NGOAB created obstacles for releasing funds from the beginning of this project, which duration was 2 years and 10 months. On August 21, 2013 Odhikar submitted an application and fund clearance for the 2<sup>nd</sup>

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

46. Odhikar continues to release monthly monitoring reports despite facing threats to its existence. However it did not publish the reports on its website in protest of the continuing harassment and persecution by the government; who are using the repressive Information and Communication Technology Act, 2006 (amended in 2009 and 2013)<sup>40</sup> to challenge dissent and criticism. 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 and people who have alternative beliefs. Odhikar urges the government to repeal this repressive law.<sup>41</sup>

## **Human rights violations in border areas by BSF continues**

47. According to information collected, in February 2014, several incidents of human rights violations occurred along the India-Bangladesh border areas perpetrated by the Indian Border Security Force (BSF). During this reporting period, one Bangladeshi was shot dead by BSF, who also injured three Bangladeshis. Among them, two were shot at and one was tortured. During this time, eight Bangladeshis were allegedly abducted by the BSF.
48. According to the Memorandum of Understanding and related treaties signed between the two countries, if citizens of both countries illegally cross the border, it would be considered trespass and as per law those persons should be handed over to the civilian authority. However, we have noticed that India has been repeatedly violating treaties, shooting at anyone seen near the

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year's activities of the project titled "Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh". It has not granted till date.

<sup>40</sup> 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.

<sup>41</sup> The ICT Act 2006 (Amended in 2009) is also the law under which the Secretary and Director of Odhikar have been charged.

- border or anyone trying to cross the border; and illegally entering Bangladesh, which is a clear violation of international law and human rights.
49. Odhikar believes that the role of the Bangladesh Government should be independent and sovereign in order to protect its citizens. No independent and sovereign state can ever accept the indiscriminate killing, torture and abduction of its citizens by another state without reason.

## **Situation of ready-made garment workers**

50. According to information gathered by Odhikar, in February 2014, 135 workers were injured during unrest caused due to termination of workers, closure of factories, demands for overdue wages and various other reasons.
51. On February 18, 2014 workers of CPM Composite Knitwear Limited were protesting for unpaid wages at Zinzira area in Savar, Dhaka. An altercation occurred with police when the factory workers vandalized the factory and blocked the roads. At least 100 people were injured, including 11 with gunshot wounds, during the clash. The workers claimed that they were yet to be paid three months' salary. The management changed the due dates several times but did not pay them until the violence took place. In addition to this, workers became furious when they heard about the possible closure of the factory.<sup>42</sup>
52. 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, and the habit of not paying wages on time, violate their human rights.

## **Violence against women**

53. Odhikar believes that since the perpetrators of violence against women escape punishment due to various reasons, potential violators are encouraged. It is important to effectively and adequately implement the law to stop such violence.

### **Dowry-related violence**

54. In February 2014, Odhikar recorded that 15 women were subjected to dowry violence. Of these women, it has been alleged that 11 women were killed because of dowry and three were abused in various ways over dowry demands. During this time, one woman also committed suicide due to dowry.

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<sup>42</sup> The daily Bangladesh Protidin, 19/02/2014

### **Acid violence**

55. According to information gathered by Odhikar, in February 2014, it was reported that three women became victims of acid violence.
56. 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.

### **Rape**

57. In February 2014, Odhikar recorded a total number of 42 females who were raped. Among them, 21 were women, 17 were children below the age of 16 and the age of four persons could not be determined. Of the women, three were killed after being raped; 10 were victims of gang rape. Out of the 17 child victims, one was killed after being raped; four was a victim of gang rape. Furthermore, seven women and a girl were victims of attempted rape.

### **Sexual harassment and stalking**

58. According to information gathered by Odhikar, a total of 12 girls and women were victims of sexual harassment in February 2014. Among them, one committed suicide, two girls were injured by stalkers, one was abducted and eight were sexually harassed in various ways.

Statistics: January-February 2014*				
Type of Human Rights Violations		January	February	Total
Extrajudicial killings	Crossfire	20	13	33
	Tortured to death	0	2	2
	Shot to death*	18	1	19
	Beaten to death	1	0	1
	<b>Total</b>	<b>39</b>	<b>16</b>	<b>55</b>
Enforced disappearances		1	5	6
Human rights violations by Indian BSF	Bangladeshis Killed	1	1	2
	Bangladeshis Injured	4	3	7
	Bangladeshis Abducted	13	8	21
Death in Jail		1	5	6
Attack on journalists	Injured	2	9	11
	Threatened	1	1	2
	Assaulted	0	1	1
	Arrested	4	0	4
Political violence	Killed	53	9	62
	Injured	1472	1167	2639
Violence against women	Dowry related violence (including women victims, their children and relatives)	12	15	27
	Rape	37	42	79
	Sexual harassment /Stalking of women	13	12	25
	Acid Violence	1	3	4
Public lynching		16	6	22
RMG Workers	Killed	0	0	0
	Injured	60	135	195

*Odhikar's documentation*

*\*Shot to death under extrajudicial killing is included in Political Violence part*

## Recommendations

1. The Government should take legal action against criminal acts perpetrated its party activists.
2. The Government must stop extrajudicial killings and also bring perpetrators to justice, through proper and independent investigation.

3. Incidents of 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 should take all measures to protect the rights of the citizens belonging to religious and ethnic minority communities and ensure their security. Perpetrators of attacks on the religious minority groups must be brought to justice.
5. The Government must investigate incidents of attacks on journalists and take legal means to punish the perpetrators.
6. 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.
7. The Government should protest strongly against human rights violations on Bangladeshi citizens by the BSF and take initiative 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.
8. Human rights violations of readymade garments factory workers must be stopped. RMG factories need to be brought under unified security programmes.
9. The Government must ensure the effective implementation of laws to stop violence against women and the offenders must be brought to justice, instead of being 'sheltered' for their heinous crimes. 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.