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Human Rights Monitoring Report

January 1 – 31, 2015

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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. 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 State’s failure to recognise this basis of democracy at the founding moment is a continuing curse that people in Bangladesh 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 willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. If the state does not ensure full participation in the decision making process at all levels - from the lowest level of the administration to the highest level - it cannot be called a 'democratic' state. Citizens become of their rights and responsibilities through participation and decision making processes and the awareness about the rights of others and collective benefits and responsibilities can be ensured and implemented through this process as well. There is no alternative. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights through any legislation, Judicial verdict or Executive order, as they are the foundational principles of the State and inviolable.

A state cannot prove its justification to citizens other than ensuring the right to life, environment and livelihood. Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure internationally recognised civil and political rights of citizens. Odhikar stands against all forms of human rights violations; participates and remains directly involved in the human rights movement in Bangladesh. The dimension of constituting a democratic state has been achieved through historical movements and the universality of these civil and political rights have been established worldwide through various international declarations, conventions and treaties.

Thus Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather it believes the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As part of its mission, Odhikar monitors the human rights situation in order to promote and protect civil, political, economic, social and cultural rights of Bangladeshi citizens and to report violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released the human rights monitoring report for January 2015, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

Heightened political violence one year after controversial elections

1. According to information gathered by Odhikar, in January 2015, 46 persons were killed and 1946 were injured in political violence. Among them, 20 persons succumbed to injuries and 260 were burnt in petrol bomb and arson

attacks during hartals¹ and blockade programmes. 26 incidents of internal violence in the Awami League and two in the BNP² were also recorded during this period. One person was killed and 327 were injured in the internal conflicts of the Awami League while 32 persons were injured in conflicts within the BNP.

2. The BNP led 20-Party Alliance had declared that they would take initiatives to organise a meeting in Dhaka, declaring January 5 as 'death of democracy' day to commemorate one year of the holding of the controversial January 5, 2014 Parliamentary Elections.³ The ruling Awami League and its alliance also declared a meeting in Dhaka on the same day to observe the day as 'victory of democracy'. Given this situation, the Dhaka Metropolitan Police banned all public meetings scheduled that day in the Dhaka Metropolitan area; and also imposed Section 144⁴ of the Code of Criminal Procedure. However, the ruling Awami League ignored the ban and held rallies, meetings and sit-in programmes in the Capital. On January 3, 2015 the BNP Chairperson and 20-Party Alliance leader Begum Khaleda Zia, was confined in her political party office at Gulshan, Dhaka. Furthermore, the roads leading to and from her office were blocked with trucks full of sand and brick-chips. A large number of regular and plain clothes police and other security forces were also deployed in front of the office gates. The government's excuse was that Khaleda Zia was not confined and that police and road-blocks had been deployed for her 'security'. The main gate to the party office building was also padlocked from the outside.
3. On January 5, 2015 Begum Khaleda Zia's vehicle was obstructed when she wanted to go out of the office, as the gate had been padlocked. Pro-BNP protesters within began chanting slogans and protesting this treatment and also started pushing on the gate. Even though they were confined to the office premises and could not exit, police, violating a Supreme Court directive, threw pepper spray on them from the outside, which also hit Khaled Zia⁵. As

¹ General strikes

² BNP: Bangladesh Nationalist Party

³ The Awami League led government of 2009 – 2014 amended the Constitution, repealing the provision of an interim Caretaker Government without any consensus or referendum. The Election Commission then declared an Election Schedule, which was not shared with the then BNP-led parliamentary Opposition. The BNP-led Opposition refused to participate in the elections unless a caretaker government was reinstated. As a result, the 10th Parliamentary Elections was held on 5 January 2014 in a politically violent atmosphere, with general strikes, physical confrontations, the burning of vehicles and human casualties. In 153 constituencies (out of 300), Awami League candidates were declared uncontested winners, even before the polling commenced, as there was no other candidate contesting. People did not even have the chance to exercise their right to franchise and the Parliament had also repealed the provision of negative voting. There were also widespread reports of irregularities and election-related violence on the day of polls. The present government is again led by the Awami League. The Parliamentary Opposition is the Jatiya Party, which, incidentally, also has Ministers in the Awami League government. However, the main opposition party to the Awami League, has always been considered to be the Bangladesh Nationalist Party (BNP).

⁴ Section 144 of the Code of Criminal Procedure, 1898 provides power to the Magistrate to issue orders to stop any meeting or gathering. See http://bdlaws.minlaw.gov.bd/sections_detail.php?id=75§ions_id=20789

⁵ The High Court Division of the Supreme Court of Bangladesh imposed a ban on the use of pepper spray on January 21, 2013 after police used it on a teachers' rally, leading to the death of one person and causing blindness in two others.

a result Khaleda Zia became ill. She did, however, manage to speak to the press before re-entering the party office and declared indefinite blockade programmes across the country. Hartals were also declared by the BNP-led 20 Party Alliance in various districts in protest of attacks and killings of their activists. Clashes took place between supporters of the BNP-led 20 Party Alliance and law enforcement agencies and ruling party activists in many places of the country during the hartals and blockade programmes. Criminals used petrol bombs to vandalized and set fire to vehicles in various parts of the country. As a result, many ordinary people, including women and children were injured killed. Many people were admitted to the burn unit of the Dhaka Medical College Hospital with severe injuries.

4. The law enforcement agencies commenced an arrest operation against the 20-Party Alliance across the country even before January 5, which still continues. When the police were unable to arrest a political leader of the BNP-led 20 Party Alliance, they allegedly resorted to arresting a family member and shutting down their businesses.⁶ The government has reportedly arrested thousands of leaders and activists of the BNP-led 20 Party Alliance, including BNP Acting Secretary General, Mirza Fakhrul Islam Alamgir; member of the standing committee, Gayeswar Chandra Roy; Vice-Chairman Shamsur Mobin Chowdhury; and Joint Secretary General, Ruhul Kabir Rizvi. Police also harassed ordinary citizens in the name of arrest.⁷ Apart from the arrest operation, police opened fire at the supporters of the BNP-led 20 Party Alliance, attacked their homes with cocktail bombs and gun fire in order to create panic.⁸ Joint Forces are operating in various districts of Bangladesh. It was reported that some civilians were participating in the operations with the Joint Forces and vandalized and looted homes belonging to the BNP-led 20 Party Alliance leaders and activists.⁹ Furthermore, many families were forced to leave the area due to the operations.
5. The senior leaders of the government and its allies are giving instructions, through their public statements, to strongly resist the BNP-led 20 Party Alliance and all opposition. On January 11, 2015 the Commerce Minister Tofayel Ahmed said that 'the government will deal with opposition the way the "Naxalites" were dealt with in the 1970s. The Minister reportedly said, "...BNP would meet the fate the Naxalites did after the country's liberation in 1971...." The alleged Naxalites, the Minister is referring to, were extrajudicially murdered by law-enforcement agencies'¹⁰. At a press conference after a 14 Party Alliance meeting on January 13, 2015, one of the

⁶ The daily Manabzamin, 22/01/2015

⁷ The daily Jugantor, 19/01/2015

⁸ The daily Prothom Alo, 13/01/2015

⁹ The daily Manabzamin, 13/01/2015

¹⁰ AHRG-STM-007-2015. January 12, 2015 BANGLADESH: Crackdown on media and opposition intensifies. A Statement by the Asian Human Rights Commission. See www.ahrc.org. See also local newspaper reports of 12 January 2015.

allies of government and the Executive President of Jatiya Shomajtantrik Dal (JSD), Mayeen Uddin Khan Badal said that the BNP is a terrorist organisation; and in order to control law and order, the law enforcement agencies would first face them with sticks, later shoot them in the legs and if that does not work they will shoot them in the chest after assessing the situation.¹¹ The government has barred the 20-Party Alliance from organising meetings and is arresting and attacking activists. The ruling party Awami League, however, is free to organise public meetings; and did so on January 12, 2015. Due to the conflicting situation, political violence across the country has increased drastically. Some examples of the violence are given below:

6. On January 5, 2015, in the presence of police, Awami League activists opened fire at a 20-Party Alliance rally which was preparing to bring out a procession with black flags after a public meeting at Tebaria Hat in Natore district. Chhatra Dal¹² leaders Rakib Hossain and Raihan Ali were seriously wounded and 15-20 more activists were injured. The injured were taken to Natore Hospital for medical treatment, where Rakib Hossain and Raihan Ali were declared dead by the duty doctor.¹³
7. On January 5, 2015 the local administration imposed section 144 of the Code of Criminal Procedure at Shibganj Municipal area and Kansat under Chapainababganj district. At around 3:00 pm, supporters of BNP and Jamaat brought out a procession with black flags in order to observe 'death of democracy' day, violating section 144, from the Kolabari area of Kansat. Police stopped the procession when it reached Gopalnagar Mor. At that time BNP-Jamaat supporters clashed with police and BNP activist Jamsed Ali was shot dead by police.¹⁴
8. On January 11, 2015 a group of unidentified men vandalized and looted 10-15 houses and 15-20 shops belonging to leaders and activists of the BNP led 20-Party Alliance, during an operation conducted by the joint forces in Kansat under Shibganj Upazila in Chapainababganj District.¹⁵
9. On January 12, 2015 at night, criminals threw petrol bombs on a truck at Jorarganj in Chittagong, on the Chittagong-Dhaka Highway, where Enam Hossain (33), Sumon Shil (32) and the truck driver Hafez Ahmed were burnt. Later the wounded men were admitted to Chittagong Medical College Hospital where doctors declared Enam Hossain dead.¹⁶
10. On January 13, 2015 approximately eight youths on three or four motorcycles stopped the car of former State Minister for Foreign Affairs and adviser of BNP Chairperson Khaleda Zia, Reaz Rahman, when he was returning home

¹¹ The daily Manabzamin, 14/01/2015

¹² Student wing of Bangladesh Nationalist Party (BNP)

¹³ The daily Jugantor, 06/01/2015

¹⁴ Report sent by human right defender associated with Odhikar from Chapainababganj

¹⁵ The daily Manabzamin, 13/01/2015

¹⁶ The daily Prothom Alo, 14/01/2015

after meeting the confined Khaleda Zia. The youths shot Reaz Rahman several times and set fire to his car near the Westin Hotel at Gulshan, Dhaka.¹⁷

11. On the night of January 13, 2015 a public bus, Khalil Special Coach (Jessore B-116860), commenced its journey to Dhaka from Ulipur in Kurigram district. Criminals threw petrol bombs at the bus at around midnight, when it reached the Batason area under Mithapukur Upazila on the Rangpur-Bogra Highway. The bus caught fire soon after it was hit by petrol bombs. The passengers, including the driver and helper could not get out of the bus as the door and windows were shut. As a result four persons, including a child and two women were burnt to death. Another person died in hospital. At least 30 persons were injured.¹⁸ On January 20, 2015 Monwara Begum (30) succumbed to her injuries at the Combined Military Hospital.¹⁹
12. Odhikar believes that the extreme political instability in the country today is, primarily, due to the unilateral procedure taken to amend the Constitution²⁰ ignoring protests of the then Opposition and civil society and without taking people's mandate. The ruling party, before the flawed election on January 5, 2014 stated that it would hold a fresh and credible election with the participation of all political parties after this 5 January election. However, after the polls, the leaders of the ruling party deviated from their previous statements; and now forcefully claim that they have been elected for the full term of five years. As a result, just after one year of this highly controversial election, the BNP led 20-Party Alliance is making demands for a national election under a neutral government. In order to resist this, the government is suppressing all opposition by resorting to human rights violations such as extrajudicial deaths, disappearances, torture and degrading treatment and large-scale arrests. Thus, the protests by the 20-Party Alliance have turned violent and casualties are occurring every day due to non-stop blockade programmes and hartals. In this context, the leaders of the ruling party and its alliance are making statements to resist the opposition in such a way which encouraging law enforcement agencies regarding extrajudicial killings. In all this, it is the ordinary people who have become victims of the political stalemate and are suffering as travelling had become unsafe, all kinds of trade and business is hampered, the poor and daily labourers are unemployed and farmers are suffering great loss.

¹⁷ The daily Prothom Alo, 14/01/2015

¹⁸ The daily Manabzamin, 15/01/2015

¹⁹ The Daily Ittefaq, 21/01/2015

²⁰ The government passed the 15th Amendment to the Constitution on June 30, 2011, abolishing the caretaker government system. The 10th Parliamentary elections were then held on January 5, 2014; and based on these elections the Awami League led Grand Alliance re-assumed power unilaterally. This defective election was boycotted by the then main Opposition BNP led 18-Party Alliance (currently 20-Party Alliance) and almost all political parties of the country, including the Democratic Left Alliance. As a result of this boycott, 153 candidates from the ruling Awami League and its alliance were elected uncontested out of the 300 constituencies, before the elections were even held.

Deliberate shooting after arrest and extrajudicial killings

13. The trend of shooting in the legs of detainees by law enforcement agencies has been noted and reported by Odhikar since 2011. At present, such incidents are taking place during this blockade and the hartal programmes called by the BNP led 20-Party Alliance. Incidents of extrajudicial killings continue despite serious protests by human rights organisations and civil society and such incidents increased in January due to the escalations in confrontation. The government commenced operations conducted by the Joint Forces to resist blockade programmes of the BNP led 20-Party Alliance and extrajudicial killings allegedly occurred during such operations. The law and justice delivery system of the country is under question and human rights are seriously violated due to the persistence of extrajudicial killings and shooting at people at will.²¹ According to information gathered by Odhikar, a reported total of 17 persons were extra judicially killed in January 2015.
14. According to allegations made by his family, on January 9, 2015 Shyampur Union unit BNP General Secretary Gias Uddin was called out by police from his house and shot in both legs. Gias Uddin has been given medical treatment under police protection, at Dhaka Medical College Hospital. Gias Uddin told journalists that he was called out of his home by a police informer and then the police shot him in both legs in front of his house.²²
15. On January 12, 2015 Sub Inspector (SI) of Dakkhinkhan Police Station, Joynal Abedin openly shot a businessman named Fayez Ali (52) in front of Munshi Market at Azimpur in Dhaka. Later Fayez Ali was treated at Dhaka Medical College hospital, under police protection. Fayez Ali's relative, Nurul Hassan, was with him at the time of the incident. Nurul Hassan said that at around 8:30 am, he was talking with Fayez in front of his house when Sub Inspector Joynal Abedin tried to forcefully take Fayez Ali away by pulling his shirt collar. SI Joynal told him he was being taken away as he was a BNP activist. When Fayez resisted, SI Joynal shot him in his waist.²³
16. The General Secretary of Khilgaon Thana²⁴ unit Chhatra Dal, Nuruzzaman Jony was shot dead by Detective Branch (DB) of Police near the Jorapukur playground at Khilgaon Tilpapara. Jony's family alleged that the Detective Branch police arrested him on January 19, 2015 from in front of the Dhaka

²¹ In 2014, the Government passed the 16th Amendment to the Constitution, which took away the Supreme Court's powers to impeach members of the Judiciary. The powers of impeachment were given to the Parliament. This amendment was another blow to the independence of the Judiciary. Since taking power in 2009 and again in 2014, the Awami League-led government has amended the Constitution of the People's Republic of Bangladesh twice (15th and 16th Amendments), with changes that have been widely criticized by civil society and human rights activists.

²² The daily Naya Diganta, 10/01/2015

²³ The daily Prothom Alo, 13/01/2015

²⁴ In the Dhaka Metropolitan area.

Central Jail gate. On January 20, 2015 at around 3:00 am, Jony was deliberately shot dead by DB police at Jorapukur playground. Nuruzzaman Jony's father Yakub Ali said that on January 16, 2015 police arrested his youngest son, Moniruzzaman Hira. On January 19, Nuruzzaman Jony went to Dhaka Central Jail with another Chhatra Dal activist Moin, to see his younger brother. He last spoke to Jony at around 1:15 pm after reaching the jail gate. After that, Jony could not be found. On January 20 at around 8:30 am, a stranger phoned him and told him to go to the Dhaka Medical College Hospital morgue. 16 bullets wounds on Jony's body were mentioned in the inquest report.²⁵

17. Types of deaths, the security forces involved in such killings and the identities of the deceased as a result of extrajudicial killings are stated below:

Types of extrajudicial Killings

Crossfire/encounter/gun fight:

18. Among the 17 reported persons, 12 were extra judicially killed in 'crossfire/encounters/gun fights'. Among them, six were killed by RAB, five were killed by the police and one by Joint Forces.

Shot to death:

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

Beaten to death:

20. Among the deceased, one was beaten to death by RAB.

Identities of the deceased persons:

21. Of the 17 persons who were killed extra-judicially, seven were leaders and activists of Bangladesh Nationalist Party, one was a leader of Jamaat-e-Islami, one was a service holder, two were driver and six were alleged criminals.
22. Odhikar expresses grave concern over the incidents of extrajudicial killings. The government is using the law enforcement agencies to resist the opposition political parties and giving them impunity. As a result, incidents of indiscriminate shooting by the members of law enforcement agencies and extrajudicial killings continue. Odhikar believes that this tendency would further encourage the current political deadlock.

Torture and degrading treatment in custody

23. Odhikar has, for the last 20 years, documented and carried out fact finding missions on incidents of torture, highlighting the fact that this practice must

²⁵ The daily Prothom Alo, 21/01/2015

stop. On October 24, 2013 the Parliament, through voice vote, passed the Torture and Custodial Death (Prevention) Act, 2013. Despite this, incidents of torture in the custody by law enforcement agencies continue.

24. On January 16, 2015 Sechchasebak Dal²⁶ leader, Mohan Bepai Molla died in Dhaka Medical College Hospital during treatment, under the supervision of the jail authority. The brother-in-law of the deceased, Mohammad Alamin claimed that on January 12, 2015 police of Shah Ali Police Station arrested Mohan under a criminal case and beat him in the police van. Mohan was tortured the whole night in the police station. After he was produced before the court, the court sent him to jail. However, his physical condition did not improve and he was taken to Dhaka Medical College Hospital by the jail authorities on January 16, where he died.²⁷
25. Allegations were found against police that Shapla Khatun (23), a college student and daughter of Sobahan Hazi, residence of Mathail Chapar Village under Kazipur Upazila in Sirajganj, was tortured for six days after being detained under suspicion in a murder case. The father of the accused Sobahan Hazi and her lawyer Selim Reza, informed Odhikar that on January 21, 2015 police of Kazipur Police Station arrested Shapla Khatun based on a telephone conversation with an accused person of a murder case. Shapla was tortured in the police station. Moreover, police took one hundred thousand taka bribe from her family. On January 27, 2015 police produced her before the Judicial Magistrate Court after six days of arrest and sought remand²⁸. At that time Shapla Khatun's lawyers brought up the matter of torture before the Court. The Court ordered a statement from Shapla, under section 164 of Code of Criminal Procedure. After taking her statement, the Senior Judicial Magistrate mentioned in the Order that black marks and bruises were seen on both arms and around the waist of Shapla Khatun. Shapla also informed the court that red chili powder was spread on her body. The Court ordered the Civil Surgeon to take action against the perpetrators of torture and appropriate measures to conduct medical examination and proper treatment.²⁹
26. Odhikar believes that despite the 2009 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 more such human rights violations.

²⁶ Volunteer wing of the BNP

²⁷ The daily Jugantor, 17/01/2015

²⁸ As per the law of Criminal Procedure, a person has to be presented before the Magistrate within 24 hours of his/her arrest.

²⁹ Report sent by human right defender associated with Odhikar from Sirajganj.

Allegations of enforced disappearance against law enforcement agencies

27. According to information gathered by Odhikar in January 2015, 14 persons have disappeared; of them, nine were later handed over to police stations after disappearance and two bodies have been found.
28. Families of victims of enforced disappearances say that men claiming to be members of law enforcement agencies and/or men in uniform, make arrests and then the victims disappear and their bodies later found.³⁰ In some cases, law enforcement agencies deny the arrest; but days later, the arrested persons are producing in public or handed over to a police station and appear in court. It has been alleged that incidents of enforced disappearance are increasing, given the current protests and political violence. It must be noted that between November 25, 2013, after the announcement of the election schedule and January 4, 2014, a total number of 21 persons were picked up and allegedly disappeared by law enforcement agencies prior to the controversial elections on January 5, 2014. Among the disappeared, 14 were BNP activists.³¹
29. On January 14, 2015 at around 3:00 pm, men claiming to be members of the Joint Forces conducted an operation in Mithapukur in Rangpur District and picked up Al-Amin Kabir (35), his wife Beauty Begum (30) and housemaid Moushumi (30) from their house. The victims' family made this allegation. Al-Amin's cousin Tariqul Islam informed Odhikar that a bus was set on fire at the Mithapukur area during the ongoing blockade, on January 13, 2015. Due to this incident, on January 14, 2015 at around 2:30 pm, men from the Joint Forces wearing RAB, BGB and police uniforms, conducted an operation in their area. They attacked Al-Amin's house at around 3:00 pm; vandalized the house; dragged Al-Amin to the courtyard, tied his hands and legs and beat him severely. Al-Amin's wife Beauty and their domestic help stepped forward to save him. They were picked up in the car with Al-Amin. Al-Amin was a court typist and was a BNP supporter, although not an activist. The whereabouts of the three persons are still unknown since their arrest on January 14, 2015. The family made inquiries in different places, including Rangpur Jail, the District Court, Kotwali Police Station, Mithapukur Police Station, Rangpur Medical College Hospital, but could not find them. On January 15, 2015, the mother of Al-Amin Kabir held a press conference regarding the disappearances, at the Rangpur Reporters Club.³²

³⁰ Odhikar only documents allegation of enforced disappearance where the family members or witnesses claim that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

³¹ Odhikar documentation

³² Information gathered by Odhikar

30. On January 15, 2015 between 3:00 pm and 4:00 pm, Shyampur Union unit Chhatra Dal Vice-President Matiur Rahman; hardware businessman Abu Taher Shishir (25); a mill worker Mozammed Hossain (22); Shyamal Kumar; and Hazrat Ali were picked up by plain clothes men from Kalyanpur, adjacent to Kansat Bazar under Shibganj Upazila in Chapainababganj District; and taken to unknown destination by a RAB car. In the morning of January 16, 2015 the Chhatra Dal leader became a victim of extrajudicial killing in 'gun-fights'. Though Shyamal Kumar and Hazrat Ali were shown arrested in Shibganj Police Station, the whereabouts of Abu Taher Shishir and Mozammel Hossain remain unknown. The families of the disappeared victims contacted local police stations and the RAB office but police and RAB officials denied the arrests. After 14 days, on January 29, 2015 in the evening, Shishir and Mozammel were shown as arrested with Kushtia Sadar Police Station in Kushtia District in a case relating vehicle vandalism. Police claimed in the FIR³³ that two crude bombs were recovered from them. Mujibur Rahman, father of Abu Taher Shishir informed Odhikar that his son was not involved with any political party. Shishir has a hardware shop at Kansat Bazar. On January 15, 2015 Shishir did not go his shop due to political unrest during the blockade programmes. At around 3:00 pm, Shishir and his neighbour Mozammel Hossain went to their agricultural land to provide food for the workers. At that time five armed men in plain clothes took Shishir and Mozammel from there. They beat Shishir and Mozammel after taking them to the road in front of him. Mujibur Rahman did not ask for their identity in fear, as the armed men were aggressive. The men were put in a RAB car, which was parked in Kansat Bazar. Later other armed men brought Matiur Rahman, Shyamal Kumar and Hazrat Ali, who were arrested from different places and also put in the car. The next morning, Matiur Rahman's body was recovered. Mujibur Rahman went to the police station and RAB office several times to search for his son but they denied the arrest. It is to be mentioned that police did not take his General Diary (GD) on January 16 when he went to Shibganj Police Station to file it.³⁴
31. Enforced disappearances are a grave violation of human rights and for several years, human rights organisations have protested its rise in Bangladesh, while the government denies such incidents and claims they are 'abductions' and 'kidnappings'. Victims are mainly members of the opposition political parties and those with dissenting voices. Some victims are also businessmen and traders. Odhikar demands the government take immediate measure to return the disappeared persons to their families.

³³ First Information Report

³⁴ Information gathered by Odhikar

Mass arrests and conditions in prisons

32. The Sixty-eight prisons in the country are bursting at the seams and contain approximately three times more inmates than their original capacities. Much of the overcrowding is a result of political and mass arrests. The prison authority struggles to maintain such huge numbers. The total capacity of the prisons is 29,000 inmates, but there are more than 80,000 inmates at present. The conditions of the prisons in Rangpur and Rajshahi Divisions are more vulnerable. Inmates said that one cannot sleep in prison during the first 2-3 nights due to overcrowding. They could not even get meals twice a day at times. The jail guards mentally and physically harass them if they fail to provide money. If anyone protests, the degree of torture increases³⁵. According to the Directorate of Prisons, there are 68 prisons across the country. Of them, 13 are central jails with two high security cells and 55 are district jails. At present, most of the inmates are political prisoners. On average, 200/300 persons are being sent to the jails every day³⁶. Bail is not being ordered by the Courts. About 1200 political activists were sentenced through mobile court after the blockade and hartals were initiated. According to information from Dhaka Central Jail, the number of inmates who were released on bail is negligible in comparison³⁷. Furthermore, those who are released on bail are getting arrested again on other charges, from the jail gate. About 30,000 BNP-Jamaat activists were arrested during the period of this regime prior to the January 5, 2014 elections and after January 5, 2015.³⁸
33. On January 17, 2015 Mizanur Rahman, a resident of Shibganj Upazila in Bogra District, was supposed to leave for Oman as a migrant worker. For this, he went to Gulistan in Dhaka City on January 14, 2015 to buy some winter clothes. At that time, criminals set fire to a bus and exploded crude bombs at Gulistan. Due to this attack, Mizanur too ran, with others, in fear. Some people caught Mizan suspecting him of being one of the attackers and handed him over to the police after beating him. Mizan told police about his travel to Oman, but police produced him before the mobile court. The court sentenced Mizan five months imprisonment and sent him to jail.³⁹
34. Odhikar condemns and expresses its grave concern about the mass arrest and human rights violations in prisons. Odhikar also protests the use of mobile courts during hartals and political violence. The Organisation urges the government to refrain from these activities immediately.

³⁵ The daily Manabzamin, 18/01/2015

³⁶ Ibid

³⁷ Ibid

³⁸ Ibid.

³⁹ The daily Prothom Alo, 21/01/2015

Hindrance to freedom of expression and the media

35. In January 2015, according to information gathered by Odhikar, six journalists were injured, two were assaulted, one was threatened and four journalists were sued.
36. Freedom of expression is a constitutional right. Article 39 (1) of the Constitution of the People's Republic of Bangladesh states that "Freedom of thought and conscience is guaranteed. Clause 2 (a) of the same Article states that the right of every citizen to freedom of speech and expression; and (b) freedom of the press, are guaranteed". Odhikar observes that the government, in recent times, is intimidating and filing cases to put pressure on the mass media; and citizens are being arrested for expressing their opinions in the media. Furthermore, journalists are attacked by the members of law enforcement agencies at the time of gathering information regarding protests. In the meanwhile, it has been observed that professionalism is being compromised due to politicization.
37. In the night of January 4, 2015 a private TV channel 'Ekushey Television (ETV)' telecasted live a 50-minute statement of BNP Vice-Chairman Tareque Rahman, from the United Kingdom. Later, in the morning of January 6, 2015, the Detective Branch (DB) police arrested ETV Chairman Abdus Salam from the ground floor of the ETV office. Later he was shown arrested in a case filed under the Pornography Control Act, even though his name was not mentioned in the First Information Report (FIR). On January 7, after broadcasting Tareque Rahman's statement on ETV, a General Diary (GD No. 350) was filed with Tejgaon Police Station. Based on this GD, an application was submitted to the Ministry of Home Affairs to file a sedition⁴⁰ case against Abdus Salam. On January 8, 2015 the Ministry of Home Affairs gave its approval and the Sub Inspector of Tejgaon Police Station, Borhan Uddin filed a case against Tareque Rahman and Abdus Salam and 'four or five unnamed persons'.⁴¹
38. On January 9, 2015 Chhatra Dal brought out a procession from Rajshahi College campus in support of the blockade programmes. Hearing this news, journalists went to cover the procession. The protestors ran away when police chased them. After that, police attacked the journalists. Jamuna TV reporter Sohrab Hossain was injured during this attack.⁴²
39. On January 13, 2015 a team of DB police arrested BNP's Information and Research Secretary, Habibur Rahman Habib from outside the studio of Channel 24, after he had taken part in a talk-show. Human rights activist Mohammad Nur Khan and the Prime Minister's Press Secretary Abul Kalam

⁴⁰ As per the 15th Amendment to the Constitution of Bangladesh, punishment under sedition case is death sentence.

⁴¹ The daily Prothom Alo, 09/01/2015

⁴² The daily Jugantor, 10/01/2015

Azad also participated in the talk show. Mohammad Nur Khan said that Habibur Rahman Habib had criticized the government strongly for confining BNP Chairperson Khaleda Zia. It is to be mentioned that in April 2012, BNP leader Kamruzzaman Ratan had criticized the government in a talk-show on Desh TV. He was arrested by DB police when he was exiting the TV station. In June 2013, criminals threatened the driver of Supreme Court lawyer, Tuhin Malik saying that Tuhin Malik would be killed if he participates in any more TV talk-show. At that time, Tuhin Malik was taking part in a talk-show on RTV.⁴³

40. Odhikar expresses grave concern over the incidents of threats, intimidations and filing cases against the media and people expressing their opinions and criticizing government actions. Odhikar believes that such activities by the government are contrary to the freedom of thought and expression and block any democratic process.

Government blocks Viber, Tango, WhatsApp, Mypeople and Line amid 'security concerns'

41. On January 18, 2015 the government blocked internet calling and messaging services Viber and Tango for Bangladeshi users citing 'security' concerns. After blocking Viber and Tango, the government, on January 19, blocked three more online voice and messaging services—WhatsApp, Mypeople and Line. The Bangladesh Telecommunication Regulatory Commission (BTRC) sent orders to the International Internet Gateway (IIG) to shut down the free online applications. BTRC notified that the services were temporarily blocked upon requests from the Ministry of Home Affairs.⁴⁴ After massive criticism against blocking, the government had to reopen such applications on January 22, 2015.

Clashes between Pahari Chhatra Parishad and Chhatra League in Rangamati

42. On January 10, 2015 an altercation took place between Chhatra League and Pahari Chhatra Parishad⁴⁵ over the inauguration of the educational programme of a medical college in Rangamati. At least 31 persons, including police and journalists were injured during the clash. Later this altercation turned into violence between Pahari and Bengali settlers. As a result, the local administration imposed section 144 of the Code of Criminal Procedure in Rangamati Municipal area for an indefinite period. Centering around this

⁴³ The daily New Age, 14/01/2015

⁴⁴ The daily Manabzamin, 20/01/2015

⁴⁵ A student organisation of the ethnic minority communities in the Chittagong Hill Tracts

incident, on January 10, 2015, Pahari Chhatra Parishad called a down-to-dusk blockade on roads and waterways. Clashes took place between Bengali settlers and activists of Pahari Chhatra Parishad at various places in Rangamati over this blockade programme; and as a result curfew was declared in Rangamati town.⁴⁶

43. The ethnic minority communities were demanding that the Chittagong Hill Tract Peace Accord be implemented before the establishment of a medical college or Science and Technology University. It is mentioned in the CHT Peace Accord that the Regional Council should be informed if anything is going to be made/established in the CHT areas. However, the government inaugurated plans for a medical college, violating the rule.
44. Besides this, the land acquisition for the medical college has not made yet. However, prior to this initiative, 70 families belonging to ethnic minority communities were evacuated from approximately 100 acres of land around the Jogra Lake area for a Science and Technology University. In the late 1960's these families were forced to leave their land due to the construction of the Kaptai Dam. Later they were rehabilitated in a place from where they had to be displaced again due to construction of tourist spots and motels. They are now displaced for the third time, becoming internal refugees. It is feared that many more families belonging to ethnic minority groups will become landless when land acquisition begins for the proposed Rangamati Medical College Hospital.⁴⁷
45. Odhikar condemns and expresses concern over the incidents of violence between Pahari (ethnic minority groups) and Bengali settlers centering the prolonged land disputes due to state discrimination and lack of political will. Odhikar demands the government to form a judicial inquiry committee to investigate these incidents independently.
46. Odhikar believes that all land related disputes must be resolved by identifying all illegally acquired land through a Land Commission. Odhikar also believes that the issue regarding the rights of the ethnic minority people is related to the ownership of land and the creation of a democratic Constitution. The people belonging to ethnic minority communities are losing control over their property since their rights of possessing inherited lands are not constitutionally recognised as historically and traditionally owned by a 'community'. Furthermore, the CHT 'Peace Accord' has been drafted without addressing these fundamental issues. Therefore, despite the signing of the Peace Accord, animosity and violence prevails in the residential localities of the ethnic minority community people, usually with the Bengali settlers.

⁴⁶ The daily Prothom Alo, 11/01/2015

⁴⁷ The daily Prothom Alo, 12/01/2015

Violence against religious minority community

47. On January 9, 2015 a group of unknown criminals entered the Shree Krishna Goshai temple by breaking the gate and vandalized idols and set fire to objects used for worship, in Krishnapur village under Madhabpur Upazila in Habiganj District.⁴⁸
48. On January 5, 2015 the Criminal Investigation Department (CID) submitted a charge sheet in Abhoynagar Cognizance Court in Jessore on the case relating to the attack at Malopara in Abhoynagar during parliamentary elections on January 5, 2014. About 100 local BNP, Jamaat-Shibir leaders and activists were accused in the charge sheet. The inhabitants of Malopara informed that the prime accused of this case were not incorporated in the charge sheet and some irrelevant names were also included in the charge sheet. One of the wounded men and a resident of Malopara, Shekhar Kumar Barman said, "Many innocent people have been included in the charge sheet, which is absolutely wrong".⁴⁹
49. Jessore District Sanaton Bidyarthi Sangsad alleged that 31 Hindu families of Shakharipota village under Sharsha Upazila were forced to leave the country due to suppression by the General Secretary of Bahadurpur Union unit Awami League, Mofizur Rahman, under Benapole in Jessore. On January 19, 2015 a human chain protesting this, was organised by Jessore District Sanaton Bidyarthi Sangsad where the President of this Sangsad, Proshenjeet Thakur made this allegation. Rabindranath Roy of Shakharipota village was a member of one of the ousted families. Rabindranath Roy was picked up by Awami League leader Mofizur Rahman over a personal dispute from his house. Later he was released after physical torture, when his wife and daughter apologized for him. He was threatened that his daughter will be abducted if he does any wrong. After that incident Rabindranath Roy along with the family fled to India in order to save his daughter's chastity.⁵⁰
50. Odhikar condemns the incident of attacks on religious minority and urges the government to ensure the protection of the citizens belonging to all minority communities.

Human rights violations in border areas by BSF

51. According to information collected by Odhikar, in January 2015, one Bangladeshi was torture to dead by the Indian Border Security Force (BSF). During this time, one Bangladeshi youth was picked up by the BSF members and later, he died at a hospital in India. Furthermore, 11 Bangladeshis were

⁴⁸ The daily New Age, 10/01/2015

⁴⁹ The daily Prothom Alo, 07/01/2015

⁵⁰ Report sent by human right defender associated with Odhikar from Jessore; the daily Manabzamin, 21/01/2015

injured by the BSF. Among them, 10 were shot and one was tortured. Four Bangladeshis were abducted, allegedly by the BSF during this period. Some incidents are as follows:

52. On January 7, 2015 a Bangladeshi youth named Jamal Hossain (24) was tortured by BSF members and left unconscious on the bank of Dhorla River in Patgram Upazila under Lalmonirhaat District. He was rescued by Border Guard Bangladesh on January 8, 2015 and admitted to Patgram Upazila Health Complex.⁵¹
53. On January 16, 2015 at around 8:00 pm and at around 1:30 am on January 17, two Bangladeshi cattle traders named Faruque (30) and Alam (28) were shot by BSF at Putkhali border under Benapole in Jessore District. They were rescued by locals. At around 8:00 pm, Faruque was waiting on the bank of the Ichhamoti River at the Putkhali border to take cows from the Indian cattle traders. At that time, BSF members of Angrail Outpost shot 5-6 rounds of bullets at him. Faruque was shot in the legs. At midnight of the same day, BSF members of the same outpost opened fire at a group of Bangladeshi cattle traders who were returning to Bangladesh from India with cows. One of the cattle traders, Alam was shot in his thigh. His companions brought him to Bangladesh by swimming across the river. Alam was first admitted to Burujbagan Health Complex and later shifted to Jessore Medical College Hospital.⁵²
54. It is to be mentioned that in the afternoon of January 16, 2015 the Director General of the Indian Border Security Force, D K Pathak monitored Putkhali and Benapole BGB camps at the Benapole border. He was welcomed by the Additional Director General of Border Guard Bangladesh (BGB) and Regional Commander of south western region, Brigadier General Shahidul Islam. Incidents of shooting occurred twice at the Benapole border soon after the BSF DG returned to the Indian side.⁵³
55. Odhikar believes that a sovereign state would never passively watch its citizens being indiscriminately killed, tortured and abducted by another state. 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, over the years, repeatedly violating treaties, shooting at or physically harming anyone seen near the border or anyone trying to cross the border; and illegally entering Bangladesh, which are clear violations of international law and human rights.

⁵¹ The daily Prothom Alo, 09/01/2015

⁵² Report sent by human right defender associated with Odhikar from Jessore.

⁵³ Report sent by human right defender associated with Odhikar from Jessore.

Public lynching continues

56. In January 2015, 12 people were reportedly killed due to public lynching. The lack of respect for law, distrust of the police and instability in the country has increased 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.
57. 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 women

58. Incidents of violence against women continue unabated due to lack of implementation of relevant laws as well as ineffective investigation and a weak criminal justice system. Domestic violence crimes are underreported, as they are still considered a social and not a legal matter, despite the presence of domestic violence legislation. Social pressure also ensures that the crime of rape remains under reported.

Sexual harassment and stalking

59. According to information gathered by Odhikar, in January 2015, a total of 18 girls and women were victims of sexual harassment. Among them, one was killed, two were injured, two were assaulted, one was abducted and 11 were sexually harassed in various ways. During this period, one female committed suicide due to sexual harassment. Furthermore, one man was killed by the stalkers when he protested against such acts.
60. On January 15, 2015, one Saiful Islam and his daughter Ankhi Akhter (14) were stabbed to death by criminals in North Salna area of Porabari in Gazipur. Saiful's wife Hasina Begum stated that Monir Hossain, a resident of Nanduain area, sent a marriage proposal for her daughter Ankhi one week earlier. They were killed as they refused that proposal. Police arrested one man named Nurul Islam in relation to this incident.⁵⁴
61. An adolescent girl named Nahida Akhter (17) was stalked by Nahid Choiyal (20) in Dinara village under Noria Upazila in Shariatpur District. On the night of January 20, 2015 Nahid tried to assault her physically in a wedding programme. For this matter, the family members of Nahid and the neighbours rebuked Nahida Akhter, instead of stopping Nahid from stalking. As a result, Nahida Akhter committed suicide on January 21, 2015.⁵⁵

⁵⁴ The daily Jugantor, 16/01/2015

⁵⁵ The daily Prothom Alo, 22/01/2015

Dowry-related violence

62. In January 2015, according to Odhikar documentation, 13 women were subjected to dowry violence. Of these women, it has been alleged that eight women were killed because of dowry; three were abused in various ways over dowry demands and two women committed suicide. Some incidents are as follows:
63. On January 6, 2015 a housewife named Anwara was beaten to death by her husband Rabiul Islam and her in-laws over dowry demands amounting to 70 thousand taka in Dimla Upazila under Nilphamari District. The perpetrators fled after leaving her body at the hospital.⁵⁶
64. On January 8, 2015 a housewife named Nasreen (21) was beaten to death by her husband Shah Alam over a dowry of 10 thousand taka, at Modhubagh under Ramna Police Station in Dhaka Metropolitan City. Police arrested the husband Shah Alam.⁵⁷

Acid violence

65. According to information gathered by Odhikar, in January 2015, nine persons became victims of acid violence. Of them five were women, one was a man, two were girls and one was boy. Some incidents are as follows:
66. Criminals threw acid at a widow named Shamsunnahar in Pashchim Borochar village under Shayestaganj Municipality area in Habiganj District. One Abdur Rahim was trying to occupy her land from a long time. On January 10, 2015 in the evening, Abdur Rahim and his associates threw acid at her when she was returning home. The woman was admitted to Habiganj Sadar Hospital with severe injuries.⁵⁸
67. On January 15, 2015 a youth named Mohammad Shamim threw acid at a second year female student of Ishwarganj Girls College in Mymensingh due to her refusal of his love proposal. Her forehead and one eye were burnt with the acid. She was admitted to Mymensingh Medical College Hospital.⁵⁹

Rape

68. In January 2015, Odhikar recorded a total number of 29 females who were raped. Among them, 11 were women, 17 were children below the age of 16 and the age of one person could not be determined. Of the women, two were killed after being raped; four were victims of gang rape. Out of the 17 child victims, three were killed after being raped; eight were victims of gang rape.

⁵⁶ The daily Jugantor, 07/01/2015

⁵⁷ The daily Jugantor, 09/01/2015

⁵⁸ The daily Naya Diganta, 12/01/2015

⁵⁹ The Prothom Alo, 19/01/2015

Furthermore, three women were victim of attempted rape. Some incidents are given below:

69. On January 3, 2015, an 11-year old girl was killed after being raped by criminals in Kahetergaon village of Borochapa Union under Monohardi Upazial in Narshingdi District. Police arrested one man named Kiran in this regard.⁶⁰
70. On January 19, 2015 police recovered the body of a woman who's hands were tied and clothes bloodstained, from a jungle under Koshba Upazila in Brahminbaria District. Police suspected that the woman was killed after being raped. Locals informed that criminals picked up the housewife when she came out of the house on January 18, 2015 and later she was killed after being violated. Her husband lives abroad.⁶¹
71. Odhikar expresses grave concern regarding the persistence of violence against women. Odhikar believes that women are being victimized mainly due to lack of implementation of laws; failure of the Judiciary; lack of victim and witness protection; corruption and criminalisation of the members of law enforcement agencies; economic instability; and weak administration. Odhikar believes that since the perpetrators of violence against women escape punishment, potential violators are encouraged and incidents of violence increase.

Information and Communication Technology Act, 2006 (Amended 2009 and 2013) still exists

72. The repressive law, Information and Communication Technology Act 2006 (amendment 2009 & 2013) is still functioning. The latest amendment to the ICT Act was made on October 6, 2013. Section 57⁶² 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 amended from a maximum of 10 years, with no minimum to 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

⁶⁰ The daily Amader Shomoy online, 60/01/2015

⁶¹ The daily Jugantor, 20/01/2015

⁶² Section 57 of the ICT Act states: (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.

against human rights defenders, journalists, bloggers and people who have alternative opinions.

73. On January 23, 2015 police of Ramna Model Police Station arrested Firdatul Muntaha Sanjida, a student of the English Department at the World University for allegedly commenting and uploading pictures mocking the Prime Minister Sheikh Hasina and her son Sajib Wazed Joy on facebook. On January 21, 2015 a photographer of Bangladesh Television named Sayeed Ibne Masud filed a case against Sanjida and her relative Gofran Mia under the Information and Communication Technology Act 2006 (amendment 2009 & 2013). It was alleged in the case that a facebook account was opened using his name and photograph and making defamatory comments against the Prime Minister Sheikh Hasina and her son Sajib Wazed Joy. Regarding this matter, Sayeed Ibne Masud said that Gofran Mia was his business partner. Later they were separated due to various reasons which led to disputes between the two.⁶³
74. Odhikar believes that the repressive Information and Communication Technology Act, 2006 (Amendment 2009 and 2013) is being used indiscriminately. Odhikar urges the government to repeal this repressive law immediately.⁶⁴

The Anti Corruption Commission

75. The Anti Corruption Commission (ACC) was formed under the Anti Corruption Commission Act, 2004 in order to prevent corruption in the country and to investigate other specific crimes, including forgery. According to Article 2 of this Act, "This Commission will be independent and impartial"; however, the ACC is functioning as per instructions of the ruling party, which has been reflected in several of its activities over the years. The ACC had initiated investigations into acts of corruption by the former Ministers, Members of Parliament, influential politicians and bureaucrats. However, most of the accused persons under investigation are being given a 'clean chit' by the ACC, which is filing the cases secretly. The ACC has given impunity to all the accused in 5,349 registered cases, including cases registered by the then Anti Corruption Bureau (which was abolished in 2004) in three years and eight months.⁶⁵
76. Between January and August 2014, about 1600 politicians, backed by the ruling (Awami League) party; and high-level government officers under ACC investigation, were given clean chits. Among them, the ACC has given

⁶³ The daily Manabzamin, 24/01/2015

⁶⁴ The ICT Act 2006 (Amended in 2009) is also the law under which the Secretary and Director of Odhikar have been charged. Also charged under this Act are bloggers and journalists in 2013.

⁶⁵ The daily Manabzamin, 10/01/2015

impunity to 10 persons, including former Communication Minister, Syed Abul Hossain for the widely known Padma Bridge scam; and former Health Minister AFM Ruhul Huq for possessing illegal property. Furthermore, allegations of corruption have been removed in eight months, from the Deputy Leader of the Parliament, Sajeda Chowdhury; former Health Affairs Adviser to the Prime Minister, Syed Modassed Ali; Minister for Rehabilitation and Disaster Management, Mofazzal Hossain Chowdhury Maya; Health Minister, Mohammad Nasim; and former Ambassador of Bangladesh to the Philippines, Mazeda Rafiqun Nesa.⁶⁶

77. The Commission also removed allegations brought against some senior leaders of Awami League and some men associated with the ruling party in 2013. Among them, the Commission acquitted former parliamentarian HBM Iqbal and former Chief Whip and Awami League leader Abul Hasnat Abdullah from two cases. In June 2013, the ACC acquitted former Minister Mohiuddin Khan Alamgir from an allegation of corruption. Furthermore, some top government officials were acquitted from corruption charges.⁶⁷ From charges of obtaining property with illegal income, the ACC acquitted the ruling party MP of Cox's Bazar-4, Saimum Sarwar and his wife Syeda Selina Akhter. On January 15, 2015 the ACC Secretary Maksudul Hassan Khan informed the Cabinet Secretary about this through a letter.⁶⁸ Another ruling party parliamentarian of Narayanganj-4, Shamim Osman, was also acquitted from charges of obtaining property with illegal income by the ACC. The ACC Secretary Maksudul Hassan Khan informed the relevant authority of this through letters on January 15, 2015.⁶⁹ In the meanwhile, the ACC continues legal proceedings under the cases filed against top leaders of the BNP.⁷⁰
78. Furthermore, about 50 officials of the Anti Corruption Commission have been accused of taking bribes from persons under investigation. There were allegations that the ACC officials demanded bribes from the accused by threatening to file case against them, investigate and provide charge sheet. Most of the victims did not dare to complain to the ACC, but made allegations to some intelligence agencies.⁷¹
79. On August 10, 2013 men from the law enforcement agency picked up Odhikar's Secretary Adilur Rahman Khan without warrant and showed him arrested under the ICT Act for publishing a fact finding report on extrajudicial killing centering a rally by Hefazate Islam on May 5-6, 2013. Soon after this incident, the Anti Corruption Commission started

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ The daily Prothom Alo, 19/01/2015

⁶⁹ The daily Prothom Alo, 21/01/2015

⁷⁰ The daily Manabzamin, 10/10/2014

⁷¹ The Daily Ittefaq, 23/06/2014

investigations into the financial transactions of Odhikar; which escalated in January 2014 after Adilur Rahman Khan was freed on bail. The ACC is putting pressure on a 20-year old and vocal human rights organisation, Odhikar since August 2013, in the name of investigation, even after Odhikar cooperated and submitted all the documents sought by the ACC.

80. Odhikar believes that all institutions of this country have to be accountable. Odhikar too, has ensured accountability in every activity. Odhikar submits its project related audit reports to the NGO Affairs Bureau every year. The ACC is trying to make Odhikar's activities and achievements controversial in order to stop its human rights work, by following the repressive dictates of the government. Odhikar has often criticised the discriminatory actions of the ACC and its non-transparent activities. Odhikar has also been asking that the annual income and expenditure of ACC officials be publicised on the ACC website. The ACC can investigate Odhikar's financial transaction at any time with due process of law. However, the ACC is harassing Odhikar in the name of investigation at a time when the government is trying to shut Odhikar down by putting pressure on it from different quarters. The ACC once again has emerged as a subservient and dependent body to the government.

Activities of Odhikar hindered

81. The state repression on Odhikar, that commenced on August 10, 2013, continues. The case filed under section 57 of the Information and Communication Technology Act, 2006 (Amended 2009) against Odhikar's Secretary Adilur Rahman Khan and its Director ASM Nasiruddin Elan, has been stayed by the High Court Division. Human rights defenders who are associated with Odhikar are being watched and sometimes harassed. Apart from that, the NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has barred the release of all project related funds that were to be utilized by Odhikar for its human rights programmes.
82. The government has taken a strategy to stop Odhikar from functioning as an effective human rights watch dog. For example, 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 has not released the last phase of funds. This project had been implemented mainly to document, research and advocate human rights violations by the Indian Border Security Force along the border, extrajudicial killings, political violence, rights of 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 has been barring the release of funds of this project since October 2010.

83. After the completion of the first year activities of the project 'Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh', funded by the European Union, Odhikar applied for the release of funds for the second-year activities on March 6, 2013. On May 15, 2013 the Bureau gave 50% of the funds for the second year, three months after the submission of Odhikar's request. On August 21, 2013 Odhikar submitted an application to the NGO Affairs Bureau for releasing the remaining 50% of funds, along with a project completion audit report of the first year. The duration of the project ended on March 31, 2014, but the NGOAB did not release the remaining 50% of the project funds. As a result Odhikar could not able implement second year's activities of the said project.
84. The NGOAB did not release the second-year funds of the project 'Empowering Women as Community Human Rights Defenders' funded by the Finnish NGO Foundation for Human Rights (KIOS). The project was designed to take effective action in order to stop violence against women in four districts. The project has already ended in December 2014. In order to stop violence against women (VAW) Odhikar worked on dowry related violence, acid violence, rape and sexual harassment; and also monitored cases of VAW, conducted research and advocacy in coordination with trained women human rights defenders in first year. Odhikar cannot implement the project activities for the second year due to non-release of funds.
85. Human right activities of Odhikar face serious barriers due to non-release of funds. As a human rights organisation it is Odhikar's duty to highlight human rights violations and take appropriate actions and measures to prevent future violations. The Government is harassing Odhikar, everyone associated with the organisation and victims of human rights violations; gagging their voices and hampering their activities.

| Statistics: January 2015* | | | |
|--|-----------------------|----------------|--------------|
| Type of Human Rights Violation | | January | Total |
| Extrajudicial killings** | Crossfire | 12 | 12 |
| | Shot to death | 4 | 4 |
| | Beaten to death | 1 | 1 |
| | Total | 17 | 17 |
| Disappearances | | 14 | 14 |
| Human rights violations by Indian BSF | Bangladeshis Killed | 2 | 2 |
| | Bangladeshis Injured | 11 | 11 |
| | Bangladeshis Abducted | 4 | 4 |
| Attack on journalists | Injured | 6 | 6 |
| | Assaulted | 2 | 2 |
| | Threatened | 1 | 1 |
| | Arrested | 2 | 2 |
| Political violence | Killed | 46 | 46 |
| | Injured | 1946 | 1946 |
| Dowry related violence (including women victims, their children and relatives) | | 13 | 13 |
| Rape | | 29 | 29 |
| Sexual harassment /Stalking of women | | 18 | 18 |
| Acid | | 9 | 9 |
| Public lynching | | 12 | 12 |

*Odhikar's documentation

**In January four persons were extra judicially killed by the law enforcement agencies due to political violence which is also included in the statistical part of the Political Violence

Recommendations

1. The main reason for the current political crisis is forcible assumption of power through conducting connived, highly criticised and controversial elections on January 5, 2014. For this matter, constitutional and moral crises have been created about the legitimacy of the government at home and abroad. There is no alternative other than holding a free, fair and credible election immediately by ensuring the participation of all political parties, under a neutral government, in order to resolve this. The on-going political crisis has already become the cause of severe human rights violations. All parties must come to a consensus to curtail violence and confrontational politics and stop the

culture of 'blame games' when violence occurs and ensure punishment of the perpetrators, as provided under the law.

2. The use of petrol bombs is becoming a common practice during hartals and extreme political violence. Ordinary citizens are the victims of such attacks. This has led to several deaths and many more have become permanently maimed. Odhikar urges human rights organisations and citizens of Bangladesh to remain vigilant against such attacks.
3. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. The law enforcement agencies must follow the international guidelines "Basic Principles on the use of Force and Firearms by Law Enforcement officials and the UN Code of Conduct for Law Enforcement officials". The Government should ratify the Optional Protocol to the UN Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013.
4. The Government has to explain all incidents of enforced disappearance and killings allegedly perpetrated by law enforcement agencies. The Government must bring the members of the security and law enforcement forces who are involved in the incidents of enforced disappearance and killing to justice. Odhikar urges the government to accede to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN on December 20, 2006.
5. The Government should refrain from attacking peaceful public events and from carrying out repressive, unconstitutional activities. Arbitrary and mass arrest and human rights abuses in prisons must be stopped.
6. Freedom of opinion and expression and of the media must be ensured. The Government should investigate incidents of attacks on human rights defenders and journalists; and take appropriate measures to bring the perpetrators to justice. The ban on the publication of the daily Amar Desh and the broadcasting of Diganta TV, Islamic TV and Channel One should be removed. The detained Acting Editor of the daily Amar Desh, Mahmudur Rahman should be released.
7. The Government must immediately take effective measures in order to ensure the human rights of every citizen in the Chittagong Hill Tracts and also resolve the issues relating to land disputes and the right to self-determination for the sake of a permanent solution for this prolonged crisis. Attacks and repression against citizens belonging to all minority communities must be stopped.
8. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 & 2013) and the Special Powers Act, 1974 must be repealed.

9. 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.
10. The Government must ensure the effective implementation of laws to stop violence against women and the offenders must be effectively punished under the prevalent laws. The Government should also execute mass awareness programmes in the print and electronic media in order to eliminate violence against women.
11. The Anti Corruption Commission has to be independent and neutral instead of acting under the government's instruction.
12. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. All repressive measure and harassment against human rights defenders associated with Odhikar should be stopped. The government must release the funds of Odhikar urgently to enable it to continue its human rights activities.

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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.