

June 1, 2015

Human Rights Monitoring Report

May 1 - 31, 2015

Political violence Human rights violations on the high seas Extrajudicial killings Freedom of the media Freedom of expression Human rights violation by BSF along the border The religious minority community Public lynching Violence against women

Odhikar believes that 'democracy' is a form of the State and that freedom and human rights are its foundations. Democracy is not merely a process of electing a ruler; it 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 realise their rights and responsibilities through participation and decision making processes. 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 such rights are inviolable and are the foundational principles of the State.

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; and 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 has 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 that 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 May 2015, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

Political violence

- 1. According to information gathered by Odhikar, in May 2015, five persons were killed and 272 were injured in political violence. 21 incidents of internal violence in the Awami League were recorded during this period. In addition to this, three persons were killed and 206 were injured in internal conflicts of the Awami League.
- 2. After the controversial elections held on January 5, 2014 the Awami League led government returned to power. Criminalization of politics continue as well. The ruling party carried on the practice of misusing youths who are affiliated with the political party here the Chhatra League¹ and Jubo League². These youth are emerging as criminals instead of serving the country as good citizens. For example, during the three City Corporation Elections,

¹ Student wing of Awami League.

² Youth Wing of Awami League.

which took place on April 28, 2015, there were widespread allegations that Chhatra League and Jubo League activists were engaged in conducting electoral fraud, irregularities, and acts of intimidation, in favour of the ruling party. Besides, activists of Chhatra League and Jubo league are also involved in various altercations in order to gain their interests. Most of the incidents of violence are not brought to justice. Two incidents are highlighted here:

- 3. On May 13, 2015 Mosharraf Hossain, a Masters degree student of the Department of Criminology and Police Science at Mawlana Bhashani Science and Technology University, was killed in a violent altercation between the two groups of Chhatra League; led by Mosharraf and Monirul over establishing supremacy in the University campus. Two other students named Faisal Hossain and Rashedul Islam were injured during the clash.³ A case was filed with Tangail Police Station in this connection and on May 23, 2015 a Chhatra League activist Omar Faruq was arrested for the alleged killing.⁴
- 4. On May 15, 2015 at least 50 persons were injured when an altercation occurred between the two groups of Awami League in Doulrardi village of Bardi Union under Sonargaon Upazil in Narayanganj over establishing supremacy in the area. About fifty houses and business institutes were vandalized and looted in the presence of police. Clashes occurred between the supporters of the President of Union unit Awami League Zahirul Huq; and Upazila Parishad Jubo League member and General Secretary Kamal Hossain. Four cases were filed over this incident, however no one was arrested.⁵
- 5. Odhikar expresses grave concern over the on-going political violence. Odhikar believes that it is very important to ensure free, fair and impartial Parliamentary Elections on an urgent basis to ensure political stability. If credible elections are not held on an urgent basis then such unresolved issues could cause repeated and severe human rights violations⁶. Besides, Odhikar

³ The daily Prothom Alo, 14/05/2015.

Information sent by human rights defender associated with Odhikar from Tangail.

⁵ Information sent by human rights defender associated with Odhikar from Narayanganj.

⁶The extreme political instability in the country today is, primarily, due to the unilateral procedure taken to amend the Constitution ignoring protests of the then Opposition and civil society and without taking people's mandate. The ruling party, before the flawed national elections on January 5, 2014 stated that it would hold fresh and credible elections with the participation of all political parties after this 5, January 2014election. 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 in January, 2015 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 killings, disappearances, torture and degrading treatment and large-scale arrests and stopping meetings and assemblies. Thus, the protests by the 20-Party Alliance turned violent and casualties occurred every day due to non-stop blockade programmes and hartals from January to March' 2015. During the hartals and blockades petrol bombs were thrown on many vehicles which caused casualties and deaths. The government and the BNP were blaming each other for throwing petrol bombs and it came through the media that both Awami League and BNP activists had been held for throwing petrol bombs. On the other hand the leaders of the ruling party and its alliance are making statements to resist opposition in such a manner that is encouraging law enforcement agencies to commit extrajudicial killings. In all this, it was the ordinary people who became victims of the

also observes that the leaders of the political parties have been, for a long time, fulfilling their vested interests by misdirecting the youth of this country, by taking advantage of their economic instability. They are blocking the way for youth to play a positive role for the betterment of the nation. Odhikar demands that the government take legal action against its activists who are involved in criminal activities.

Human rights violations on the high seas

6. On May 1, 2015 Thai security guards recovered 32 mass graves of Bangladeshi and Myanmar citizens from a jungle in Sadao District under the Shongkhal Province of Thailand, along the Malaysian border. It is believed that the deceased were traveling to go abroad by sea as illegal migrant workers. At the same time, Thai police also found some abandoned camps where migrants were detained by their traffickers. It was leant that more than 10 thousand poor Bangladeshis and citizens belonging to the Muslim minority Rohingya population of Myanmar, enter Malaysia for work through this notorious human trafficking route.⁷ Syndicates of human traffickers from Bangladesh, Myanmar, Thailand and Indonesia have also been trafficking poor citizens of Bangladesh and Myanmar by luring them with jobs in Malaysia.⁸ When the incident of mass graves was published in media the whole world paid attention. At one stage, the governments of Malaysia, Thailand and Indonesia increased patrols in their maritime waters and the security forces of these countries pushed back migrant-filled boats into non-territorial waters. As a result hundreds of boats carrying thousands of migrants were floating in the Andaman Sea and Malakka Channel. Many traffickers and sailors fled from the boats after stopping the engines. Many boats were sunk in the sea as the engines were shut.9 On May 16, 2015 at least 104 people died in a clash amongst migrants for food on a boat floating near a Malaysian beach.¹⁰ On May 20, 2015 a three-nation Foreign Minister level meeting was held in Kuala Lumpur, where Thailand and Indonesia also attended. The said meeting was called upon urges made by international communities to give shelter to the floating migrants; and as a result Malaysia and Indonesia decided to give shelter to seven thousand migrants.¹¹ Furthermore, on May 24 and 25, 139 more graves of victims of human trafficking were marked in 17 camps in

political stalemate and suffered as travelling had become unsafe, all kinds of trade and business was hampered, the poor and daily labourers were unemployed and farmers were suffering great loss.

⁷ The daily Bangladesh Protidin, Prothom Alo and Manabzamin, 02/05/2015.

⁸ The daily Prothom Alo, Jugantor, 02/05/2015.

⁹ The daily Naya Diganta, 16/05/2015.

¹⁰ The daily Jugantor, 18/05/2015.

¹¹ The daily Naya Diganta, 21/05/2015.

- villages and towns under Perlis Province in Malaysia.¹² Meanwhile about five thousand people from Sirajganj, Satkhira, Bhola, Banskhali of Chittagong and Kurigram, who were travelling to Malaysia with human traffickers are still missing.¹³
- 7. There is no accurate statistics regarding the number of migrants still floating on the seas. Moreover, the media is publishing reports on missing people who were travelling to Malaysia from different districts of Bangladesh by sea. The economic growth of Bangladesh is about 6.1 percent¹⁴, however, people belonging to the extreme rich group and ultra poor group have mainly flourished. As a result poor people are travelling beyond borders illegally through human traffickers with high risk due to lack of livelihood. In the meanwhile the Bangladesh government did not give shelter to Rohingya refugees who are suffering in the camps in Chittagong. Odhikar urges the government immediately to send ships and bring the Bangladeshi citizens back; and demands that the government find out the people involved in human trafficking and bring them to justice. Odhikar also urges the government to ensure food and work for all people by taking into consideration the huge numbers of people leaving the country; and reduce the disparity between rich and poor.

Extrajudicial killings

- 8. According to information gathered by Odhikar, in May 2015, a total of 18 persons were allegedly killed extra-judicially.
- 9. Among the dead, 14 were killed in alleged 'crossfire/encounters/gun fights'. Of them three were killed by RAB and 11 were killed by the police. One person was beaten to death by police. Two persons were tortured to death by police and one person was allegedly stabbed to death by BGB during this period.

Identities of the deceased persons

- 10. Of the 18 persons who were killed extra-judicially, one was an owner of a motor garage, one was a youth, one was a security guard of a private firm, five were human traffickers and 10 were alleged criminals.
- 11. On May 4, 2015 Abdus Salam (40) from Fulbari, Dinajpur and Moynul alias Babu Hossain (35) from Joypurhat Sadar Upazila were killed in a 'shootout' at Bhutgari area of Panchbibi Upazila under Joypurhat District. In the same

¹² The daily Prothom Alo, 29/05/2015.

¹³ The daily Manabzamin, 14/05/2015.

¹⁴ Asian Development Bank (Fiscal Year June 2014), http://www.adb.org/countries/bangladesh/economy

incident, Ramesh Chandra from Fulbari, Dinajpur was shot in his leg. According to the Superintendent of Police of Joypurhat, Molla Nazrul Islam, on May 4 at midnight, a group of robbers were planning a robbery. After getting this information, Detective Branch (DB) police of Joypurhat conducted an operation. At that time a shootout between the robbers and police took place. Salam and Babu were 'spot dead' during this 'shootout'. However, the injured Ramesh Chandra, while under treatment in a hospital, informed journalists that the deceased Abdus Salam was known to him. He said that DB police arrested the two of them from Konabari in Gazipur and later DB police shot Ramesh in the leg after blindfolding him.¹⁵

- 12. On May 8, 2015 at around 3:00 am, Dholu Hossain (55), Mohammad Jahangir Alam (30) and Mohammad Jafar Alam (25) were killed in 'gunfight' in Jhauban area of Moheshkhalipara beach under Teknaf Upazila of Cox's Bazaar. Ataur Rahman, the Officer-in-Charge of Teknaf Police Station claimed that the deceased persons were human traffickers listed by police. The incident of a 'shootout' took place when police conducted operations after learning that human trafficking was going on at Jhaubon. ¹⁶ On May 10, 2015 Zafor Majhi (45) from Ukhiya of Cox's Bazaar¹⁷ and on May 12, 2015 Belal (38) from Bhumirghona village of Cox's Bazaar were also killed in the name of 'shootout'.18
- 13. The law and justice delivery system of the country is becoming increasingly questionable and human rights are being seriously violated due to the persistence of extrajudicial killings. Odhikar has noticed that in the border areas especially in Cox's Bazaar and Teknaf, human trafficking is increasing significantly. The security force are killing people in the name of 'shootout' and stating they were traffickers. As a result, before even proving their crimes in Court, victims are being killed. This also creates an obstruction for tracing the actual masterminds behind human trafficking.

Torture in custody

14. 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 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.

 $^{^{15}}$ The daily Prothom Alo 06/05/2015. 16 Information sent by human rights defender associated with Odhikar from Cox's Bazaar.

¹⁷ Naya Diganta, 11/05/2015.

¹⁸ The daily Prothom Alo 15/05/2015.

- 15. On May 14, 2015 Rezaul Islam (55) of Khayersuti village of Dogachi Union under Pabna Sadar Police Station was picked up from his house and allegedly beaten to death by Detective Branch (DB) police. The brother of the deceased, Azmon Hossain said that on May 14 at around 11:00 am, a group of plain clothes DB police came to Rezaul's house and picked him up. They started beating Rezaul with chains. When he fell to the ground the DB police took him towards Pabna and he died in the afternoon of the same day. However, police claimed that Rezaul was a drug addict and a drug peddler and he died of a heart attack after his arrest, due to fear.¹⁹
- 16. Odhikar believes that despite the claim of 'zero tolerance' against 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.

Shooting in the legs after arrest by law enforcers

- 17. According to information gathered by Odhikar, in May 2015, three persons were shot in the leg allegedly by the police. Between January and May 2015, a reported number of 30 persons were shot in the leg by police.
- 18. On May 24, 2015 Sabbir Hossain Sohan (17) a Higher Secondary Certificate examinee of Keshobpur Degree College Jessore, was detained from Keshobpur Bazaar and was beaten and shot in his right leg by the police of Monirampur Police Station. Sabbir Hossain, while under treatment at Monirampur Upazila Health Complex, informed that after finishing his exam, he was on the way home and as soon as he reached the southern part of Keshobpur Bazaar, police apprehended him and shot him in his right leg after beating him. The Officer-in-Charge of Monirampur Police Station, Khobir Ahmed claimed that there were four cases filed against Sabbir.²⁰
- 19. The law enforcement agencies are enjoying impunity, which helps them to continue such activities. RAB and police are not only targeting political opponents but also attacking ordinary citizens. Several people have already become disabled due to shooting by law enforcement agencies.

7

 $^{^{19}}$ The daily Nayadiganta, 15/05/2015. 20 The daily Jugantor 26/05/2015.

Allegations of enforced disappearance²¹ against law enforcement agencies

- 20. According to information gathered by Odhikar from January to May 2015, 36 persons have been disappeared; of them, eight were later found dead and 16 were later produced before the Court and whereabouts of 12 persons are still unknown.²²
- 21. 25–29 May was the week to pay tribute and solidarity to the victims of enforced disappearances and their families. Odhikar urges the government to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance. Odhikar demands the government take immediate measure to return the disappeared persons to their families and take action against the perpetrators.

BNP leader Salah Uddin Ahmed surfaced after two months of disappearance

22. On March 10, 2015 at midnight a leader of BNP²³ Salah Uddin Ahmed was picked up from a house at Uttara, Dhaka. The family of Salah Uddin alleged that the Detective Branch of police in plain clothes picked him up.²⁴ The security guard and neighbours also gave the same information.²⁵ 63 days after his disappearance on May 11, 2015 he was left in a street in front of the golf club in Shillong, the Capital of Meghalaya, India by some unknown men. Salah Uddin informed Shillong police, with the help of local people and police arrested him.²⁶ Later, they admitted Salah Uddin to a hospital called Meghalaya Institute of Mental Health and Neuro Sciences. On May 12, 2015 he called his wife Hasina Ahmed in Bangladesh by a cell phone taken from a hospital employee; and informed her of his whereabouts.²⁷ On May 18, 2015 when he was being taken for a CT scan from one building to another at the Shillong Civil Hospital, Salah Uddin Ahmed informed the journalists that he

²¹ Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance states, "enforced disappearance" as: "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law." Odhikar documents incidents of enforced disappearance only in cases where family members/witnesses have stated that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

²² According to information gathered by Odhikar from January 2009 to May 2015, 206 persons have been disappeared; of them, 28 were later found dead and 66 were later produced before the Court or freed in different places. Still now, there is no whereabouts of 112 disappeared persons.

²³ Bangladesh Nationalist party; it is still the largest opposition political party.

²⁴ The daily Naya Diganta, Manabzamin 13/03/2015.

²⁵ The daily Prothom Alo, 16/03/2015.

²⁶ The daily Prothom Alo 19/05/2015.

²⁷ The daily Manabzamin, 13/05/2015.

was confined in a room for 63 days after his abduction. On May 11, 2015 the abductors left him after a 12 or 14 hour long journey, in a spot beside Shillong Golf Course. He was blindfolded and his mouth and hands were tied during the whole journey.²⁸ On May 26, 2015 he was taken to Shillong Police Station. A case was filed against him under the Foreigners Act, 1946 of India as he had entered India without a passport.²⁹

Death in jail

- 23. In May 2015, a reported 10 persons died in prison. Among them, nine died due to illness and one committed suicide.
- 24. It is alleged that due to lack of treatment facilities and negligence by the prison authorities, many prisoners became ill which caused death.

Nasir Uddin Pintu, former Member of Parliament of BNP died in Rajshahi Central jail

- 25. On May 3, 2015 a convicted prisoner of the BDR Mutiny³⁰ and former MP of BNP, Nasir Uddin Pintu died in Rajshahi Medical College Hospital. His family alleged that Pintu was killed intentionally by depriving him of proper treatment.³¹ The Head of the Cardiology Department of Rajshahi Medical College Hospital, Dr. Rais Uddin informed that on May 2, 2015 he went to see Pintu at Rajshahi Central Jail as the prison authority issued a letter that due to the 'security reason' Pintu should be treated in jail.³² However, when the doctor went to prison, the Superintendent of Prison Shafiqul Islam, did not give him permission to treat Pintu. Advocate Aminul Islam, the defense lawyer for Pintu said that Pintu had been severely ill for quite a long time. A Bench of the High Court Division of the Supreme Court ordered that he be provided with better treatment at the BSMMU³³ at Dhaka. However, due to unknown reasons, on April 20, 2015 Pintu was sent to Rajshahi Central Jail from Narayanganj District Jail, though April 25, 2015 was fixed for his treatment at the BSMMU.³⁴
- 26. Odhikar demands the better treatment for all inmates in every jail. Deprivation of treatment in jail is a violation of human rights.

²⁸ The daily Prothom Alo 19/05/2015.

²⁹ The daily Prothom Alo, 27/05/2015.

³⁰ On 25-26 February 2009, a mutiny was carried out, allegedly by junior officers and members of the Bangladesh Rifles (BDR)- now known as the Border Guard Bangladesh (BGB)- at the BDR Headquarters at Pilkhana in Dhaka. The mutiny resulted in the deaths of 78 BDR officers, and spread to BDR camps across the country. Many lower ranking BDR personnel were arrested and tried in Special Courts.

³¹ The daily Jugantor 04/05/2015.

³² On April 23, 2015 the Directorate of Prison issued a letter to Rajshahi Medical College Hospital regarding treatment of Nasir Uddin Pintu.

³³ Bangabandhu Sheikh Mujib Medical University.

³⁴ Information sent by human rights defender associated with Odhikar from Rajshahi and the daily Jugantor 04/05/2015.

Hindrance to freedom of the media

- 27. According to information gathered by Odhikar, in May 2015, five journalists were injured, 10 were threatened and one was arrested. Furthermore, eight local newspapers were shut down.
- 28. On May 12, 2015 Justice Abu Ahmed of a Special Judge Court set up in the field of Alia Madrassa at Bakshibazar, gave an embargo against the publication of the statement given to the Court by the Acting Editor of the daily Amar Desh Mahmudur Rahman. The Anti Corruption Commission filed cases against him and the trial was going on in the Special Court.³⁵ It is to be mentioned that after being arrested on April 11, 2013 Mahmudur Rahman, who is critical of the present government, has been confined in jail for last two years. There were 68 cases filed against him and the printing press of the daily Amar Desh was closed on April 11, 2013.
- 29. On May 16, 2015 at around 8:00 pm, local Jubo League activists beat Mofizul Islam, a local correspondent of the daily Naya Diganta and Loksamaj of Soulakupa in Jhenaidah. Mofizul informed Odhikar that on May 16, 2015 in the evening, he went to Langalbandh Bazaar where Awami League activist Mannan snatched away his motorbike key. Later five or six criminals, led by Lavlu, the President of Bondekhali Ward unit Jubo League under Dholhara Chandra Union, attacked him and took his camera and money. Mofizul Islam informed that his reporting on drug peddling and loan-giving businesses were the cause of this attack.³⁶
- 30. On May 20, 2015 the Deputy Commissioner (DC) of Munshiganj, Mohammad Saiful Hassan Badal cancelled the publication (Declaration) of eight local newspapers published from Munshiganj. On the basis of a letter issued by the Deputy Commissioner, the government controlled institution, Bangladesh Press Council, requested the Superintendent of Police of Munshiganj on May 17, 2015 to take action against 11 journalists. The General Secretary of Munshiganj Press Club, Kazi Sabbir Ahmed said that on April 20, 2015 the Prime Minister Sheikh Hasina talked with the Munshiganj District Development Coordination Committee through a video conference from Dhaka. When journalists went to collect information regarding the conference, the Deputy Commissioner (DC) Mohammad Saiful Hassan Badal misbehaved with them and the journalists were forced out of his office. Later journalists returned to the press club and protested this treatment by holding rallies and human chains and also demanded the DC's removal. The DC, being agitated, lodged a complaint to the Press Council against 11 journalists.

21

³⁵ The daily Amar Desh (online) 13/05/2015.

³⁶ Information gathered by Odhikar.

Journalists who came under the fire of the DC are Mamunur Rashid (Samakal); Kazi Sabbir Ahmed (Bangla news24.com); Shahid-E-Hassan Tuhin (JaiJaidin and GTV); Mozammel Hossain Sajal (Manbzamin); Mahbub Babu (Amader Shomoy); Sheikh Mohammad Ratan (MyTV); Mainuddin Sumon (NTV); Faridul Hasan (RTV); Jasim Uddin Dewan (71 TV) and cameramen Jafor Mia and Abdur Rahman. The Deputy Commissioner cancelled the publications of eight newspapers which were published from Munshiganj. These are Doinik Deshseba, Saptahik Munshigani, Saptahik Munshigani Songbad, Saptahik Bikrampur Songbad, Saptahik Kagojer Khobor, Saptahik Munshigonjer Bani, Pakkhik Khola Kagoj and Saptahik Shotto Prokash.³⁷

31. Odhikar expresses grave concern over acts of pressure on the media, threatening and filing cases against journalists and closing down newspapers. Odhikar believes that this kind of action is contrary to the rights to freedom of thought and expression.

Hindrance to freedom of expression

Suspended for criticizing the government

32. On May 20, 2015 Mohammad Kamruzzaman, Deputy Assistant Officer (Land) from Kushdi of Barishab Union under Kapasia Upazila in Gazipur was temporarily suspended as he allegedly criticized the government on his facebook account. Kapasia Upazila Nirbahi Officer (UNO)³⁸ Anisur Rahman informed journalists that such action was taken as Kamruzzaman made objectionable comments on his facebook account against the government and the administration. At the same time a departmental decision has been made to file a case against him.³⁹

Use of the repressive Information and Communication Technology Act

33. On May 1, 2015 Sajjad Hossain, Jhenaidah district correspondent of the daily Amader Orthoniti, was arrested under Section 57(1) of the Information and Communication Technology Act 2006 (amended 2009 and 2013), from Pagla Kanai area of Jhenaidah town. He was arrested by police following a case filed against him by the City Mayor and General Secretary of Jhenaidah District unit Awami League, Saidul Karim Mintu. On April 30, 2015 under the same case, Jhenaidah District Correspondent of Shomoy TV, Shahnewaz Khan Sumon was also arrested by police. On September 13, 2014 a news was

Report sent by human rights defender associated with Odhikar from Munshiganj.
 Upazila (Sub-district) Executive Officer.
 The daily Manabzamin, 24/05/2015.

published in several local and national newspapers titled 'City Mayor Declared Unwanted'. Due to their report, the Mayor and General Secretary of Jhenaidah District unit Awami League, Saidul Karim Mintu filed a petition case on November 11, 2014 under section 57(1) of the ICT ACT at the Court of Judicial Magistrate Mohammad Helal Uddin. Furthermore, Alamgir Mohiuddin of the daily Naya Diganta; Sheikh Ruhul Amin, District correspondent of Bangladesh Protidin; Shahnewaz Khan Sumon, District correspondent of Shomoy TV; and Imdadul Huq Milon, Editor and Publisher of the daily Neer Bangla faced charges under this case. The Court on the same day ordered police to take necessary measures soon after recording the case.⁴⁰

34. On May 18, 2015 a youth named Roman Palwan (28) was arrested by the Detective Branch (DB) of police from Sadarghat of Bhola and a case was filed against him under section 57(1) of the Information and Communication Technology Act 2006 (Amended 2009 and 2013). It is alleged that he had posted a cartoon image of the Prime Minister, Sheikh Hasina on his facebook account. He is now detained in Bhola District Jail.41

Killing of blogger

- 35. On May 12, 2015 Blogger Ananta Bijoy was killed by four masked men at Subidhbazar Nurani Dighirpar area of Sylhet in broad day light, while he was going to Pubali Bank at Jawabazar in Chhatak. In the afternoon, a so-called 'outfit', Ansarullah Bangla Team acknowledged his killing in a twitter message. Two hours before his death Ananta Bijoy had criticized the Member of Parliament of Sylhet-342, who had wished to whip Professor Jafor Iqbal of Shahjalal Science and Technology University and had also mentioned that the present Parliament was unelected.⁴³ It is to be mentioned that between January 2009 and May 2015, four bloggers have been killed.
- 36. Odhikar expresses grave concern as the freedom of expression is being violated. Odhikar believes that it is a misuse of power to arrest and harass persons whose opinions go against the government. Odhikar demands the government repeal the draconian Information and Communication Technology Act 2006 (Amended in 2009 and 2013). Odhikar demands justice through impartial investigations into the killings of blogger Ananta Bijoy and bloggers Rajib Haider, Ovijit Roy and Washikur Rahman Babu and also demands the government ensure the security of bloggers.

 $^{^{\}rm 40}$ Report sent by human rights defender associated with Odhikar from Jhenaidah. $^{\rm 41}$ The daily Prothom Alo 19/05/2015.

⁴² Mahmud Samad Chowdhury Kayes.

⁴³ Report sent by human rights defender associated with Odhikar from Sylhet.

Meetings and assemblies prohibited

- 37. The right to freedom of assembly and the holding of peaceful meetings, rallies and processions are the democratic and political rights of every citizen, as enshrined in Article 37 of the Constitution of the People's Republic of Bangladesh. The present government is putting bars on meetings and assemblies of the opposition and groups with alternative beliefs; and also engages the police and party activists to attack such gatherings. The political situation of the country has become repressive as a result of government's restraint on the opposition parties and alternative voices, by taking away the rights to freedom of expression, assembly and holding of peaceful meetings. Banning and attacking meetings and assemblies imply the shutting down of democratic space.
- 38. Many women became victims of sexual harassment on the Dhaka University campus during celebration of Bangla New Year on April 14, 2015. On May 10, 2015 leaders and activists of Progatishil Chhatrajote⁴⁴ and anti-colonialism student alliance brought out rally in order to surround DMP⁴⁵ Headquarters in protest of police failing to arrest the criminals who were involved in sexual harassment on the Dhaka University campus.⁴⁶ At that time police barred them in front of the officers' quarters adjacent to the DMP Headquarters. The protestors sat on the street, chanting slogans ignoring the police barricade. They also asked police for the specific time when the attackers would be arrested. At one stage, police baton charged protesting students and also used a water cannon and threw tear gas shells. During this atrocity, women activists were also physically attacked by male police. A female activist named Ismat Jahan was seen being kicked and pulled by her hair by male police. This has been exposed in various media through publishing photographs and video footage in social media.⁴⁷ Furthermore, a few more women activists were seen lying on the street, as victims of police attack. At least 34 student activists were injured and 21 of them were admitted to Dhaka Medical College Hospital.⁴⁸ On May 12, 2015 the Inspector General of Police, AKM Shahidul Huq stated in his office while talking to private TV channel journalists, that the perpetrators of the April 14 incident were just being "naughty" and had attempted to stalk women.⁴⁹
- 39. Odhikar expresses its grievances and also condemns sexual harassment of women and the police atrocities at the rally of the Progatishil Chhatrajote. It is

⁴⁴ An alliance of progressive students.⁴⁵ Dhaka Metropolitan Police.

⁴⁶ The daily Prothom Alo, Jugantor, 15/04/2015.

⁴⁷ The daily Manabzamin, 11/05/2015.

 $^{^{48}}$ The daily Prothom Alo, 11/05/2015.

⁴⁹ The daily Prothom Alo, 12/05/2015 (Online).

a matter of regret that these women and men had become victims of illtreatment by police for demanding justice against sexual harassment. Odhikar demands the government immediately take punitive action against those responsible through impartial investigation. Furthermore, the statement of the police chief regarding sexual harassment will only make this severe incident unimportant and would further inspire perpetrators of sexual harassment.

Human rights violations by BSF in border areas

- 40. According to information collected by Odhikar, in May 2015, three Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Of them, two were shot dead and one was tortured to death. Furthermore, two Bangladeshi men were injured. Of them, one was shot and one was tortured.⁵⁰
- 41. BSF continues shooting and killing Bangladeshi citizens at the border areas over the years, ignoring protests made by various groups. This matter has been repeatedly raised in regular meetings between border guards of the two countries. The BSF has not deviated from its policy of shooting at anyone seen near the border. This kind of incident is a clear violation of international law and human rights; and threats to the sovereignty of Bangladesh.
- 42. On May 14, 2015 a Bangladeshi cattle trader named Antor Islam was shot dead by BSF at sub pillar no. 1 of the main pillar 843 of India-Bangladesh border in Patgram under Lalmonirhat district. The BSF also took away his body. Later in a Battalion Commander level flag meeting between BSF and BGB, BSF members returned the body of Antor.⁵¹
- 43. On May 23, 2015 BSF shot and killed a Bangladeshi cattle trader named Abu Sayeed at Bornobaria border under Benapole in Jessore District. Locals informed that some cattle traders, including Abu Sayeed were returning with cows from India and trying to get in through the Bornobaria border. At that time BSF members shot at them and Abu Sayeed died on the spot.⁵²
- 44. 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 would passively watch its citizens being indiscriminately killed, tortured and abducted by another state.

⁵⁰ According to information gathered by Odhikar from January 2009 to May 2015, 325 Bangladeshi citizens were killed and 487 were injured by BSF.

⁵¹ The daily Jugantor, 15/05/2015.

⁵² The daily Jugantor, 25/05/2015.

Violence against the religious minority community

- 45. Vested interest groups are oppressing religious minority citizens over various interests including land grabbing, extortion etc.
- 46. On May 1, 2015 two families belonging to the Hindu community, headed by Shamoren Mandol and Bipul Mandol, had to leave their houses in fear of local criminals and extortionists in Nathpara village under Shoilokupa Upazila in Jhenaidah District. Furthermore, another family belonging to the Hindu community, that of Dendranath Biswas of the same village, had left the village in fear of criminals in April, 2015. Locals informed that Samoren Mandol and Bipul Mandol had sold 24 decimals⁵³ of land. Soon after that, criminals of the adjacent Aushia village demanded money from them. Criminals were regularly threatening them at home. As a result, they were forced to leave the village for a few days.⁵⁴
- 47. On the night of May 30, 2015 a group of criminals attacked Joykali Mandir⁵⁵ situated at Alenga Jaminderbari under Kalihati Upazila in Tangail District. They vandalized the idols of Goddess Kali and Lord Shiva and also looted gold ornaments from the temple. A case was filed with Kalihati Police Station in this connection but no one has been arrested yet.⁵⁶
- 48. Odhikar strongly condemns the incidents and also urges the government to bring the perpetrators before justice. Odhikar also urges the government to ensure security of all the citizens belonging to the minority communities in Bangladesh.

Public lynching continues

- 49. In May 2015, 15 people were reportedly killed due to public lynching.
- 50. On May 18, 2015 at night, two youth named Rezaul Islam Reju (30) and Aminul Islam (35) were beaten to death by a mob who thought they were dacoits in Keraniganj, Dhaka. Two more were injured in the same incident. Police and locals informed that in the night of May 18, a group of 10 to 12 dacoits were preparing to rob in Rashulpur village of Keraniganj. Sensing the matter local inhabitants chased them and caught four people; and beat them. As a result these casualties occurred.⁵⁷
- 51. 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

⁵³ 1 decimal= 1/100 acre (40.46 m²).

⁵⁴ The Daily Ittefaq, 06/052015.

⁵⁵ A temple belonging to the Hindu community.

⁵⁶ The daily Manabzamin, 01/06/2015.

⁵⁷ The daily Prothom Alo, 20/05/2015.

the law into their own hands, fearing that they will not get justice any other way. Odhikar believes that due to the weak criminal justice system, the tendency to resort to public lynching is increasing, as people are losing their confidence and faith in the police and judicial system.

Violence against women

52. In May 2015, a significant number of women became victims of rape, dowry related violence, acid attacks and sexual harassment by stalkers.

Sexual harassment

- 53. According to information gathered by Odhikar, in May 2015, a total of nine girls and women were victims of sexual harassment. Of them one was killed, one committed suicide, one was assaulted and six were stalked. During this time, one male was killed by the stalkers when he protested against such acts.
- 54. On May 5, 2015 a student of class I of Mohammadpur Preparatory School and College in Dhaka, was sexual harassed by school cleaner Gopal, after he took her to an under-construction building adjacent to the school. When the child was screaming Gopal left the scene. On May 9, 2015 many guardians of students, including her parents submitted a written complaint to the school authority. But the school authority did pay any heed. Rather the Vice-Principal of the school, Zinnatun Nesa misbehaved with some guardians. As a result, annoyed guardians started to protest and even made a human chain in front of the school from May 13. Due to the protest made by guardians, the school authority, on May 16, 2015 suspended Vice-Principal Zinnatun Nesa and withdrawn all male clerks from the school.⁵⁸ On May 18, 2015 the inquiry committee submitted a report accusing Gopal for this incident and recommended that legal action be taken against him. However, police have not arrested Gopal yet.⁵⁹
- 55. On May 9, 2015 Sathi, a student of class IX of Charmunduria Girls High School and daughter of Chand Ali of Putia village under Rashti Union in Madaripur district, committed suicide due to sexual harassment. The family of the deceased alleged that a debauched youth Shaon, son of Motaleb Hawlader of the same village had been stalking the girl on her way to and from school. On May 9, 2015 Sathi was sexually harassed by Shaon on the way home from her school. She committed suicide after returning home by taking poison. Shaon was not arrested as victim family did not file a case.⁶⁰

⁵⁸ The daily Jugantor, 17/05/2015.

⁵⁹ The daily New Age, 19/05/2015.

 $^{^{\}rm 60}$ Report sent by human right defender associated with Odhikar from Madaripur.

Dowry-related violence

- 56. In May 2015, according to Odhikar documentation, 17 women were subjected to dowry violence. Of these women, it has been alleged that nine women were killed because of dowry and eight women were physically abused over dowry demands.
- 57. On May 16, 2015 a housewife named Reshma Khatun (26) was beaten to death by her husband Azizul Islam over dowry demands in Kushkhali village under Satkhira District. The father of the deceased, Shafiqul Islam said that his daughter had been beaten by Azizul Islam for dowry soon after the marriage 7 years ago. On May 16, 2015 Azizul beat Reshma twice in the morning and afternoon and left her seriously injured. As a result Reshma died in the evening. Police arrested Azizul.⁶¹

Rape

- 58. In May 2015, Odhikar recorded a total number of 75 females who were raped. Among them, 26 were women and 49 were children below the age of 16. Of the women, three were killed after being raped; eight were victims of gang rape. Out of the 49 child victims, four were killed after being raped; eight were victims of gang rape. Furthermore, 11 women and children were victims of attempted rape.
- 59. On May 11, 2015 at night, a female garment worker was gang raped on a moving bus in Charkamaldi area under Sonargaon Upazila in Narayanganj District. Sub-Inspector of Sonargaon Police Station, Aminul Islam said that at around 10:30 pm, workers of Fakir Garment Factory located at Araihazar area in Narayanganj, were returning home by a bus hired by the garment factory authority. All passengers, except a woman, got off the bus. Taking this advantage, three or four men including the bus driver Chandu Mia and helper Rubel raped her and left her in a sand lot unconscious. The next day local people beat helper Rubel and handed him over to police. Rubel acknowledged his involvement in the rape before the Court under section 16462 of the Code of Criminal Procedure 1898.63 In the night of May 27, 2015

_

⁶¹ The daily Naya Diganta, 18/05/2015.

⁶² 164.(1)Any Metropolitan Magistrate, any Magistrate of the first class] and any Magistrate of the second class specially empowered in this behalf by the Government may, if he is not a police-officer record any statement or confession made to him in the course of an investigation under this Chapter or at any time afterwards before the commencement of the inquiry or trial.

⁽²⁾ Such statements shall be recorded in such of the manners hereinafter prescribed for recording evidence as is, in his opinion best fitted for the circumstances of the case. Such confessions shall be recorded and signed in the manner provided in section 364, and such statements or confessions shall then be forwarded to the Magistrate by whom the case is to be inquired into or tried.

⁽³⁾ A Magistrate shall, before recording any such confession, explain to the person making it that he is not bound to make a confession and that if he does so it may be used as evidence against him and no Magistrate shall record any such confession unless, upon questioning the person making it, he has reason to believe that it was made voluntarily; and, when

- accused bus driver Chandu Mia was arrested by police from Savar bus stand.⁶⁴
- 60. On May 21, 2015 at around 9:00 pm, two youths picked up a 22-year old woman belonging to the ethnic minority Garo community from in front of Sinha CNG Motors at Kuril Biswa Road, Dhaka and raped her on a running microbus. The woman was waiting there for a bus to go home from work. At that time a microbus stopped and two youth got out and forcibly picked her up. They blindfolded her and raped her while giving her death threats. Later she was left in Uttara. She filed a case with Bhatara Police Station on the same night. On May 26 at night, RAB arrested Ashraf Khan alias Tushar (32) from Kolapara, Patuakhali; and Zahidul Islam alias Lavlu (26) from Gulshan, Dhaka for their involvement in this incident. At the same time, RAB also seized the microbus which was used.

Acid violence

- 61. According to information gathered by Odhikar, in May 2015, four women were victims of acid violence.
- 62. In the early morning of May 9, 2015 a local criminal named Rothin and his associates threw acid on Ankhi Bagchi, a second year student of HSC⁶⁷ as she refused a love proposal, in Tudamandra Village under Gopalganj District. The criminals entered her home by cutting the bamboo wall and threw acid on her, which burnt her face and hands. Ankhi was admitted to Gopalganj Sadar Hospital.⁶⁸
- 63. Bangladesh has a strong patriarchal society; and issues such as domestic violence are considered social matters, not legal ones. This only encourages the violence. Odhikar believes that women are being victimized mainly due to lack of implementation of laws and failure of the Judiciary. Since the perpetrators of violence against women escape punishment, potential violators are encouraged and incidents of violence increase.

he records any confession, he shall make a memorandum at the foot of such record to the following effect: "I have explained to (name) that he is not bound to make a confession and that, if he does so, any confession he may make may be used as evidence against him and I believe that this confession was voluntarily made. It was taken in my presence and hearing, and was read over to the person making it and admitted by him to be correct, and it contains a full and true account of the statement made by him.

 $^{^{63}}$ Report sent by human right defender associated with Odhikar from Narayanganj

⁶⁴ The daily Prothom Alo, 28/05/2015

⁶⁵ The daily Jugantor, 23/05/2015.

⁶⁶ The daily Prothom Alo, 28/05/2015.

⁶⁷ Higher Secondary School Certificate.

⁶⁸ The daily Manabzamin, 10/05/2015.

Activities of Odhikar hindered

- 64. Odhikar, as a human rights organisation, has come under the government's fire during various regimes for being vocal against human rights violations and for campaigning to stop them. However, the present Grand Alliance government, led by Awami League after assuming power in 2009 started harassment on Odhikar for its reports on the human rights situation of the country. On August 10, 2013 at 10:20 pm, Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. The police, at first, denied detaining him. Adilur and Odhikar's Director ASM Nasiruddin Elan, were charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were in jail custody and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. On August 11, 2013 at night, the DB police raided the Odhikar office and confiscated two CPUs (Central Processing Unit) and three laptops, which contained sensitive and confidential information and documents relating to victims of human rights abuses. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies. Human rights defenders who are associated with Odhikar are being watched and sometimes harassed and human rights activities hindered. 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 of Odhikar in order to stop its human rights activities. The Organisation is still operating due to the volunteer services of grassroots level human rights defenders associated with Odhikar and their commitment to human rights activism.
- 65. 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 by hampering Odhikar's activities.

Statistics: January-May 2015*							
Type of Human Rights Violation		January	February	March	April	May	Total
**Extrajudicial killings	Crossfire	12	30	9	8	14	73
	Shot to death	5	5	2	1	0	13
	Beaten to death	1	0	0	0	1	2
	Strangled to death	0	1	0	0	0	1
	Tortured to death	0	0	1	0	2	3
	Others	0	2	0	0	1	3
	Total	18	38	12	9	18	95
Shot on legs by law enforcement agencies		2	16	8	1	3	30
Disappearances		14	9	10	2	1	36
Human rights violations by Indian BSF	Bangladeshis Killed	2	5	1	9	3	20
	Bangladeshis Injured	11	7	5	4	2	29
	Bangladeshis Abducted	4	9	3	0	0	16
Attack on journalists	Injured	6	3	16	16	5	46
	Threatened	1	1	0	2	10	14
	Assaulted	2	1	0	0	0	3
	Tortured	0	0	1	0	0	1
	Arrested	2	0	1	1	1	5
Political violence	Killed	48	40	33	11	5	137
	Injured	1947	722	580	262	272	3783
Dowry related violence (including women victims, their children and relatives)		13	15	15	11	17	71
Rape		33	44	40	41	75	233
***Sexual harassment /Stalking of women		19	9	19	6	9	62
Acid violence		8	4	3	5	4	24
Public lynching		12	7	8	15	15	57

^{*}Odhikar's documentation

^{**}From January to May 2015 five persons were allegedly extra judicially killed by the law enforcement agencies due to political violence which is also included in the statistical part of the political violence

^{***}It is to be noted that numerous women became victims of sexual harassment in Dhaka University campus during celebrations of Bangla New Year on April 14, 2015, the exact number of which could not be ascertained as incidents remained unreported. Thus, these incidents could not be added to the statistical part of this report on sexual harassment/stalking of women.

Recommendations

- 1. Political violence must be stopped. The Government should take unbias and effective legal action against criminal acts perpetrated by its party activists. Free and fair Parliamentary elections must be held immediately by ensuring the participation of all political parties, under a neutral, interim government or under the supervision of the UN.
- 2. Incidents of extrajudicial killings by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. Extrajudicial killings in the name of 'Crossfire' must be stopped. The law enforcement agencies must follow the international guidelines "Basic Principals on the use of Force and Firearms by Law Enforcement officials and the UN Code of Conduct for Law Enforcement officials".
- 3. 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 agencies 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.
- 4. The Government should refrain from attacking peaceful public events and from carrying out repressive, unconstitutional activities.
- 5. 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. All persons who were detained for political reasons including Acting Editor of the daily Amar Desh, Mahmudur Rahman should be released immediately.
- 6. 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.
- 7. The Government must ensure the safety of citizens belonging to all minority communities; and must bring the perpetrators who attacked the minority communities to justice.
- 8. 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.
- 9. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 and 2013) and the Special Powers Act, 1974 must be repealed.
- 10. 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.

Tel: +88-02-9888587, Fax: +88-02-9886208
Email: odhikar.bd@gmail.com, odhikar.documentation@gmail.com
Website: www.odhikar.org

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.