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Human Rights Monitoring Report

July 1 - 31, 2015

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Activities of Odhikar hindered

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 July 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 July 2015, five persons were killed and 475 were injured in political violence. 32 incidents of internal violence in the Awami League were recorded during this period. In addition to this, four persons were killed and 431 were injured in internal conflicts of the Awami League.
2. Several incidents of intra party clashes occurred within the Chhatra League¹ and Jubo League². Most of the violence is linked to vested interest and mainly

¹ Student wing of Awami League

² Youth wing of Awami League

occurs by using political influence. Moreover, leaders and activists of Chhatra League and Jubo League were seen using weapons during the violence. Three incidents are highlighted here:

3. On July 5, 2015 a violent altercation took place between supporters of Madhyapara Union unit Awami League General Secretary, Emdad Hossain and supporters of Madhyapara Union unit Jubo League General Secretary, Shahin Alam over cutting tress from government land at Akulichala village in Madhyapara Union under Kaliakoir Upazila in Gazipur District. At least five persons from both groups were injured during this clash.³
4. On July 6, 2015 Sunny, an activist of Chhatra League and student of Titumir College, was beaten by a Shromik League leader, Rabbi at Wireless gate area in Mohakhali, Dhaka. It was learnt that this incident occurred over the practice of Chhatra League activists eating at restaurants in the Mohakhali area without paying. Two groups took position on both sides of the road in front of Titumir College and threw brickbats at each other. Later Chhatra League activists came out on the street with sticks and home-made weapons and vandalized around 30 vehicles.⁴
5. Unfortunately, these violent altercations and clashes affect and harm ordinary citizens who are caught unaware. On July 23, 2015 an elderly man named Abdul Momen Bhuiyan Miraz (62) was shot dead and a pregnant woman named Nazma Begum were shot and injured during a clash between two factions of Chhatra League in Magura city. A bullet pierced through the chest of the unborn child in her mother's womb. To save the mother and the child, doctors took out the unborn female child after an operation. The child is under constant monitoring at the Dhaka Medical College Hospital.⁵
6. Odhikar expresses grave concern over the on-going political violence. Odhikar believes that mainly the ruling party has been fulfilling their vested interests by misdirecting and encouraging the youth associated with it; and they are blocking the way for them to play a positive role for the betterment of the nation. As a result, most of them emerge as criminals instead of good citizens. Odhikar demands for an impartial election with the participation of all political parties under a neutral government or under the supervision of the United Nations in order to make a democratic government accountable to the people. Only this way may lead the country into stability by reducing criminalisation of politics.

³ The daily Jugantor, 06/07/2015

⁴ The daily Jugantor and Prothom Alo, 07/07/2015

⁵ The daily Prothom Alo, 29/07/2015

Extrajudicial killings

7. According to information gathered by Odhikar, in July 2015, a total of seven persons were allegedly killed extra-judicially.
8. Among the dead, seven were killed in alleged 'crossfire/encounters/gun fights'. Of them five were killed by RAB and two were killed by the police.

Identities of the deceased persons

9. Of the killed, one was a regional leader of Purba Banglar Communist Party (ML) and six were allegedly criminals.
10. The law and justice delivery system of the country is becoming increasingly questionable and human rights are seriously violated due to the persistence of extrajudicial killings. Accused persons are being killed without the right to be judged in a competent court.

Torture in custody

11. Bangladesh ratified the UN Convention Against Torture on October 5, 1998; and every State Party has committed to enact a domestic law to criminalise torture. As a result of this commitment, after a prolonged campaign, on October 24, 2013 the Parliament, through voice vote, finally passed the Torture and Custodial Death (Prevention) Act, 2013. Despite this, incidents of torture in the custody and deaths due to torture by law enforcement agencies continue, as the practice is so very ingrained in the fabric of law enforcement.
12. On July 5, 2015 an under-trial prisoner, Mosleuddin (60), the General Secretary of Motijheel Thana unit BNP and former Ward Commissioner, died in Dhaka Medical College Hospital while under treatment. The elder brother of the deceased, Hazi Masud said that on June 1, 2015 a group of plain clothes police arrested Mosleuddin from Kamalapur when he emerged from Kamalapur Mosque after the evening prayer. He alleged that Mosleuddin became ill due to torture in remand; and died as a result.⁶
13. Odhikar believes that the Government has not taken any steps or effective measures to curtail torture and other forms of custodial violence and acts of impunity by law enforcement agencies. Such lack of action against perpetrators only encourages more human rights violations.

⁶ The daily Naya Diganta, 06/07/2015

Allegations of enforced disappearance⁷ against law enforcement agencies

14. According to information gathered by Odhikar from January to July 2015, 40 persons have been disappeared; of them, nine were later found dead and 21 were later produced before the Court and whereabouts of 10 persons are still unknown.⁸
15. Enforced disappearance is a serious violation of fundamental human rights. It is imposed against people who have been labeled as ‘enemies of the State’, on the pretext of maintaining peace and order and protecting national security. Odhikar, as a member of the Asian Federation Against Involuntary Disappearances (AFAD) and the International Coalition Against Enforced Disappearance (ICAED), has been working on documentation, fact finding and creating network of victim families; and also campaigning against enforced disappearance.
16. The families of the victims claim that the members of law enforcement agencies are making arrests and since then the victims have disappeared or their bodies are later found. In some cases, law enforcement agencies deny the arrest; but days later, the arrested persons are produced in public or handed over to a police station and appear in Court. In the past, incidents of enforced disappearance were denied by responsible persons of the government and no action was taken against any member of law enforcement agencies, despite having evidence after investigations by the Ministry of Home Affairs. As a result, incidents of enforced disappearance continue. One incident is given below:
17. On July 3, 2015 the body of Mohammad Thandu Mandol (55) was recovered with his hands tied and mouth gagged; from Bholada village under Shalikhia Upazila in Magura District. He had been arrested by police, along with his son-in-law, Akhtar Ali (35). Thandu Mandol was a resident of Porabetai village under Jhenaidah district.⁹ Akhtar Ali’s wife and Thandu Mandol’s daughter, Labony Khatun informed Odhikar that her father was active in the Purba Banglar Communist Party¹⁰ 10-12 years ago, but not since then. There were some cases filed against him when he was active in politics, which were later dismissed. Since then, Thandu Mandol left his village in order to avoid

⁷ 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.”

⁸ 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.

⁹ The daily Prothom Alo, 04/07/2015

¹⁰ Purba Banglar Communist Party is an outlawed and underground left-leaning political organisation.

police harassment and started living with them in Mollakua village. On June 30, 2015 at around 8:00 pm, Thandu went up to the roof to sleep. Ten minutes later, Labony went on the roof after hearing the noise of a scuffle. She saw two men pulling her father, who was in handcuffs. Two other men with guns also came up to the roof. They identified themselves as RAB members and wanted to take Thandu Mandol with them. When Thandu Mandol refused to go with them, the four men started to punch and kick him. At that time Labony Khatun sent her husband Akhtar Ali to call the local Chairman. When Thandu Mandol was put into a white microbus, Labony saw three other men and her husband in the vehicle. Labony requested those men to release her husband, but the men, who said they were RAB members, pushed her away. On July 1, 2015 she and her relatives contacted Jhenaidha RAB camp, Detective Branch office, Kaliganj Police Station and Kotchandpur Police Station; but all the offices denied the arrest of Thandu Mandol and Akhtar Ali. In the night of July 3, police recovered the body of Thandu Mandol with his hands tied and mouth gagged from a field at Bholada village under Shalikhha Police Station in Magura District. Hearing the news from locals, Labony went to Shalikhha and identified her father's body. On July 5, in the morning, Labony was informed by Sreepur Police Station of Magura, that her husband had been admitted to Sreepur Hospital. She came to know that a group of people had beaten him thinking he was a robber and handed him over to the police. Later her husband told her that he was detained in a room blindfolded and with his hands tied after being taken from the house. At midnight on July 5, Akhtar Ali was taken to Sreepur by car and was pushed out of the car in blindfolds. After that, some people beat him and handed him over to police. Police of Sreepur Police Station took Akhtar Ali to hospital for treatment, where he gave Labony's cell phone number to them.¹¹

18. Odhikar urges the government to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance in order to prevent and check further violations. Odhikar demands the government take immediate measure to return the disappeared persons to their families and take action against the perpetrators.

Death in jail

19. In July 2015, a reported four persons died in prison. Among them, three died due to illness and one committed suicide.
20. It is alleged that due to lack of treatment facilities and negligence by the prison authorities, many prisoners became ill, which caused their deaths. Furthermore, allegations are made by inmates that they are given sub-

¹¹ Report sent by human rights defender associated with Odhikar from Jhenaidah.

standard and small amounts of food; and that the prisoners are being tortured and ill-treated when they complain against such treatment.

21. Odhikar demands the better treatment for all inmates in every jail. Deprivation of fundamental rights in jail is a violation of human rights.

Hindrance to freedoms of expression and assembly

Violations to freedom of the media

22. According to information gathered by Odhikar, in July 2015, six journalists were injured, one was threatened and one was arrested. Furthermore, three journalists were sued.
23. On July 6, 2015 the owner of Rafi Enterprise and power tiller supplier, Asadul Islam, filed an extortion case in court against the staff reporter of the daily Prothom Alo in Jhenaidah, Azad Rahman; and local journalist of Kotchandpur, Subrata Sarkar for publishing news on irregularities of buying power tillers with subsidies, in Kotchandpur Upazila under Jhenaidah District. Kotchandpur Upazila Agriculture Officer Sheikh Sajjad Hossain became a witness of the case. The Court ordered the Officer-in-Charge of Kaliganj Police Station to record the case. It is to be mentioned that on May 27, 2015 the daily Prothom Alo published a news titled "Large amount of subsidy money for power tillers went to the pockets of the ruling party leaders and activists". Later the Ministry of Agriculture formed a three member inquiry committee. The Minister for Agriculture, Motia Chowdhury made a statement in Parliament and claimed that Prothom Alo's report was false and baseless. She stated in Parliament that Azad Rahman did not respond to the inquiry committee. The daily Prothom Alo reinvestigated the whole matter. On July 2, 2015 it published another report titled "Prothom Alo's news was not false, five people still have not bought power tillers". The inquiry committee of the Ministry of Agriculture went to the area and talked to the accused persons again. After that, Agriculture Minister Motia Chowdhury claimed again in Parliament, that the report was false. The daily Prothom Alo reiterated its position by saying that the 'report was true'. The case was filed after that.¹² On July 12 and 13, 2015 seven people from Kotchandpur, who were selected to get power tillers with subsidies, filed seven defamation cases against Prothom Alo Editor Matiur Rahman; Staff Reporter Azad Rahman; and local journalist Subrata Sarkar.¹³
24. Acts of pressure on the media, threatening and filing cases against journalists are nothing new. Odhikar believes that this kind of action is contrary to the rights of freedom of thought and expression.

¹² The daily Prothom Alo, 07/07/2015

¹³ The daily Prothom Alo, 17/07/2015

Use of the repressive Information and Communication Technology Act

25. According to information gathered by Odhikar, from January to July 2015, 16 persons were arrested under the Information and Communication Technology Act 2006 (amendment 2009, 2013).
26. The repressive 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 57¹⁴ 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 against human rights defenders, journalists, bloggers and people who have alternative opinions.
27. On July 9, 2015 a youth named Shah Alam was arrested by police from a hotel located at Fakirapool in Dhaka for the allegations of making objectionable comments on his facebook account against various ministers, including Minister Syed Ashraf Islam and the State Minister for Foreign Affairs, Shahriar Alam; and a case was filed against him with Motijheel Police Station under the Information and Communication Technology Act 2006 (Amended 2009 and 2013). Police took him in two-day remand.¹⁵
28. Odhikar expresses grave concern over state interference on the freedom of expression of the citizens. 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.¹⁶

Meetings and assemblies prohibited

29. The present government is barring meetings and assemblies of the opposition and groups with alternative beliefs; and also engages the police and party activists to attack such gatherings. Criminals associated with the ruling party

¹⁴ 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.

¹⁵ The daily Prothom Alo, 12/07/2015

¹⁶ 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.

even attacked the *Iftar*¹⁷ *Mahfil* (iftar party) of the out-of-Parliament opposition political party during Ramadan. The political situation of the country has become repressive as a result of government's restraint on opposition parties and alternative voices, by taking away the rights to freedom of expression, assembly and holding of peaceful meetings.

30. On July 4, 2015 the ruling party Awami League activists attacked the *Iftar Mahfil* organised by Danga Union unit BNP under Polash Upazila in Norshingdi District. The attackers vandalized the venue and took away *Iftar* food. BNP leaders alleged that the incident took place when they were giving speeches before the *Iftar* began. At least 10 leaders and activist of the BNP were injured during this attack.¹⁸

Violence against Minority Community Citizens

31. Allegations of illegally grabbing land belonging to the minority Hindu community; and attacks and intimidation on them, were found against the ruling party (Awami League) Parliamentarian from Thakurgaon-2 constituency, Dabirul Islam and his son Mazharul Islam Sujon. It was learnt from an intelligence agency report sent to the Home Ministry; and from the local victim families, that Parliament Member Dabirul Islam established a tea-garden, 'Ronobagh Islami Tea Estate' at Ronobagh in Paria Union under his constituency of Baliadangi Upazila. Within the 106 acres of the tea-garden, there are agricultural lands and tea-gardens belonging to 10 Hindu families; including 21 bighas of land belonging to Akul Chandra Singh; 27 bighas of land belonging to Bhakaram Singh and Janak Singh; 24 bighas of land belonging to Thoneram Singh; and 24 bighas of land belonging to Khudonlal. It was mentioned in the intelligence report that Mazharul Islam Sujon was forcing the minority community families to sell 150 to 200 bighas of land to his father Dabirul Islam. On June 19, 2015 around 25 – 30 criminals, including the Coordinator of Ronobagh Tea Estate Company, Akramul Huq; and local inhabitants Mohammad Ali; Shawkat Ali; Ashraful Islam; Ershad Ali; and Babu Mini led by Mazharul Islam Sujon attacked Akul Chandra Singh, Bhakaram Singh and Janak Singh with locally-made weapons. At least 10 people, including Bhakaram Singh, were injured in this incident.¹⁹
32. Attacks on the citizens belonging to minority communities, by the ruling party continue. The ruling party men are involved in various unlawful acts, including intimidation, attacks on places of worship and land-grabbing.

¹⁷ Iftar is the evening meal when Muslims end their fast during Ramadan. This is one of the religious observances of Ramadan and is often done as a community, with people gathering to break their fast together at sunset.

¹⁸ The daily Prothom Alo, 05/07/2015

¹⁹ The daily Prothom Alo, 29/07/2015

Odhikar demands the government bring all perpetrators involved into this incident, including the parliamentarian, to justice.

Human rights violations by BSF in border areas

33. According to information collected by Odhikar, in July 2015, five Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Of them, four were shot dead and one was tortured to death. Furthermore, five Bangladeshi men were injured. Of them, four were shot and one was tortured. Three Bangladeshi citizens were also abducted by BSF.
34. The continual shooting and killing of Bangladeshi citizens at the border areas by the Indian BSF has been repeatedly raised by human rights groups; and 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. One of the gravest examples of BSF brutality was the killing of a 15-year old girl Felani. On January 7, 2011 Felani was stuck in fence while crossing the border. At that time she was allegedly shot dead by BSF member Amiya Ghosh. Felani's body hung on the fence for five hours. Odhikar carried out a fact finding mission into this incident and published a report and also demanded justice.²⁰ The news of this killing spread all over the world. Finally, after two years of this incident, on August 13, 2013 a trial commenced in the General Security Force Court of 181 BSF Battalion Headquarters in Sonari area under Kochbihar District of West Bengal in India. The Court declared BSF member Amiya Ghosh innocent. Felani's father, Nurul Islam appealed to the Indian High Commissioner at Dhaka, demanding punishment of all the BSF personnel involved in the killing of Felani and adequate compensation. Based on this appeal, the BSF authority decided on a retrial. After a long term of prosecution, on July 2, 2015 the same Court again declared Amiya Ghosh innocent.²¹
35. On July 2, 2015 a Bangladeshi cattle trader named Mohammad Ashraful (40) was allegedly shot dead by BSF at Laxmipur Char area on the India-Bangladesh border in Raghunathpur, under Shibganj Upazila in Chapainabaganj District.²²
36. On July 8, 2015 at around 4:30 am, BSF shot and killed a Bangladeshi cattle trader named Jambu Mia (35) at the main pillar 916 of Lohakuchi border under Aditmari Upazila in Lalmonirhat District. Jambu Mia was the resident of Lohakuchi village under Bholabari Union of the same area. Police, in the

²⁰ See detailed fact finding report into this incident: <http://1dgy051vgvxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2011/03/Felani-killed-BSF-Fact-finding-report-2011-eng.pdf>

²¹ The daily Jugantor, 04/07/2015

²² The daily Jugantor, 03/07/2015

- presence of Border Guard Bangladesh (BGB), recovered the body from no-man's land and sent it to Lalmonirhat Sadar Hospital for autopsy.²³
37. On July 10, 2015 some BSF members of Hakimpur Camp entered Bangladesh territory of Madra border under Kolaroa Upazila in Satkhira District, on a speedboat and country-made boat on the Sonai River. At that time, two BSF members with guns were chasing villagers. When the villagers tried to resist the BSF, an altercation took place between them. When BGB members approached, the BSF members escaped the area leaving behind a SLR with 20 rounds of bullets and a boat.²⁴
38. 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, killing or physically harming anyone seen near the border or anyone trying to cross the border; and also attacked Bangladeshi citizens by illegally entering Bangladesh, which are clear violations of international law and human rights. To some extent, BGB and local inhabitants have made joint resistance against illegal trespass of BSF.
39. Odhikar expresses grave concern over the acquittal of BSF member Amiya Ghosh, who was involved in the killing of Felani. Odhikar believes that the Indian government has given legitimacy to BSF violence along the border through this judgement; and as a result of this, killings along the border by BSF may increase in the future. Odhikar demands a fair trial for the murder of Felani with a re-investigation. 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.

Public lynching continues – even a child falls victim

40. In July 2015, nine people were reportedly killed due to public lynching. Among the deceased one was a 13-year old boy.
41. On July 8, 2015 13-year old Samiul Alam Rajon was beaten to death on suspicion of stealing a rickshaw van. Rajon was forced to leave school and sell vegetables due to poverty. The perpetrators also videoed the incident which was later circulated on the internet. It was learnt that the rickshaw van owner, Muhit Alam and his brother Kamrul Islam took Rajon to Kumargaon bus stand and beat him for three hours. Rajon died of the injuries he sustained.

²³ Report sent by human rights defender associated with Odhikar from Lalmonirhat.

²⁴ The daily Jugantor, 11/07/2015

After the death of Rajon, they tried to hide the child's body. Local people apprehended Muhit Alam with the dead body and handed him over to Jalalabad Police Station.²⁵ Kamrul Islam escaped to Saudi Arabia on July 10 after giving a six hundred thousand taka bribe to the Officer-in-Charge of Jalalabad Police Station and Sub Inspector (SI) Aminul. The Saudi Arabian police later arrested Kamrul. Another agreement was made by the perpetrators to free Muhit Alam if an additional six hundred thousand taka was given to the police. Local people surrounded Jalalabad Police Station on July 11 when knowledge of the 'deals' and the escape of Kamrul became public. During police remand, Muhit Alam confessed that his brother, Saudi Arabia migrant Kamrul Islam; another brother, Chhatra League leader Ali Ahmed; Shamim Ahmed; and security guard Moina Mia were involved in the killing.²⁶ Twelve persons were arrested so far in this regard. Five of the arrestees gave confessional statements to the Court. On July 24, 2015 the Officer-in-Charge (Investigation) of Jalalabad Police Station, Alamgir Hossain, SI Aminul and SI Zakir Hossain were suspended over negligence of duty and for enabling the accused to leave the country.²⁷

42. On July 5, 2015 at night, two men named Farhad Sheikh (25) and Milon (25) had an accident while on a motorcycle, at Hatkhola Bazaar under Boalkhali Upazila in Faridpur District. The motorcycle hit a speed breaker and crashed. At that time 10-15 men were on community duty to prevent robbery at the Bazaar; and attacked them thinking they were dacoits. Later people from that area gathered at the spot and beat the two men. Both died on the spot.²⁸
43. On July 27, 2011 a 16-year boy, Shamsuddin Milon, resident of Char Kakra Union under Companiganj Upazila in Noakhali District, was picked up by police and handed over to the public for a lynching. The boy was beaten to death there by the mob in the present of the police. A murder case was filed in relation to this incident. However, after a long drawn trial, the police forced the plaintiff (and mother of the deceased), Kohinur Begum to withdraw the case after paying her five hundred thousand taka.²⁹
44. 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. 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. Regarding the tragic deaths of Rajon and Milon, Odhikar believes that such incidents only

²⁵ The daily Manabzamin, 13/07/2015 and report sent by human rights defender associated with Odhikar from Sylhet.

²⁶ The daily Manabzamin, 15/07/2015

²⁷ The daily Jugantor, 28/07/2015

²⁸ The daily Manabzamin, 07/07/2015

²⁹ The daily Prothom Alo, 27/07/2015

illustrate the impunity of the members of law enforcement agencies and the insecurity felt by the public. Odhikar expresses its grievances for such heinous incidents and also demands exemplary punishment of the corrupt police officers who were involved.

Cabinet approves of the draft Public Service Act 2015

45. On July 13, 2015 the Cabinet approved of the draft of the "Sarkari Karmachari Ain, 2015" (Public Service Act 2015), incorporating the provision for taking prior government sanction for arresting a public servant before acceptance of the charge sheet by the court, in a criminal case. As per section 197³⁰ of the Code of Criminal Procedure, taking permission from the government is mentioned only before submitting a charge sheet against government employees. Now permission is needed to arrest government employees prior to approval of the charge sheet.³¹
46. The government employees will get special benefits as a result of this new law and will get more impunity which may further encourage human rights violations. The discriminatory provisions kept in the proposed Public Service Act 2015 is contrary to Article 27 of the Constitution of Bangladesh, which states that "All citizens are equal before law and are entitled to equal protection of law".

Violence against women

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

Dowry-related violence

48. In July 2015, according to Odhikar documentation, 23 women were subjected to dowry violence. Of these women, it has been alleged that 12 women were killed because of dowry and 10 women were physically abused over dowry demands. One woman also committed suicide due to dowry related violence.
49. On July 17, 2015 a housewife named Sukhi Akhter (26) of Zinjira in Birulia Union of Savar, Dhaka, was severely injured by her husband and in-laws, as her father could not pay one hundred and fifty thousand taka as dowry. Sukhi Akhter's husband Rabiul Islam gouged her right eye out and stabbed the other eye with a screw driver, leaving her blind. Sukhi Akhter had been

³⁰ When any person who is a Judge within the meaning of section 19 of the Penal Code, or when any Magistrate, or when any public servant who is not removable from his office save by or with the sanction of the Government, is accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his official duty, no Court shall take cognizance of such offence except with the previous sanction of the Government.

³¹ The daily Prothom Alo, 14/07/2015

admitted to the National Institute of Ophthalmology and Hospital for treatment. Rabiul was apprehended by locals and handed over to the police.³²

Rape

50. In July 2015, Odhikar recorded a total number of 58 females who were raped. Among them, 21 were women and 37 were children below the age of 16. Of the women, five were killed after being raped; 12 were victims of gang rape. Out of the 37 child victims, two were killed after being raped; 11 were victims of gang rape. Furthermore, seven women and children were victims of attempted rape.
51. On July 11, 2015 at around 10:00 pm, a 24-year old disabled woman was gang-raped by some youths in Singhra Kheyaghat area under Chitalmari Upazila in Bagerhat District. The criminals left her in an isolated area after the rape.³³

Sexual harassment

52. According to information gathered by Odhikar, in July 2015, a total of five girls and women were victims of sexual harassment. Of them one was assaulted and four were stalked. During this time, two male were injured by the stalkers when he protested against such acts.

Acid violence

53. According to information gathered by Odhikar, in July 2015, five persons became victims of acid violence. Of them two were women, two were men and one was a girl.
54. On July 6, 2015 criminals threw acid on a housewife named Sumita Rani Das through her window when she was sleeping at her home in Boktarpur Village under Kaliganj Upazila in Gazipur District. She was admitted to the burn unit of Dhaka Medical College Hospital. Sumita assumed that her husband Komol might have thrown acid on her as they were not compatible.³⁴
55. Odhikar expresses grave concern over the incidents of violence against women. 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.

³² The daily New Age, 21/07/2015

³³ The daily Manabzamin, 13/07/2015

³⁴ The daily Naya Diganta, 08/07/2015

Activities of Odhikar hindered

56. Odhikar, as a human rights organisation, has come under government 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 the 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, for one and half years, 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.
57. 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-July 2015*									
Type of Human Rights Violation		January	February	March	April	May	June	July	Total
**Extrajudicial killings	Crossfire	12	30	9	8	14	6	7	86
	Shot to death	5	5	2	1	0	3	0	16
	Beaten to death	1	0	0	0	1	0	0	2
	Strangled to death	0	1	0	0	0	0	0	1
	Tortured to death	0	0	1	0	2	0	0	3
	Others	0	2	0	0	1	0	0	3
	Total	18	38	12	9	18	9	7	111
Shot on legs by law enforcement agencies		2	16	8	1	3	0	0	30
Disappearances		14	10	10	3	0	3	0	40
Human rights violations by Indian BSF	Bangladeshis Killed	2	5	1	9	3	3	5	28
	Bangladeshis Injured	11	7	5	4	2	6	5	40
	Bangladeshis Abducted	4	9	3	0	0	1	3	20
Attack on journalists	Injured	6	3	16	16	5	0	6	52
	Threatened	1	1	0	2	10	15	1	30
	Assaulted	2	1	0	0	0	0	0	3
	Tortured	0	0	1	0	0	0	0	1
	Arrested	2	0	1	1	1	0	1	6
Political violence	Killed	48	40	33	11	5	11	5	153
	Injured	1947	722	580	262	272	320	475	4578
Dowry related violence (including women victims, their children and relatives)		13	15	15	13	17	14	23	110
Rape		33	44	41	43	82	65	58	366
***Sexual harassment /Stalking of women		19	9	19	6	9	13	5	80
Acid violence		8	4	3	5	4	1	5	30
Public lynching		12	7	8	15	15	11	9	77
Arrest under Information and Communication Technology Act 2006 (amended 2009 and 2013)		1	2	3	1	1	6	2	16

*Odhikar's documentation

**On January-March five persons were allegedly extra judicially killed by the law enforcement agencies during 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 number of which could not be determined as the women did not file any report. As a result, this number could not be added in the statistical part of 'sexual harassment/stalking of women'.

Recommendations

1. Political violence must be stopped. The Government should take unbiased 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 Principles 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. Interference to freedom of expression and of the media must be stopped. The Government should investigate incidents of attacks on 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 take all measures to protect the rights of the citizens belonging to minority communities, both ethnic and religious; and ensure their security. Perpetrators of attacks on all minority communities must be brought to justice.
7. 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. Punishment for the murderers of Felani must be ensured by effective intervention on the part of the Bangladesh government.
8. The draft Public Service Act 2015 should be withdrawn, as the new law would increase the impunity enjoyed by government employees.

9. The Government must ensure the effective implementation of laws to stop violence against women and the offenders must be effectively punished under prevalent laws. The Government should also execute mass awareness programmes in the print and electronic media, in order to eliminate violence against women.
10. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed.
11. 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 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.