



March 01, 2016

Human Rights Monitoring Report

February 1 - 29, 2016

Hindrance to freedom of expression and the media

Political violence

Local government elections

Bar to freedom of assemblies

Extrajudicial killings

Torture and degrading treatment

Allegations of enforced disappearance

Human rights violations along the border by BSF

Public lynching

Inhuman and cruel treatment against children

**Human rights abuses of citizens belonging to religious
minority communities**

Violence against women

Hindrance to human rights activities

Odhikar believes that 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 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 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. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights

through any means, 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.

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 on violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released this human rights monitoring report of February 2016, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

Hindrance to freedom of expression and the media

Freedom of expression

1. Intervention by the government and the ruling party men continue to hinder freedom of expression. The present government is suppressing dissenting voices and the people who have alternative beliefs. If any media, journalist or any citizen publishes or comments on facebook anything which is critical of the government, then the government accuses them of 'treason'. This is a gross violation of freedoms of thought and conscience. In 2011 the Awami League government changed the Constitution through the Fifteenth Amendment, ignoring protests from the Opposition at that time, and without any public referendum. Now, the highest punishment for sedition is the death sentence, as per Article 7A(3) of the Constitution whereas before it was life imprisonment under section 124A of the Penal Code, 1860. Thus, accusing any citizen under 'sedition' charges is extremely serious. The existing hindrance to freedom of the media became severe from 2013. The government shut down the broadcasting of two private TV Channels - Diganta TV and Islamic TV, for airing live reports on the violent actions of the security forces at the rallies of Hefazate Islam in the early morning of May 6, 2013. On April 11, 2013, the daily Amar Desh was closed down by the government and its Acting Editor Mahmudur Rahman was arrested for publishing Skype conversations between a judge and an international criminal law expert. He is still in jail.¹

¹ 70 cases were ultimately filed against Mahmudur Rahman, most for defamation of the Prime Minister and members of her family and government.

On January 6, 2015 Ekushey Television (ETV) Chairman Abdus Salam was arrested from his office for telecasting statements of BNP Vice-Chairman Tareque Rahman on January 4, 2015. He is still detained in jail. On August 18, 2015 the President of the faction of Bangladesh Federal Union of Journalists (BFUJ) and Editor of the Weekly Economic Times, Shawkat Mahmud was arrested in politically motivated cases. A total of 22 cases were filed against him. Shaukat Mahmud got bail from all cases, but he could not be released from jail as he was shown as arrested in a case under the Explosives Act with Mugda Police Station on February 25, 2016. From February 2016, several cases were filed by supporters of the ruling party across the country against the Daily Star Editor, Mahfuz Anam. He had been criticized by the top level of the government and also been accused of sedition.

Cases filed against and harassment to Mahfuz Anam

2. On February 11, 2016 Mostafizur Rahman, Assistant General Pleader of Dhaka Special Judge's Court-9 placed a complaint application before the Court of Dhaka Metropolitan Magistrate, Snigdha Rani Chakrobarty for filing a sedition case against the Daily Star Editor Mahfuz Anam. After recording the complaint, the Court ordered the police to seek permission from the government for probing into the allegations before taking necessary legal steps; and then submit a report. It was stated in the allegations that Mahfuz Anam published false and distorted news in his newspaper (Daily Star) to make Awami League 'leaderless', following the directions of an organisation for empowering an anti-democratic force, during the military-backed 'caretaker' government that came to power on January 1, 2007. This act of his has been considered as 'sedition'.² It is to be mentioned that on February 3, 2016 Mahfuz Anam made a comment on a television talk show about publishing some unverified reports, based on information given by the intelligence agencies, during the 2007-2008 caretaker government. Mahfuz Anam said on air that publishing reports on corruption against Sheikh Hasia, without verification, had been a great mistake in his professional career as an Editor; and that at that time, the DGFI³ had supplied information about bribery and corruption committed by Sheikh Hasina".⁴ On February 7, 2016 Mainuddin Khan Badal, Member of Parliament and member of Jatiya Samajtantrik Dal; Members of Parliament from Awami League - Abu Sayed Al Mahmud Swapan, Shamsul Haque Tuku, Fazle Nur Taposh, Waresat Hossain Belal, Haji Selim; and Member of Parliament from the reserve seat for women, Nur Jahan; demanded the arrest of Mahfuz Anam. They also urged the government file sedition cases against him and stop the publication of the

² The daily Prothom Alo, 12/02/2016

³ DGFI: Directorate General of Forces Intelligence

⁴ The daily Jugantor, 09/02/2016

Daily Star.⁵ As of February 22, 79 cases have been filed against Mahfuz Anam for allegations of sedition and defamation in different districts of the country, by the leaders and activists of the ruling party, Awami League and its wings. Among them, 17 are sedition cases and 62 are defamation cases.⁶ On February 22, 2016 the Prime Minister Sheikh Hasina, in a discussion on the occasion of Language Day, said that the editors, who were involved in publishing false and fabricated information provided by the DGFI, would be tried like war criminals.⁷

Acting Editor of the daily Amar Desh Mahmudur detained in jail after obtaining bail

3. Mahmudur Rahman, the Acting Editor of the daily Amar Desh, was arrested first on June 2, 2010 from the Amar Desh newspaper office and the printing press of the Amar Desh was sealed off the same day. His publisher Mohammad Hashmat Ali was intimidated by the police and forced to file a case against him for stealing property and cheating and dishonesty inducing delivery of property - which resulted in the arrest. Mahmudur Rahman was later released and the press was re-opened. On May 5, 2010 two lawyers of the High Court filed a of Contempt of Court case against him for publishing a report on how the government influences the courts, on April 21, 2010. On August 19, 2010 the Appellate Division of the Supreme Court sentenced him to six months for Contempt of Court. On December 13, 2012 another case was filed against Mahmudur Rahman and Amar Desh publisher Mohammad Hasmata Ali under the Information and Communication Technology Act, at the Chief Metropolitan Magistrate Court, Dhaka, for unlawful publication of a Skype conversation between the former Chairman of International Crimes Tribunal and an international criminal law expert and based in Brussels. To date a total of 70 cases have been filed against him across the country, mainly for defamation and sedition. Mahmudur Rahman was arrested again on April 11, 2013 and the printing press of the Amar Desh was sealed again. He has been detained in Kashimpur Jail-2 since then. On August 13, 2015 Mahmudur Rahman was sentenced to three years imprisonment and one hundred thousand taka fine by a temporary Court situated at Alia Madrassa field in Old Dhaka, over allegations that he did not respond to a notice given by the Anti Corruption Commission (ACC) regarding his property. The Court also gave the verdict of another month of jail if he fails to pay the fine. Much earlier, in 2009 the Bangladesh Telecommunication Regulatory Commission had filed defamation case against Mahmudur Rahman for publishing two reports in the daily Amar Desh titled "India controls BTRC". A 'Production Warrant' was issued to the jail authority in 2010 to produce Mahmudur

⁵ The daily Jugantor, 08/02/2016

⁶ The Daily Star, 23/02/2016

⁷ The daily Jugantor, 23/02/2016

Rahman before the Court, as he was detained in jail by the time this case came up for hearing, while the other accused persons had been granted bail under this (2009) case. The Production Warrant was not complied with by the jail authority. A second Production Warrant was issued for him to be produced before the court in the same matter on May 27, 2013. This too was ignored by the jail authority. The High Court Division of the Supreme Court ultimately granted Mahmudur Rahman bail in the cases filed against him. However, the Attorney General's office appealed against the bail orders at the Appellate Division of the Supreme Court for cancelling the bail orders. On February 14, 2016 a five-member Appellate Division Bench led by the Chief Justice Surendra Kumar Sinha, cancelled the petition of the State and retained the bail orders of Mahmudur Rahman given by the High Court Division. On the same day as the Order of the Appellate Division was given, the Metropolitan Magistrate Pronab Kumar withdrew the second Production Warrant Order of May 2013; and Sub-Inspector Harun-Ar-Rashid of Shahbagh Police Station shown him as arrested in case (case no. 50(10/13) filed in 2013 under the Explosives Act and appealed for seven days remand. Mahmudur Rahman's name was not listed in the FIR out of 44 accused persons in that case.⁸ Taking advantage of the fact that Mahmudur Rahman was still incarcerated, as he had been unable to get bail in the 2009 case due to not being produced before court; on February 22, Dhaka Metropolitan Magistrate Maruf Hossain rejected Mahmudur Rahman's remand and bail petitions and ordered the police to questioning him at the jail gate within five days.⁹ Mahmudur Rahman has been in jail for about three years.

Freedom of the media

4. According to information gathered by Odhikar, in February 2016, two journalists were injured, one was assaulted and eight journalists were sued.
5. On February 17, 2016 a motorcycle rider was beaten at Probortak Mor in Chittagong by activists from a rally brought out by Chhatra League. At the time Jewel Shil, a photojournalist of the daily Prothom Alo, was also beaten by Chhatra League activists led by Chittagong Medical College unit Chhatra League President, Rashedul and the Vice-President of the Student Council, Navid Anjum Tanvir, when he was taking pictures of the incident. Later, photos taken by Jewel Shil were deleted from his camera and he was humiliated.¹⁰
6. In the night of February 15, 2016 a group of criminals attacked Mahabubur Rahman Chowdhury, Gopalganj Upazila correspondent of the daily Ajker Potrika, for publishing a report on corruption against the former Mayor of Golapganj Municipality and Awami League leader, Zakaria Ahmed Paplu in

⁸ The daily New Age, 15/02/2016

⁹ The daily Prothom Alo, 23/02/2016

¹⁰ The daily Manabzamin, 18/02/2016

Sylhet. During the attack, criminals beat journalist Mahabubur Rahman Chowdhury with iron rods and broke his arm. He was admitted to Osmani Medical College Hospital in Sylhet.¹¹

Use of the repressive Information and Communication Technology Act 2006

7. According to information gathered by Odhikar, in February 2016, four persons were arrested under the Information and Communication Technology Act, 2006 (amended 2009 and 2013).
8. The latest amendment to the repressive Information and Communication Technology Act 2006 (amendment 2009 & 2013) was made on October 6, 2013. Section 57¹² of the ICT Act 2013 is the most abused and used for arresting bloggers, human rights activists and anyone who may write 'offensive' posts or alternative opinions. Moreover, punishment for committing this offence has been amended from a maximum of 10 years imprisonment, with no minimum; to a term of a minimum of seven years and maximum of 14 years imprisonment. The civil society of the country believes that this law has curtailed the freedom of expression.
9. On February 15, 2016 Shamsuzzoha Manik, writer and owner of Baw-deep Publishers and his brother Shamsul Alm and Fakir Taslim, owner of the Shwabdokoli Printers, were arrested by police of Shahbagh Police Station under sections 57(2) of the Information and Communication Technology Act, for publishing a book titled 'Islam Bitarko' (Arguments in Islam) which had some matters that would allegedly hurt religious sentiment. Later the police produced them before the court and appealed for their remand and the court granted a five-day remand for Shamsuzzoha Manik, one-day remand for Shamsul Alam and a two-day remand for Fakir Taslim. On the same day, a book stall of the Baw-deep Publishers at the Ekushey Book Fair was shut down and all books titled 'Islam Bitarko' were seized.¹³

Political violence

10. According to information gathered by Odhikar, in February 2016, three persons were killed and 564 were injured in political violence. Among them, one person was killed and 133 were injured during pre union parishad election unrest. 33 incidents of internal violence in the Awami League and one

¹¹ The daily Prothom Alo, 17/02/2016

¹² 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 10 million or both.

¹³ The daily Prothom Alo, 17/02/2016

in the BNP¹⁴ were also recorded during this period. One person was killed and 359 were injured in the internal conflicts of the Awami League while 20 persons were injured in conflicts within the BNP.

11. Political violence continues and the leaders and activists of the ruling party, mainly Chhatra League¹⁵ and Jubo League¹⁶, are mainly engaged in this violence. Internal conflicts among the leaders and activists of Chhatra League and Jubo League occur and most of the criminal activities and violence are linked to vested interest; and mainly occur by using political influence. During the violent political altercations, these groups were seen in public, using lethal weapons. Several incidents of political violence took place. Two incidents are as follows:
12. On February 7, 2016 a group of Chhatra League activists, led by Brahmanbaria District Awami League supported Chhatra League President, Masum Billah attacked a new gas mine area in Brahmanbaria. He and his cronies entered the number 25 and 26 mine area of Titas Gas Field and threatened the on-duty Ansars¹⁷ by saying that they had guns with them. They beat the Project Engineer, Zahid Hossain Chunnu, after being told that oil, vehicles and food were supplied to the gas field mining area from Dhaka. They also stopped the mining work. 30-40 foreigners working in the gas field fled the area in fear.¹⁸
13. In the night of February 14, 2016, Jagannath Hall¹⁹ unit Chhatra League Vice-President, Utpal Biswas; Joint Secretary, Shyamol Sarkar; and Organising Secretary, Dipu went to Jagannath Hall canteen at Dhaka University, for dinner. Utpal Biswas, Shyamol Sarkar and Dipu beat a canteen employee for his delay in serving them food. At that time, the General Secretary of the University unit Somajtantrik Chhatra Front²⁰, Salman Siddiqui; Publicity and Publishing Secretary Sadequl Islam; Jagannath Hall unit Chhatra Front General Secretary Khokon Mohanta were present and a violent altercation occurred between the two groups in relation to the beating of the canteen worker. Later, more Chhatra League activists came to the canteen and attacked Chhatra Front leaders and hit Sadequl Islam on the head.²¹

Local government elections

14. Criminal acts has been observed during the recent local government elections, which indicates that apparently the electoral system has somewhat collapsed. Ensuring transparent, creditable, free, fair and unbiased elections is the

¹⁴ BNP: Bangladesh Nationalist Party

¹⁵ Student wing of Awami League

¹⁶ Youth wing of Awami League

¹⁷ An auxiliary force use for the protection of law and order situation

¹⁸ The daily Manabzamin, 08/02/2016

¹⁹ Residential hall for the students in Dhaka University

²⁰ Student wing of Socialist Party of Bangladesh

²¹ The daily Prothom Alo, 16/02/2016

Constitutional responsibility of the Election Commission (EC). However, the EC has totally failed to deliver. Several incidents of irregularities, violence, vote-rigging and illegal activities occurred under this Election Commission during the controversial 10th Parliamentary Elections in 2014 and Upazila Elections in 2014; the City Corporation Elections in 2015; and during Municipality Elections in 2015 – in fact in all the elections it has organised since 2014.

Elections in two municipalities marked with various irregularities, including capturing polling centres, snatching ballot papers, fake votes and violence

15. On February 15, 2016 elections in Shahrasti Municipality under Chandpur District and in Chorfashoin Municipality under Bhola District, were held with various irregularities, including ‘capturing’ polling centres²², casting fake votes and violence. Elections in these two municipalities could not be held on December 30, 2015 due to demarcation disputes and as the tenure of the last committee was not over. The opponent candidates alleged that leaders and activists of Awami League, along with outsiders, captured five polling centres in Shahrasti Municipality. Voting was also suspended in a polling centre due to snatching away of ballot papers. Furthermore, 10 persons were injured during violence while ‘capturing’ three polling stations. In Chorfashoin Municipality, BNP nominated mayor candidate, Amirul Islam, alleged that voters were forced to cast their votes in favour of the Awami League nominated candidate. At least four polling centres were captured by supporters of the ruling party and who also cast fake votes.²³

Barrier to submit nominations for the upcoming Union Parishad elections

16. February 22 was the last date for submitting nomination papers for the first phase of the upcoming Union Parishad²⁴ (UP) elections. Awami League nominated Chairman candidates submitted nomination papers unilaterally in 21 out of 739 Union Parishads across the country. As a result, Awami League nominated Chairman candidates are going to be elected unopposed in 18 UPs under Bagerhaat District; Dakkhin Dighaldi UP in Bhola; Sonaitola UP in Mongla; and Kutubpur UP in Shibchor in Madaripur. Meanwhile, allegations such as attacks and beating candidates of BNP, Jamaat, rebel candidates of Awami League and independent candidates; hindrance to submitting nominations and snatching away of nomination papers; kidnapping; and vandalizing houses were made against supporters of the government and

²² ‘Capturing’ polling stations occurs when the law enforcement and election officials favour to the ruling party men during elections.

²³ The daily Prothom Alo, 16/02/2016

²⁴ Union Parishad is lowest tier of the local government in Bangladesh

ruling party.²⁵ Supporters of Awami League nominated candidate, Mohammad Siddique beat supporters of the former chairman and BNP candidate, Abdul Aziz Sharif and snatched away his nomination paper in Burirchor Union of Barguna Sadar Upazila. Three people were injured during this incident. Furthermore, rebel candidates of Awami League were also attacked by government supporters. BNP nominated Chairman candidate, Nasiruddin Ahmed, could not submit his nomination in Kulkathi Union of Bhola, due to resistance from Awami League nominated Chairman candidate, HM Akteruzzaman Bachchu. Leaders and activists of Awami League and Chhatra League torn up the nomination paper of the BNP nominated chairman candidate HM Mahibullara in Terokhada Sadar Union under Terokhada Upazila of Khulna. After the incident no Chairman candidate nominated from BNP could submit their nominations in this Union. Supporters of the Awami League nominated Chairman candidate, Monirul Islam attacked and vandalised the house of BNP leader and former Chairman of Sonabaria Union, Shahidul Islam in Sonabaria Union under Kolaroa Upazila in Satkhira District. A female UP member candidate, Ratna Khatun was stopped from submitting her nomination in Boikari Union of Satkhira. She and her supporters were also attacked. Supporters of Awami League nominated Chairman candidate, Rafiqul Islam Ripon Jomaddar kidnapped an independent candidate, Hossain Mosharraf Saku and confined him in a garden in Tikikata Union under Mothbaria Upazila in Pirozepur District.²⁶

Meetings and assemblies prohibited

17. The Government is barring meetings and assemblies of the opposition and groups with alternative beliefs by using the law enforcement agencies. The political situation of the country has become repressive as a result of the government's restraint on opposition parties and alternative voices; by taking away the rights to freedom of expression and assembly and curtailing the holding of peaceful meetings and rallies.
18. On February 17, 2016 grassroots leaders and activists of BNP and the possible UP Chairman candidate from BNP were gathered in the courtyard of the house of BNP leader Farooq Haolader in Sreerampur Village under Dumaki Upazila of Patuakhali District. At that time, the Officer-in-Charge of Dumki Police Station, Azmi Farooq, attacked the meeting to stop it. Later, police vandalized chairs and took them away.²⁷

Extrajudicial killings

19. The law and justice delivery system of the country is becoming increasingly unstable due to the persistence of extrajudicial killings. According to

²⁵ The daily Jugantor, 23/02/2016

²⁶ The daily Jugantor, 23/02/2016

²⁷ The daily Jugantor, 18/02/2015

information gathered by Odhikar, in February 2016, 12 persons were allegedly extra judicially killed.

Type of death

'Crossfire/encounters/gunfights'

20. Among them, 10 persons were killed by 'crossfire/encounters/gunfights'. Three of them were killed by police and seven by RAB.

Tortured to death:

21. Two persons were tortured to death by the police.

The identity of the deceased:

22. Of the 12 persons who were killed extra-judicially, two were members of Gana Mukti Fouz²⁸, one was Joint Secretary of Dhaka South City Corporation's 23 numbered ward unit BNP, one was tea vendor, one was a CNG-run auto rickshaw driver, three were accused in different cases and four were alleged criminals.

Torture and degrading treatment

23. Allegations of acts of harassment, torture, extortion, attacks and killing against police are becoming more and more common. Odhikar believes that as law enforcement agencies are being used for political gain and to suppress political opposition, many members of law enforcement agencies believe that they are above the law. Though the Parliament, in 2013, passed the Torture and Custodial Death (Prevention) Act 2013, there was no change in the actual situation and some members of the law enforcement agencies continue these human rights violations with impunity.
24. On February 3, 2016 at around 9:30 pm, a patrol team of Shah Ali Police Station in Dhaka, along with their informer Delwar, went to Gudaraghat area and demanded extortion from a tea stall owner Babul Matbar. As Babul Matbar refused to give them money, the police hit the kerosene stove with stick and police informer Delwar pushed Babul onto the stove, whereupon he was set on fire. Police left the scene leaving Babul in a serious condition. Soon after the incident, Babul's relatives took him to the burn unit of the Dhaka Medical College Hospital where he died on February 4. Sub-Inspection (SI) Mominur Rahman Khan; SI Sreedham Chandra Hawlader; SI Niazuddin Molla; Assistant Sub Inspector Debendra Nath; and Constable Jasimuddin were temporarily suspended over this incident. An inquiry committee was set up to investigate this incident.²⁹ On February 7, 2016 the inquiry committee submitted its report to the Dhaka Metropolitan Police Commissioner. In the

²⁸ An underground political organisation

²⁹ The daily Jugantor, 05/02/2016

inquiry report, four police personnel of Shah Ali Police Station were recommended to be given departmental punishment, but the committee did not mention the act of attempted extortion in the report. Instead, Babul Matbar was accused as a drug peddler and the police informer Delwar and his five associates had been made liable for his death.³⁰

25. On February 16, 2016 Anwar Hossain Mahbub (45), Joint Secretary of Ward 23 unit BNP of Dhaka South City Corporation, who was detained in jail, died in Dhaka Medical College Hospital. His relatives claimed that Anwar was severely tortured by police during remand after being arrested under a politically motivated case on January 15, 2016. His younger brother Maksud told journalists that Anwar Hossain had no physical problems or illness. He was tortured to death in jail custody. He said that Anwar was severely beaten by police on the street while they were taking him to the police station. This incident was witnessed by hundreds of people. Later he was tortured in custody after being taken into remand.³¹

Allegations of enforced disappearance against law enforcement agencies

26. The whereabouts of many people could not be known after being arrested by men claiming to be the members of law enforcement agencies. The families of the victims claim that the members of law enforcement agencies are making the 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 bodies of the disappeared persons are recovered or the arrested persons are produced to the public by the police or law enforcement; or handed over to a police station and appear in Court. According to information gathered by Odhikar, from January 1 to February 29, 2016, six persons have been disappeared. Of them, one was found dead, four were later shown as arrested and the whereabouts of one person is still unknown.³²
27. On February 29, 2016 the body of a Madrassa teacher, Abu Huraira (55) of Kuthi Durgapur under Jhenaidha District, was recovered from Ambottola area in Jessore-Chougacha Road. His brother Abdul Malek said that on January 24, 2016 Abu Huraira was picked up by men claiming to be members of the Detective Branch (DB) of Police, from his workplace at Kuthi Durgapur Madrassa. After that, his family was unable to find him. A General Diary was filed with Jhenaidah Police Station in this regard.³³

³⁰ The daily Jugantor, 08/02/2016

³¹ The daily Jugantor, 17/02/2016

³² 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.

³³ The daily Prothom Alo, 01/03/2016

Repression against the RMG factory workers

28. According to information gathered by Odhikar, in February 2016, 26 workers were injured by the police and garment authority during workers unrest in the ready-made garment industries. Five workers were also injured in a fire.
29. On February 8, 2016 workers of three garment factories, Leni Fashions; Leni Apparels; and Shahin Fashions, under the Dhaka Export Processing Zone (DEPZ) area in Ashulia, Dhaka, brought out protest rallies due to various demands, including reducing discrimination in the increase of salaries and attendance bonus. At that time police and members of Ansar³⁴ of DEPZ area beat the workers and threw tear gas shells to disperse them. At least 10 workers were injured during this attack.³⁵
30. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. However, many factories were closed without notice. This, and sudden termination of workers and not providing wages on time are the main reasons for workers unrest.

Human rights violations by BSF in border areas

31. According to information collected by Odhikar, in February 2016, one Bangladeshi citizen was gunned down by the Indian Border Security Force (BSF). Furthermore, four Bangladeshi men were injured by the BSF. Of them, three were shot and one was tortured. Five Bangladeshis were also abducted by BSF personnel.
32. Human rights violations on Bangladeshi citizens continued at the India-Bangladesh border areas in February as well. 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 such 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. An independent and sovereign state cannot passively watch its citizens being indiscriminately killed, tortured and abducted by another state.
33. On February 3, 2016, a Bangladeshi farmer Zahurul Islam (28), went to cultivate his IRRI-Boro paddy field near sub-pillar 2-S of the main pillar 902 at Doikhawa border under Hatibandha Upzila in Lalmonirhaat District. At that time a patrolling team of BSF of Boromoricha outpost under Shitalkuchi Police Station in Kochbihar District of India shot him without any

³⁴ An auxiliary force used to control law or order situation.

³⁵ The daily Prothom Alo, 09/02/2016

provocation. Later, Zahurul Islam was recovered in a serious condition and admitted to Rangpur Medical College Hospital.³⁶

34. Odhikar observes with grave concern that the government has not taken any effective steps to stop human rights violations at the border by BSF despite the issue being repeatedly raised by human rights groups. Furthermore, no initiative was taken by the Bangladesh Government to investigate and make the Indian Government accountable and compensate the victims or the families of the victims.

Public lynching continues

35. In February 2016, 11 people were reportedly killed due to public lynching.
36. The lack of respect for law, distrust of the police and instability in the country has increased the fear and insecurity among people. Odhikar believes that due to a 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; and at the same time social deformation has been increased. As a result, incidents of killings by mob continue.

Inhuman and cruel treatment against children

37. Incidents of violence against children, particularly inhuman and cruel treatment, are becoming disturbingly common. Mostly, children from the poor families are the victims of such violence. Odhikar believes that incidents of violence against children are increased mainly due to social imbalances; severe deterioration of the law and order situation; and due to lack of implementation of laws. In 2015, some perpetrators were punished. However, such incidents continue. Children are also being killed for ransom and as a result of domestic and social disputes, which is also matter of grave concern.
38. On February 2, 2016 the body of an 11-year old child, Abdulla, was recovered from his mother's uncle Motahar Hossain's house in Keraniganj, Dhaka. It was learnt that Abdulla, a student of Mulachor Government Primary School, had gone missing on January 29, while he went out to play. Criminals received two hundred thousand Taka from Abdulla's relatives as ransom after threatening them via cell phone. Police arrested four men, Khurshid Alam, Al Amin, Mintu Akhter and Mehedi. Among them, the main accused, Motahar Hossain was killed in 'crossfire' by RAB.³⁷
39. On February 12, 2016 three children, Rumon, a student of class VII; Mehdi, a student of class VIII; and Firoze, a student of class III were punished as thieves, at a mediation at Makupara Government Primary School field under Bagatipara Upazila in Natore District. Their hands were tied with rope and

³⁶ The daily Manabzamin, 04/02/2016

³⁷ The daily Prothom Alo, 04/02/2016

they were beaten with sticks. Later, police arrested the head of the mediation committee and President of Makupara Bazaar Committee, Imaz Uddin.³⁸

40. On February 13, 2016 criminals kidnapped a child named Solaiman (4) from the Outpara area of Gazipur and demanded one hundred and fifty thousand taka ransom. The family of the child informed the Podabari RAB camp. However, on February 15, Solaiman's body was recovered from the wooded area in Kashimpur. RAB arrested Nirmal, a local barber.³⁹
41. On February 12, 2016 four children Zakaria Ahmed Shuva (8), Tajel Mia (10), Monir Mia (7) and Ismail Hossain (10) went missing from Sudratiki Village in Bhadeswar Union under Bahubal Upazila in Habiganj District. On February 13, Zakaria Ahmed's father, Wahid Mia filed a General Diary (GD) with Bahubal Model Police Station in this regard; and on February 16, Monir Mia's father Abdal Mia, filed a kidnapping case accusing unknown persons at the Bahubal Model Police Station. On February 17, the bodies of the four missing children were recovered from a field near a lake about one kilometer from their homes. It is alleged that they were killed over a dispute between Abdul Ali Bagal and Abdul Khaliq Master regarding the leadership of the village committee.⁴⁰ Police arrested five people, including Abdul Ali and his two sons, Jewel and Rubel.⁴¹ On February 25, the prime accused of this case, Bachchu Mia (32) was killed in 'crossfire' by RAB. The family of Bachchu Mia claimed that he was taken away by RAB on the night of February 17, 2016.⁴²

Human rights violations on religious minority communities

42. Incidents of land grabbing, intimidation, extortion and various kinds of illegal activities, including attacks on places of worship belonging to religious minority citizens continue due to the unavailability of justice for similar incidents in the past; and also due to the politicisation of these incidents.⁴³
43. On February 21, 2016 Professor Joggeswar Roy, head priest of Sri Sri Santu Gouri Math were attacked and stabbed to death by criminals with sharp weapons in Avirampurpara under Dediganj Upazila in Panchgarh District. At that time criminals opened fire indiscriminately and exploded crude bombs. The priest of the temple, Gopal Roy was shot and wounded and admitted to Rangpur Medical College Hospital in critical condition. Another priest, Nitaipada Das was injured in the bomb explosion. He was admitted to

³⁸ The daily Manabzamin, 14/02/2016

³⁹ The daily Manabzamin, 16/02/2016

⁴⁰ The daily Manabzamin, 16/02/2016

⁴¹ The daily Prothom Ali, 20/02/2016

⁴² The daily Prothom Ali, 26/02/2016

⁴³ The attacks are blamed on the opposition parties and 'religious' groups although eyewitness accounts may state otherwise. See Odhikar's fact finding report on the attacks at Ramu and Cox's Bazaar, dated 29/09/2012 at www.odhikar.org

Debiganj Health Complex.⁴⁴ Police arrested three persons, Babul Hossain, Khalilur Rahman and Jahangir Hossain in this regard.⁴⁵

44. In the early morning of February 24, 2016 unidentified criminals vandalized a pillar and some other portions of the Melany Sree Sree Hari Mandir (temple) in Aloakhowa Union under Atoari Upazila in Panchagarh District. The priest of the temple, Soren Chandra Barman noticed this incident when he came to worship in the morning; and informed this to the President of the temple committee, Hirendranath Roy.⁴⁶
45. Odhikar strongly condemns the incidents of attacks on priests belonging to the religious minority community and demands the government bring the actual perpetrators involved in and instigating such incidents to justice through an impartial and unbiased investigation; and also ensure the security of citizens belonging to all minority communities.

Violence against women

Sexual harassment

46. According to information gathered by Odhikar, in February, 2016, a total of 23 girls and women were victims of sexual harassment. Of them one was injured, six were assaulted and 16 were victims of stalking. During this time, four men were injured by the stalkers when they protested.
47. Chhatra League activists beat a girl student, in broad daylight in Barisal Government B M College campus, for refusing his love proposal. The husband of the student, Kabir Hossain informed that his wife is a second year student of Social Science Department in BM College. The College unit Chhatra League activist and a third year student of Culture, Mohammad Manik; and Chhatra League activist and a student of Economics, Mohammad Nayel, had been pressurising her for engaging in an affair with a Chhatra League leader. After being informed about this incident on February 15, 2016, he accompanied his wife to the college. At that time Chhatra League activists, including Manik openly beat his wife in the college campus. They also snatched her cell phone. When Kabir protested, he was beaten too.⁴⁷

Dowry-related violence

48. In February 2016, according to Odhikar documentation, 18 women were subjected to dowry violence. Of these women, it has been alleged that 11 were killed and seven were physically abused over dowry demands.
49. On February 15, 2016 a housewife named Shampa Khatun (25) was allegedly strangled to death by her husband Zahid Hossain and his family members over dowry demands, in Hariabari Village under Paban Sadar Upazila. The

⁴⁴ The daily Manabzamin, 22/02/2016

⁴⁵ The daily Naya Diganta, 23/02/2016

⁴⁶ The daily Manabzamin, 25/02/2016

⁴⁷ The daily Manabzamin, 16/02/2016

grandfather of the deceased, Alauddin said that Shampa married Zahid Hoosain, son of Mostafa Mia of Haribaria Village in Malonchi Union of the same Upazila, five years ago. Shampa had been physically and mentally abused by her husband and in-laws soon after their marriage. On the night of her death, Zahid and his family members had pressurised Shampa to bring money from her father. When she refused to do so, they beat her severely and killed her by strangulation. On February 16, a case was filed by Shampa's father Nurul Islam, at Pabna Police Station, accusing five persons, including Shampa's husband Zahid Hossain and her mother-in-law and father-in-law. Police arrested one of the accused persons, named Antor, for allegedly being involved into this incident.⁴⁸

Acid violence

50. According to information gathered by Odhikar, in February 2016, it was reported that four persons became victims of acid violence. Among them, three were women and one was a boy.
51. On February 2, 2016 a housewife named Jasmine Akhter (27) was attacked with acid by her husband Amir Hossain, in an act of domestic violence, in Konapara of Matuail under Demra Police Station in Dhaka. Jasmine Akhter was admitted to the burn unit of the Dhaka Medical College Hospital.⁴⁹

Rape

52. In February 2016, Odhikar recorded a total number of 54 females who were raped. Among them, 15 were women, 38 were children below the age of 16 and the age of one victim was not determined. Of the women, one was killed after being raped and four were victims of gang rape. Out of the 38 child victims, four were victims of gang rape and one committed suicide. 11 women and children were victims of attempted rape.
53. On February 1, 2016 a student of class VI was raped by her neighbour Piyar Ali (62) at Takpra area of Kanchan Pourashava under Rupganj Upazila in Narayanganj District. Police arrested Piyar Ali.⁵⁰

Activities of Odhikar hindered

54. 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

⁴⁸ Report sent by local human rights defender associated with Odhikar from Pabna

⁴⁹ The daily Manabzamin, 03/02/2016

⁵⁰ The daily Manabzamin, 04/02/2016

(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. These equipments have not returned to Odhikar yet. 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; and finally the government did not allow Odhikar to observe the International Day of the Victims of Enforced Disappearances on August 30, 2015 to remember all those who have been disappeared and to show solidarity and support to their families.

55. Furthermore, 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 about two 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.

Statistics: January-February 2016*				
Type of Human Rights Violation		January	February	Total
Extrajudicial killings	Crossfire	6	10	16
	Shot to death	2	0	2
	Torture to death	1	2	3
	Total	9	12	21
Shot on legs by law enforcement agencies		2	0	2
Disappearances		6	0	6
Death in Jail		8	3	11
Human rights violations by Indian BSF	Bangladeshis Killed	3	1	4
	Bangladeshis Injured	4	4	8
	Bangladeshis Abducted	0	5	5
Attack on journalists	Injured	9	2	11
	Assaulted	9	1	10
Political violence	Killed	6	3	9
	Injured	429	564	993
Dowry related violence against women		22	18	40
Rape		57	54	111
Sexual harassment /Stalking of women		27	23	50
Acid		4	4	8
Public lynching		2	11	13
RMG	Killed	0	0	0
	Injured	25	31	56
Arrest under Information and Communication Technology Act		1	4	5

*Odhikar's documentation

Recommendations

1. Interference to freedom of expression and of the media must be stopped. The Government must withdraw cases filed against all human rights defenders and journalists; and it should also bring perpetrators to justice through proper and unbiased investigation. The ban on the publication of the daily Amar Desh and the broadcasting of Diganta TV, Islamic TV and Channel One should be lifted. All persons who were detained for political reasons, including Acting Editor of the daily Amar Desh Mahmudur Rahman and President of a faction of BFUJ Shawkat Mahmud should be released immediately. Cases filed against the Daily Star editor Mahfuz Anam should be withdrawn and the

harassment on him stopped. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed. Furthermore, interventions on the social media should also be stopped by the government.

2. In order to stop political violence, criminalisation and to overcome a police state situation, the government needs to hold free and fair Parliamentary elections through dialogue with all political parties, or take initiatives to conduct elections under the supervision of the United Nations.
3. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. Extrajudicial killings in the name of 'crossfire' and 'gunfight' must be stopped.
4. The law enforcement agencies must follow 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".
5. The Government must ratify the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013.
6. The Government has to explain all incidents of enforced disappearance and post-disappearance killings, allegedly perpetrated by law enforcement agencies. All victims of disappearance should be returned to their families. The Government must bring the members of the security and law enforcement agencies, who are involved in such incidents 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.
7. The Ready-made garment factories need to be brought under synchronized security programmes and the factories should be made with adequate infrastructural and other facilities. Human rights violations, including termination of workers, pending wages and harassment by Industrial Police against readymade garment factory workers must be stopped.
8. 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.
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. 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 measures 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.

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.