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Human Rights Monitoring Report

March 1 - 31, 2016

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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 March 2016, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

37 killed in violence during local government elections in March

1. The local government elections were held with several incidents of irregularities, including large-scale violence, killing, vote-rigging, capturing polling stations, casting fake votes, snatching ballot papers and stuffing ballot boxes and attacks on electoral officials. According to information gathered by Odhikar, 37 persons were killed and 2127 persons were injured during the Municipality and Union Parishad elections in March 2016.

Municipality Elections 2016¹

2. On March 20, 2016 elections in Brahmanbaria Sadar Municipality; Chokoria and Moheshkhali Municipalities under Cox's Bazaar District; Sonagazi Municipality under Feni District; Haragach Municipality under Rangpur District; Jhalokathi Sadar Municipality; Nangolkot Municipality under Comilla District; Kabirhaat Municipality under Noakhali District; Kaliganj

¹ For detailed report, please see- <http://odhikar.org/municipality-elections-2015-odhikar-report/>

Municipality under Jhenaidah District; and in Bhanga Municipality under Faridpur District, were held with various irregularities, including ‘capturing’ polling centres², snatching ballot boxes, casting fake votes and violence. The Awami League (AL) nominated Mayoral candidates were unofficially declared elected in these municipalities.

3. In Brahmanbaria Sadar Municipality, incidents of ballot stuffing occurred in the polling booths in the presence of police and Ansar³ members. The men, who were designated to cast fake votes in favour of the AL-nominated mayoral candidate, had tied red ribbons around their foreheads, marked with a ‘Boat’ (electoral symbol of AL). Awami League leaders stayed in every polling station and monitored the casting of fake votes. Supporters of a Councilor candidate, Shah Alam attacked Puniaut Government Primary School polling centre with crude bombs. Later, they beat the Presiding Officer Manjur Hossain Chowdhury and snatched some electoral materials, including a few ballot books and five seals. Manjur Hossain Chowdhury told journalists that criminals took away polling material, including ballot papers and seals. At that time a Magistrate stopped him and asked him not to mention the incident to the journalists.⁴
4. At around 3:00 pm, a group of youth led by Awami League nominated candidate Maksud Mia’s supporter Mamun, tried to stuff ballot boxes with ballots bearing the ‘boat’ symbol in Uttor Gonepara polling centre of Moheshkhali Municipality in Cox’s Bazaar. At that time the AL rebel candidate Sarwar Azam and his supporters protested, which resulted in gunfights between the two groups. 35 persons were shot and injured during this clash and a man named Abdus Sukkur was killed.⁵
5. Voting in Sonagazi Municipality was marked with massive violence, crude bomb explosions, chasing and counter chasing, capturing polling centres and casting fake votes. At around 8:00 am, voters were in queue at Mohammad Saber Pilot High School polling centre. Outsiders from Feni and its adjacent areas captured that polling centre and cast fake votes after leaving the BNP-nominated candidate Jamal Uddin Sentu from the polling centre.⁶
6. Supporters of AL-nominated candidate Liakat Talukdar attacked the independent candidate Afzal Hossain in City Kindergarten polling centre in ward-9 under Jhalokathi Sadar Municipality. Five persons, including Mayor candidate, Afzal Hossain, were injured during this incident.⁷

² ‘Capturing’ polling stations occurs when the law enforcement and election officials favour to the ruling party men during elections.

³ Ansar: an auxiliary force

⁴ The daily Manabzamin, 21/03/2016

⁵ The daily Manabzamin, 21/03/2016

⁶ The daily Manabzamin, 21/03/2016

⁷ The daily Manabzamin, 21/03/2016

Union Parishad Elections 2016

7. On February 11, 2016, the Election Commission declared the electoral schedule of the Union Parishad⁸ (UP) elections. Elections will be held in 4275 UPs in six phases. This was the first time that UP elections were conducted under a political banner. The first phase commenced on March 22, 2016; and the second phase on March 31, 2016.

Pre-election violence

8. Electoral violence erupted soon after the declaration of Union Parishad elections schedule, which started at the time of submitting nomination papers and continued till polling day. During this period candidates nominated from the opposition parties were hindered while submitting their nomination papers, were attacked; and their houses vandalized and set on fire by supporters of the ruling Awami League nominated candidates. In many areas the ruling party AL-nominated candidates created panic and violence. They suppressed the leaders and activists of the opposition political parties during elections using the administration.⁹
9. On March 8, 2016 at around 8:00 pm, Joint Convener of Nazirpur Upazila unit Jubo Dal¹⁰, Shamsul Huq; and the Organising Secretary of Sheikhmatia Union unit BNP, Jahangir Hossain were returning home to Pirozepur by motorcycle, after dropping the BNP-nominated Chairman candidate Touhidul Islam home. When they reached the Raghunathpur Huq High School, supporters of the AL-nominated Chairman candidate, SM Quiyyum Zaman, attacked them. They were beaten with iron rods and stabbed with sharp weapons. Critically wounded Shamsul Huq was taken to Khulna Medical College Hospital where he later died.¹¹
10. On March 12, 2016 supporters of the AL-nominated Chairman candidate, Badsha Faisal of Alipur Union, attacked and vandalized houses of independent candidate Mohammad Sohrab and his supporters in Purba Alipur and Khalishakhali villages under Dashmina Upazila in Patuakhali District. Criminals also robbed the houses after setting fire to them. About 16 persons were injured in this incident.¹²
11. On March 19, 2016 at midnight, a violent altercation took place between supporters of the AL-nominated Chairman candidate Korban Sardar and the AL-rebel candidate Nasir Uddin Bepari, centering on the campaigns for votes in Dhalachor Union under Beda Upazila in Pabna District. A man named

⁸ Union Parishad is lowest tier of the local government in Bangladesh

⁹ Information gathered by Odhikar

¹⁰ Youth wing of Bangladesh Nationalist Party (BNP)

¹¹ The daily Prothom Alo, 10/03/2016

¹² The daily Manabzamin, 13/03/2016

Goher Mandol was killed and at least 10 persons were injured during this clash.¹³

Polling day of the first phase of UP elections

12. The Election Commission initially planned to conduct elections in 730 Union Parishads during the first phase of UP elections on March 22, 2016, but polls in 18 UPs were suspended due to disputes and legal complexity. Thus elections were held in 712 UPs in the first phase.¹⁴ In that phase, the AL-nominated candidates were elected unopposed in 54 Union Parishads.¹⁵ Elections held in the phase were marked with snatching away of ballot papers, casting fake votes, clashes between supporters of the rival candidates, attacks on the polling officials and capturing polling centres. Voting was suspended in 65 polling stations due to massive irregularities and violence. 133 Chairman candidates, mostly BNP-nominated, boycotted the polls.¹⁶ According to information gathered by Odhikar, 13 persons were killed and at least 387 persons were injured during violence on polling day of the first phase of UP elections. A few incidents of electoral violence are given below:
13. Supporters and activists of the AL-nominated Chairman candidate Harun-ar-Rashid confined the Presiding Officer with weapons due to his cancelling 746 ballots in Dhanisafa Degree College polling station in Dhanisafa Union under Mothbaria Upazila in Pirozepur District. Hearing this, members of RAB and BGB, led by an Executive Magistrate, Kazi Ziaul Bashed arrived at the polling station. Local people surrounded their vehicles and BGB and RAB shot at them with the permission from the Magistrate. Six persons were shot dead and 25 were injured.¹⁷
14. Ballot papers were seen floating on a pond near the Chandradeep High School and College in Madhabpasha Union under Babuganj Upazila in Barisal. Voters did not get ballot papers to vote for their Chairman candidates. It was learnt that activists of Awami League were stuffing ballot boxes for Chairman candidates after taking them away from the polling booths two hours after voting commenced.¹⁸
15. In the morning on election day, an altercation started in the polling centre when supporters of Awami League tried to stuff ballot boxes after snatching them from the election officials by entering the Union Parishad polling centre in Jogipol Union in Khulna. Altercations occurred between the two groups when supporters of the BNP-nominated candidate protested. At one stage

¹³ The daily Jugantor, 21/03/2016

¹⁴ The Daily Star, 23/03/2016

¹⁵ The daily Prothom Alo, 23/03/2016

¹⁶ The daily Jugantor, 23/03/2016

¹⁷ The daily Manabzamin, 23/03/2016

¹⁸ The daily Prothom Alo, 23/03/2016

police fired six rounds of bullets, leaving seven people injured. Among them six claimed to be BNP activists. At around 11:00 am, the AL-nominated Chairman candidate and his supporters entered Khanabari Government Primary School polling station and were stuffing ballot boxes. Awami League activists assaulted DM Reza Shohagh, Chief Reporter of the daily Probartan in Khulna, when he was taking photos of this. Later, Shohagh was saved with the assistance from police and others.¹⁹

16. At around 3:20 pm, about 20 youths entered five polling booths in Kushumhati Paribar Kalyan Upa Swastha Kendra (Kushumhati Family Developing Health Centre) and were stamping on the 'boat' (electoral symbol of AL) openly and stuffing ballot boxes in Kushumhati Union under Doha Upazila in Dhaka District. At that time the policemen, who were deployed in the polling station, were silent and took off their name tags from their uniforms to hide their identity.²⁰
17. At around 12:00 noon, a violent altercation took place between supporters of two UP Member candidates, Abdur Rashid and Mosleh Uddin in Baluchor High School polling centre of Baluchor Union under Sirajdikhan Upazila in Munshiganj District. Police tried to control the situation. The AL-nominated Chairman candidate, Abu Bakkar Siddique got involved in clashes between the police and 13 people, including three policemen were injured. At around 1:00 pm, supporters of the two candidates engaged in clashes again at Baluchor High School polling centre in the same Union Parishad, over capturing polling centres and casting fake votes. Police opened fire with rubber bullets in order to control the situation. At least 13 persons were injured during the clash. Voting was stopped in this polling centre from 1:00 pm to 3:00 pm.²¹
18. After the first phase of elections held on March 22, supporters of the AL-rebel candidate, Noor Hossain stopped the electoral officials when they were leaving the Hosseinia Ibtedaye Madrassa polling centre in ward-1 with ballot boxes, before declaring election results relating to Chairman candidate in Sabrang Union under Teknaf Upazila in Cox's Bazaar. At that time BGB members shot at them. Six persons, including Noor Hossain's brother Abdul Gafur and his niece Sepha, were shot and injured. Later, Abdul Gafur died on the way to Cox's Bazaar from Teknaf. UP member candidate Salimulla demanded re-elections after finishing the vote counts at Pori Deep Majherpara Government Primary School polling centre in ward-7 in the same Union. The law enforcement agencies refused to comply. An altercation took place between supporters of Salimulla and police and Ansar. Members of the

¹⁹ The daily Naya Diganta, 23/03/2016

²⁰ The daily Jugantor, 23/03/2016

²¹ The daily Prothom Alo, 23/03/2016

police and Ansar opened fire at angry people which resulted in a man named Safique dying on the spot and 15/20 people were injured.²²

Polling day of the second phase of UP elections

19. The second phase of the Union Parishad elections commenced on March 31, 2016 in 639 UPs, which were also marked with violence, deaths, capturing polling stations, snatching ballot papers and casting fake votes.²³ The Election Commission has proved once again that it is an incompetent institution. According to information gathered by Odhikar, 10 persons were killed and at least 110 were injured on polling day. Some incidents are as follows:
20. At around 10:00 am, on polling day 10/12 supporters of Awami League nominated Chairman candidate, Anwar Hossain Aiynal tried snatch away ballot papers from the Presiding Officer of Modhupur Government Primary School polling centre in Hazratpur Union Parishad under Keraniganj, Dhaka. After failing to snatch ballots, about 25 armed criminals led by Rana Molla, supporter of Anwar Hossain Aiynal, entered the polling centre again and captured six polling booths. At that time voters and polling agents left in fear. The criminals left the polling centre after firing some shots. During that time, a child named Shubha Kazi (10), who came to the polling centre with his uncle, was shot in the stomach. An elderly woman Hazera Begum was shot in the head. Shubha was declared dead by the doctors when he was taken to a local clinic.²⁴
21. Supporters of Awami League nominated candidates attacked activists and supporters of the BNP-nominated candidates, vandalized the electoral office, intimidated voters and forced voters to vote for 'boat' symbol (polling symbol of the AL-nominated candidate) by forcibly ousting the polling agents of the BNP-nominated candidates from different polling stations under Kabirhat and Companiganj Upazila in Noakhali District. BNP nominated Chairman candidate, Mohammad Abdul Motin Tota alleged that at around 8:30 am, when his wife and sister-in-law went to Char Elahi polling centre in Companiganj to cast their votes, Awami League activists took their ballots and put the ballot papers into a ballot box after marking on 'boat'. The BNP-nominated Chairman candidate for Muchhapur Union and the General Secretary of Upazila unit BNP, Nur Alam Sikdar alleged that supporters of the AL-led by Upazila Vice-Chairman Azam Pasha Chowdhury Rumel captured nine polling centres with the help of various administrative organs, including the presiding officers, polling agents, police; and stuffed ballot boxes after snatching ballot papers from voters by threatening them with

²² The daily Jugantor, 23/03/2016

²³ The daily Prothom Alo, 01/04/2016

²⁴ The daily Prothom Alo, 01/04/2016

guns. They beat the polling agents of BNP-nominated candidates and forcibly ousted them from the polling centres. Supporters of the AL-nominated candidates, in most of the polling centres in Companiganj and Kabirhat Upazila, snatched ballot papers and forced voters to cast their votes in favour of the AL-nominated candidates after holding the polling agents hostage at gun point.²⁵

22. Criminal acts had been observed during the recent local government elections, which indicates that the electoral system has totally collapsed. People are deprived from their right to franchise. The farcical 10th Parliamentary elections held on January 5, 2014 were the beginning of such collapse. Since then, all local government polls were marred with widespread and widely reported irregularities, violence and vote rigging; and the impact spread out across the country. As a result, representatives were seen elected through vote rigging. Ensuring transparent, creditable, free, fair and unbiased elections is the Constitutional responsibility of the Election Commission (EC). However, the EC has totally failed to deliver. It is unfortunate that the EC also made claims of fair and peaceful elections in order to disguise its failures.

Human rights defender shot in the leg while observing Union Parishad elections

23. On March 31, 2016 at around 10:00 am, a human rights defender associated with Odhikar and NTV²⁶ correspondent, Mohammad Afzal Hossain, went to the Rajapur Government Primary School polling centre to observe Rajapur Union Parishad elections in Bhola. He observed there that supporters of the AL-nominated candidate were casting fake votes by capturing that polling centre, with the help of a Magistrate and members of law enforcement agencies. The ruling party men were casting votes for their Chairman candidates by themselves, without giving out ballot papers to voters. Afzal Hossain videoed all those irregularities. One of the leaders of Awami League²⁷ asked Afzal to stop recording and Afzal came out of the polling centre. Later violent clashes occurred between supporters of the AL-nominated candidate (with 'boat' symbol) Mizanur Rahman and supporters of the AL-rebel candidate (with 'motorcycle' symbol) Rezaul Huq Mithu Chowdhury, centering around irregularities, rigging and casting fake votes in Rajapur Government Primary School polling centre. During that time, police kept silent and took no action. Later, voters surrounded the polling centre in order to cast their votes by themselves. At that time, the AL-rebel candidate

²⁵ Report sent by local human rights defender associated with Odhikar from Noakhali

²⁶ NTV is a private television channel

²⁷ Name of the District unit Awami League leader is mentioned here for security of Afzal Hossain

Rezaul Huq Mithu Chowdhury tried to calm down the voters. After some time members of RAB, police, BGB and Coastguard came from Bhola district and brought the situation under control. At around 12:00 noon, Afzal was combining information collected from different polling stations, for preparing an electoral report. He saw a police Constable loading his shotgun in the veranda of the polling centre. After a few moment, that Constable came close to Afzal and shot him in the left leg, from a distance of 2-3 feet. His fellow journalists took him to Bhola Sadar Hospital where doctors removed three pellets from inside his leg. Afzal Hossain is still under treatment in the hospital. It was later learnt the name of that police constable was Zulhas.²⁸

Extrajudicial killings

24. The law and justice delivery system of the country is becoming increasingly unstable and human rights are violated due to the persistence of extrajudicial killings. This questions the level of democracy and rule of law in this country. According to information gathered by Odhikar, in March 2016, 11 persons were reportedly killed extra judicially.

Type of death

'Crossfire/encounters/gunfights'

25. 11 persons were killed by 'crossfire/encounters/gunfights'. Seven of them were killed by police and four by RAB-Coast Guard.

The identity of the deceased:

26. Of the 11 persons who were killed extra-judicially, one was member of Jamaatul Mujahidin Bangladesh, two had been accused in different cases and eight were alleged criminals.

Inhuman treatment and lack of accountability of the law enforcers

27. Allegations of acts of harassment, torture and attacks against police are becoming more and more common. The 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. As a result they are enjoying impunity. 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 human rights violations with impunity.

²⁸ Information gathered by Odhikar.

28. Shahim Reza, Assistant Sub Inspector of Bongshal Police Station, lives in a rented house at Nandipara in Khilgaon, Dhaka. On March 11, 2016 at around 11:30 am, a cable operator named Al-Amin went to his house to get the payment of a satellite dish bill as ASI Shahim Reza had not been paying his dish line bills for a few months. At that time they had an argument and then ASI Shahim Reza shot Al-Amin in the back with his service gun. Al-Amin was admitted to Dhaka Medical College Hospital. Later ASI Shahim Reza was arrested and suspended for this.²⁹
29. On March 12, 2016 a police Constable of Ashulia Police Station, Hanif Shikdar hit one Abdul Khaleque (50) on his head with a broken brick as he did not withdraw the case of his daughter's murder, in Daulatpur under Manikganj District. Abdul Khaleque's daughter Khaleda Akhter was beaten and strangled to death by her husband and in-laws. Abdul Khaleque filed a case accusing Khaleda Akhter's husband Shahidul Islam, her mother-in-law Shakhina Begum, sister-in-law Rowshana Akhter and Rowshana's husband Anwar Hossain. Constable Hanif Shikdar, who is the cousin of Anwar Hossain, was intimidating and threatening Abdul Khaleque for withdrawing the case.³⁰

Allegations of enforced disappearance against law enforcement agencies

30. The families of the disappeared claim that members of law enforcement agencies arrest and take away the victims and then they are no longer 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 before the public by the police or law enforcement; or handed over to a police station and appear in Court.
31. According to information gathered by Odhikar, in March 2016, seven persons have been disappeared. Of them, one was found dead and the whereabouts of six persons are still unknown.³¹
32. On March 2, 2016 at around 11:30 am, Nayebe Amir of Jhenaidah District unit Jamaat-e-Islami and former Upazila Chairman Nur Mohammad (62) was picked up from Jhenaidah town by some plain clothed men claiming to be members of the law enforcement agency. Jamaat leader Nur Mohammad is originally from Kapashhatia Village under Harinakundu Upazila in Jhenaidah, but he was living with his family in Chaklapara area of Jhenaidah

²⁹ The daily Manabzamin, 12/03/2016

³⁰ The daily Naya Diganta, 12/03/2016

³¹ 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.

town. Nur Mohammad's son, Mujahidul Islam informed Odhikar that his father was repairing his motorcycle in a garage called 'Rahat Auto' at Hater Rasta area that day. At that time a few men picked him up into an 'easy bike'³² and left. He was transferred to microbus a little later. Since then his whereabouts are unknown and his cell phone switched off. When they went to Jhenaidha Sadar Police Station to lodge a General Diary (GD) in this regard the police did not accept it.³³ Later police claimed that Nur Mohammad was arrested on March 18, 2016 at midnight, with 15 bombs, 40 kg explosives and many religious books. On March 19, such information was revealed in a press briefing on behalf of Jhenaidah police.³⁴ It is also to be mentioned that Nur Mohammad was elected Jhenaidah Sadar Upazila Chairman in 1991.

33. On March 18, 2016 at around 2:00 pm, Abuzar Gifari, President of Kaliganj Municipality unit Islami Chhatra Shibir³⁵, was picked up from in front of his house, by four armed men claiming to be from the Detective Branch (DB) of Police, handcuffed and taken away. The allegation was made by his father Nur Islam. He informed Odhikar that their house is located Chapali village in ward-1 of Kaliganj Municipality under Jhenaidah District. Abuzar Gifari was returning home from a mosque situated 400 yards far from their house, after Jumma (Friday) prayer. As he neared home, four men equipped with arms came on two motorcycles and stopped him. Abuzar was handcuffed and put in the middle of a motorcycle with a helmet on his head. Nur Islam ran out of the house upon witnessing this, but they had left. A few adolescents of the village had also seen what happened. They heard the armed men identified themselves as members of DB police. He looked for Abuzar in Kaliganj Police Station, Jhenaidha DB office, Jhenaidah RAB office but did not find any trace of him. On March 19, 2016 at around 12:00 noon, he went to Kaliganj Police Station to file a GD. The duty officer of the police station made him wait for one hour and then said that the GD will be recorded after showing it to the Officer-in-Charge (OC), since it was a sensitive matter. He was told to return in the evening. At around 5:00 pm, Nur Islam visited the Kaliganj Police Station again. But the duty office told him that the OC said that the GD will be accepted after discussions with the senior officers. The GD has not been recorded till date. The whereabouts of his son is still unknown.³⁶

³² A battery-run four wheeler

³³ Information gathered by Odhikar

³⁴ Report sent by local human rights defender associated with Odhikar from Jhenaidah

³⁵ Student wing of Bangladesh Jamaat-e-Islami

³⁶ Information gathered by Odhikar

Cyber security expert Tanvir Ahmed Zoha picked up

34. On March 17, 2016 at around 1:00 am, Tanvir Ahmed Zoha, a cyber security expert, was picked up from Kachukhet area in Dhaka when he was returning home by a CNG-run auto rickshaw.³⁷ Recently 81 million US dollars had been stolen from the reserve of Bangladesh Bank. Since then Tanvir Ahmed Zoha was giving statements in various media, claiming to be a cyber security expert of the IT Department of the government.³⁸ Zoha's wife Dr. Kamrunnaha informed journalists that Zoha's friend Yamir Ahmed was also in the auto rickshaw with him. Two or three cars stopped their CNG auto rickshaw in the Kochukhet area and a few men came out of the vehicles and picked the two men up in two different cars. In the car, Yamir was gagged with a black cloth. After some time he was dropped at Manik Mia Avenue. He informed Zoha's family of the incident.³⁹ Zoha's uncle Mahbubul Alam, who was the Deputy Director General of Bangladesh Television, said that soon after receiving information about Zoha, they went to Kalabagan Police Station and wanted to file a General Diary (GD). The police informed them that the place of incident was under Kafrul Police Station, thus, they need to file a GD there. When they reached Kafrul Police Station, they were told to go to Cantonment Police Station. They were sent to Bhashantek Police Station from Cantonment Police Station. Police of Bhashantek Police Station also claimed that the place of occurrence was not under their jurisdiction. Zoha's family moved from one police station to another all night and could not file a GD due to this.⁴⁰ On March 17, 2016 the Home Minister Asaduzzaman Khan told journalists that IT expert Tanvir Ahmed Zoha could have been arrested by the law enforcement agency. But he was not sure.⁴¹ After six days of abduction, on March 23, 2016 at around 2:00 am, members of the law enforcement agency dropped Tanvir Ahmed Zoha home. While handing him over his family, the law enforcers informed them that Tanvir Ahmed Zoha was found wandering around Airport Road aimlessly. After recognising him, Zoha was taken to his home.⁴²
35. Odhikar expresses grave concern over this incident. Statements given to the media by Tanvir Ahmed Zoha and the later incident of picking him up; detaining him for a few days and later stating he was found while roaming around aimlessly have all created questions. Such incident has occurred before. BNP leader Salah Uddin Ahmed had been arrested in Shilong in India while found roaming aimlessly in a dazed and confused condition. Salah Uddin Ahmed's family alleged that he was previously picked up by members

³⁷ The daily Naya Diganta, 18/03/2016

³⁸ The daily Prothom Alo, 21/03/2016

³⁹ The daily Manabzamin, 19/03/2016

⁴⁰ The daily Naya Diganta, 18/03/2016

⁴¹ The daily Jugantor, 18/03/2016

⁴² The daily Manabzamin, 24/03/2016

of the law enforcement agency in Dhaka. At present, he is under trial in India. Environmental lawyer Rizwana Hasan's husband Abu Bakar Siddique was picked up too in a similar manner and was found a few days later.

Hindrance to freedom of expression and the media

Freedom of expression

36. Intervention by the government and the ruling party men continue to hinder freedom of expression. The present government is suppressing dissenting voices and people who have alternative beliefs. If any media, journalist or any citizen publishes or comments on facebook anything critical of the government, the government accuses him/her 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, as per Article 7A(3) of the Constitution the highest punishment for sedition is the highest punishment that can be given by law. This is the death penalty.⁴³ Thus, accusing any citizen under 'sedition' charges has extremely serious consequences.
37. Police arrested a betel-leaf seller named Babul Ahmed, resident of Biyanibazar in Sylhet, for sedition after getting approval from the Ministry of Home Affairs. On January 6, 2016 Babul Ahmed wrote a letter to the Attorney General for Bangladesh, Mahbubey Alam. He appealed for an acquittal of all accused persons, who are on death-row for committing crimes against humanity during the 1971 liberation war, including the President of Jamaat-e-Islami Motiur Rahman Nizami; instead of executing their death penalties. A General Diary (GD) was lodged with Shahbagh Police Station in Dhaka in this regard. The Home Ministry stated that the act of Babul Ahmed is considered to be a crime under section 124-A of the Penal Code, 1860.⁴⁴

Freedom of the media

38. Intervention on the media and attacks on journalists continue. According to information gathered by Odhikar, in March 2016, five journalists were injured and three were threatened.
39. On March 5, 2016 a group of criminals led by Sreenagar Upazila unit Jubo League Joint General Secretary Jewel Lashkar and Union unit Chhatra League General Secretary Fahim Islam Prince, on behalf of the Awami League nominated Chairman candidate Mokhlesur Rahman, attacked and vandalized

⁴³ The crime of sedition is punished under section 124A of the Penal Code, 1860.

⁴⁴ The daily Prothom Alo, 02/03/2016

the house of Tajul Islam, an independent Chairman candidate for Sreenagar Union Parishad in Munshiganj District. Criminals also attacked Adhir Rajbongshi, Sreenagar correspondent of the daily Bhorer Kagaj; and Mir Ratul, Sreenagar correspondent of the daily Rupabani, when they went to collect this information. Journalists Adhir Rajbongshi and Mir Ratul were beaten and their motorcycles and cameras vandalized. Both journalists were admitted to Sreenagar Health Complex and later Ratul was sent to Dhaka for better treatment when his physical condition deteriorated.⁴⁵

Public lynching continues

40. In March 2016, five people were reportedly killed due to public lynching.
41. 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 the social fabric is crumbling in places, resulting in insensitivity, insecurity, lack of empathy and fear. As a result, incidents of killings by mob violence continue.

Human rights violations on religious minority communities

42. Incidents of land grabbing, intimidation, extortion and various kinds of illegal activities, including attacks on members of religious minority communities; and also on their places of worship continue. Such incidents occur due to the unavailability of justice for similar incidents in the past; and also due to the politicisation of these incidents.⁴⁶
43. In the early morning of March 3, 2016 unidentified criminals vandalized an effigy of Radha-Krishna by entering the Dasbari Sree Sree Hari Mandir (Hindu temple) after breaking the locks, in Titarkandi Village under Maltab Upazila in Chandpur District.⁴⁷
44. On March 11, 2016 about 50 men, led by Shourav, son of an AL-nominated UP Chairman candidate Abul Kalam Azad, vandalized and set to fire to the electoral camps of his rival candidate Nurul Islam Jewel in Patra Village in Chakundia Union under Khalijuari Upazila in Netrokona District, as he was contesting as a rebel candidate of the Awami League. In retaliation to this incident, supporters of Nurul Islam Jewel, who is also the Upazila unit Awami League's Organising Secretary, attacked Hindu homes belonging to

⁴⁵ Report sent by local human rights defender associated with Odhikar from Munshiganj

⁴⁶ 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

⁴⁷ The daily Prothom Alo, 05/03/2016

Sotesh Sarkar, Deepak Sarkar, Debal Sarkar and Sanchalata Debi in Patra village. The attackers also vandalized the Hindu temple, Kali Mandir.⁴⁸

45. Odhikar strongly condemns the incidents of attacks on members of minority communities and demands the government bring the actual perpetrators involved in committing 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. Sexual harassment against women continues. In this situation, irresponsible statements from government representatives only encourage such incidents. On March 8, 2016, the Shipping Minister, Shahjahan Khan said that Pahela Boishakh⁴⁹ is the first day of the Bangla year for Bengalis; and that people come out on the streets to celebrate this day. About 20 million people live in Dhaka City out of the country of millions. A few small incidents can occur but that cannot be called news. He said that given the huge population, such stray incidents of sexual harassment were no matter of concern. Even more ironic was that the Minister made this comment a programme organised on the occasion of International Women's Day at the auditorium of the Faculty of Business Studies in the Dhaka University.⁵⁰ It is to be mentioned that on April 14, 2015 on the occasion of Bengali New Year, several women were sexually harassed by criminals beside the gate of Suhrawardy Udyan⁵¹ in the Dhaka University campus. Women, from adolescents to the elderly were subjected to sexual harassment and it was recorded on CCTV cameras. The government has not been able to ensure punishment of any of the criminals who were involved with this incident as yet. The statement of the Shipping Minister referred to that incident. Unsurprisingly, he was forced to withdraw this statement due to huge criticism.
47. According to information gathered by Odhikar, in March, 2016, a total of 20 girls and women were victims of sexual harassment. Of them one committed suicide, one was injured, four were assaulted, one was abducted and 13 were victims of stalking. During this time, one man was killed and two men and one woman were injured by the stalkers when they protested.

⁴⁸ The daily Naya Diganta, 14/03/2016

⁴⁹ The first day of Bengali New Year

⁵⁰ The daily Prothom Alo, 09/03/2016

⁵¹ Suhrawardy Udyan, adjacent to Dhaka University campus formerly known as Ramna Race Course ground is a national memorial located in Dhaka, Bangladesh. It is named after Hussain Shaheed Suhrawardy. Originally it served as the military club of the British soldiers stationed in Dhaka. It was then called the Ramna Race Course and later Ramna Gymkhana. After the end of colonial rule, the place – sometimes referred to as *Dhaka Race Course* – was used for legal horse racing.

48. On March 1, 2016 an adolescent girl named Shila (16) was stabbed by a man named Mukul Molla (50) and his associates, as she refused his marriage proposal. This happened in the Nazirnagar area under Sujanagar Upazila in Pabna District. Shila's mother Rabeya Khatun said, her husband rented a house belonging to Mukul Molla, three months ago. Since then Mukul, the father of two children, had been stalking her daughter Shila. Mukul would regularly give her indecent proposals and also put pressure on her for marriage. On March 1, when Shila refused Mukul's proposal, Mukul and his associates tried to kidnap her. Later, they stabbed Shila when she screamed. Shila was admitted to Pabna General Hospital. Rabeya Khatun filed a case with Sujanagar Police Station, accusing Mukul Molla and four unknown persons. Police arrested Mukul Molla's associate Liton Mondol of Baliadanga village.⁵²
49. On March 18, 2016 Masterda Surja Sen Hall⁵³ unit Chhatra League leader Mishkat Hussain, passed indecent comments to a girl student of the Philosophy Department of Dhaka University, when she was returning to her hall of residence, the Kuwait-Friendship Hall. When she protested, Mishkat Hussain assaulted her.⁵⁴

Dowry-related violence

50. In March 2016, according to Odhikar documentation, 14 women were subjected to dowry violence. Of these women, it has been alleged that six were killed and eight were physically abused over dowry demands.
51. On March 3, 2016 a housewife named Jannatur Ferdows (18) was allegedly beaten to death by her husband Rafiqul Islam and his family members over dowry demands, in Shyamnagar under Satkhira District. Police could not arrest anyone involved into this incident.⁵⁵

Rape

52. In March 2016, Odhikar recorded a total number of 53 females who were raped. Among them, 17 were women, 34 were children below the age of 16 and the age of two victims could not be determined. Of the women, one was killed after being raped and eight were victims of gang rape. Out of the 34 child victims, two were killed after being raped and nine were victims of gang rape. 12 women and children were victims of attempted rape.
53. On March 8, 2016 at midnight, three masked criminals entered the house after breaking the collapsible gate and wooden door; and raped a housewife (28) in

⁵² Report sent by local human rights defender associated with Odhikar from Pabna

⁵³ Residential hall for male students of Dhaka University

⁵⁴ The daily Jugantor, 20/03/2016

⁵⁵ The daily Naya Diganta, 06/03/2016

Bramhanbaria. The mask of one of the rapists, named Kadir, was torn off during the scuffle and she recognised him. At that time Kadir stabbed her. She was admitted to Dhaka Medical College Hospital in a critical condition.⁵⁶

54. In the evening on March 20, 2016 a second year (Honours) student of the History Department in Comilla Victoria Government University College and theater activist, Shohagi Jahan Tonu (19) left home to go and tutor students at the Alipur area in Comilla. Tonu's family started looking for her when she did not return home. At around 11:00 pm, Tonu's body was found in a bush beside a water tank in the Comilla Cantonment Board Girls High School area. It was recovered by police. On March 21, 2016 Tonu's father Year Hossain, who is an Office Assistant of the Comilla Cantonment Board, filed a murder case with Kotwali Model Police Station against some unknown persons. The Additional Superintendent of Police, Abdullah Al Mamun said that the deceased had marks of injuries in various parts of her body, including on her head.⁵⁷ It has been primarily suspected that she was killed after being raped. For investigating this incident, on March 25 and 26, the Detective Branch of Police and RAB visited Tonu's residence and they allegedly put pressure on Tonu's family to confess that Tonu had an affair with a student of Comilla Victoria Government University College.⁵⁸

Acid violence

55. According to information gathered by Odhikar, in March 2016, it was reported that three women became victims of acid violence.
56. On March 25, 2016 at around 10:30 pm three sisters sustained burn injuries in an acid attack following a dispute over land at Kumri Pherengitila village in Baniachong upazila of Habiganj district. The victims are Safia Khatun, 35, wife of Abdur Razzak, Monwara Khatun, 32, wife of Jitu Miah, and Amena Khatun, 30, wife of Nazrul Islam. They were admitted to Habiganj Sadar Hospital. Police and eye witnesses said Abdur Razzak and Sadikur Rahman of the village had long been at loggerheads over the ownership of a piece of land. Safia Khatun, wife of Abdur Razak, said a gang led by Sadikur Rahman, 45, entered their house looking for her husband. Not finding him at home, they threw acid on the three sisters. Hearing the hue and cry, locals rushed to the spot and rescued the three women, but the criminals managed to flee.⁵⁹

⁵⁶ The daily Prothom Alo, 09/03/2016

⁵⁷ The daily Manabzamin, 23/03/2016

⁵⁸ The daily Prothom Alo, 28/03/2016

⁵⁹ The Daily Star, 27/03/2016

Activities of Odhikar hindered

57. 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. These have not been returned to Odhikar. 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.
58. 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-March 2016*						
Type of Human Rights Violation		January	February	March	Total	
Extrajudicial killings	Crossfire	6	10	11	27	
	Shot to death	2	0	0	2	
	Torture to death	1	2	0	3	
	Total	9	12	11	32	
Shot on legs by law enforcement agencies		2	0	2	4	
Disappearances		6	1	7	14	
Death in Jail		8	3	4	15	
Human rights violations by Indian BSF	Bangladeshis Killed	3	1	1	5	
	Bangladeshis Injured	4	4	0	8	
	Bangladeshis Abducted	0	5	0	5	
Attack on journalists		Injured	9	2	5	16
		Assaulted	9	1	0	10
Local Government Election	Municipality	Killed	0	0	1	1
	Election		Injured	0	0	58
	Union Parishad Election	Killed	0	0	36	36
		Injured	0	0	2069	2069
Dowry related violence against women		22	19	14	55	
Rape		59	57	53	169	
Sexual harassment /Stalking of women		27	23	20	70	
Acid		4	4	3	11	
Public lynching		2	11	5	18	
RMG	Killed	0	0	0	0	
	Injured	25	31	12	68	
Arrest under Information and Communication Technology Act		1	4	0	5	

*Odhikar's documentation

Recommendations

1. 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.

2. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. The Government must ratify the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013.
3. 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”.
4. 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.
5. 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.
6. 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.
7. All persons who were detained for political reasons, including Acting Editor of the daily Amar Desh Mahmudur Rahman and Editor of Weekly Economic Times Shawkat Mahmud should be released immediately.
8. 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.
9. The Government must ensure the effective implementation of laws to stop violence against women and children 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 government must take immediate steps to effectively implement the guidelines and directives regarding stalking and sexual harassment as given in the decisions of the 2008 and 2010 Writ Petitions filed by the BNWLA.
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 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.

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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.