



June 1, 2017

Human Rights Monitoring Report

May 1 – 31, 2017

Extrajudicial killings
Death in jail
Torture and inhuman treatment
Enforced disappearances
Public lynching
Political violence
Police raid BNP Chairperson's party office
Hindrance to freedom of assembly
Hindrance to freedom of expression and the media
Situation of workers' rights
'Extremism' and human rights
India's aggressive policy towards Bangladesh
Bangladeshis leave the country due to human rights violations
Violence against Women
Activities of Odhikar hindered

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 May 2017, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

| Statistics: January-May 2017* | | | | | | | | |
|--|--------------------------|-------------|---------|----------|-------|-------|-----|-------|
| Type of Human Rights Violation | | | January | February | March | April | May | Total |
| Extrajudicial killings | Crossfire | | 15 | 17 | 19 | 8 | 8 | 67 |
| | Shot to death | | 1 | 0 | 0 | 0 | 0 | 1 |
| | Tortured to death | | 0 | 0 | 1 | 1 | 1 | 3 |
| | Beaten to death | | 0 | 0 | 0 | 1 | 0 | 1 |
| | Total | | 16 | 17 | 20 | 10 | 9 | 72 |
| Enforced Disappearances** | | | 6 | 1 | 21 | 2 | 18 | 48 |
| Human rights violations by Indian BSF | Bangladeshis Killed | | 2 | 2 | 0 | 2 | 0 | 6 |
| | Bangladeshis Injured | | 3 | 9 | 3 | 1 | 3 | 19 |
| | Bangladeshis Abducted | | 5 | 1 | 1 | 4 | 0 | 11 |
| | Total | | 10 | 12 | 4 | 7 | 3 | 36 |
| Attack on journalists | Killed | | 0 | 1 | 0 | 0 | 0 | 1 |
| | Injured | | 2 | 3 | 0 | 2 | 2 | 9 |
| | Assaulted | | 0 | 1 | 0 | 1 | 0 | 2 |
| | Threatened | | 0 | 4 | 3 | 0 | 0 | 7 |
| | Total | | 2 | 9 | 3 | 3 | 2 | 19 |
| Political violence | Killed | | 5 | 7 | 6 | 12 | 11 | 41 |
| | Injured | | 217 | 325 | 428 | 595 | 575 | 2140 |
| | Total | | 222 | 332 | 434 | 607 | 586 | 2181 |
| Dowry related violence against women | | | 17 | 14 | 20 | 26 | 22 | 99 |
| Rape | | | 44 | 51 | 69 | 54 | 77 | 295 |
| Sexual harassment /Stalking of women | | | 14 | 22 | 35 | 23 | 14 | 108 |
| Acid violence | | | 3 | 7 | 4 | 5 | 5 | 24 |
| Public lynching | | | 1 | 3 | 8 | 5 | 2 | 19 |
| Situation of workers | RMG workers | Killed | 0 | 0 | 0 | 0 | 0 | 0 |
| | | Injured | 0 | 20 | 21 | 70 | 15 | 126 |
| | | Termination | 1034 | 1733 | 43 | 0 | 0 | 2810 |
| | Workers in other sectors | Killed | 3 | 2 | 11 | 19 | 4 | 39 |
| | | Injured | 7 | 8 | 16 | 22 | 0 | 53 |
| Arrest under Information and Communication Technology Act*** | | | 0 | 5 | 1 | 6 | 3 | 15 |

*Odhikar's documentation

** 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.

*** The cases of arrests under the Information and Communication Technology (ICT) Act that are documented are those where the presentations/statements in question are considered critical against government officials and government party leaders and religious sentiments as these are mainly reported in the media.

Extrajudicial killings continue

1. The law and justice delivery system of the country is under increasing levels of threat and human rights are being seriously violated due to the persistence of extrajudicial killings. The families of the tortured victims alleged that members of law enforcement agencies arrested their relatives and later staged the drama of 'crossfire' or 'gunfight' after shooting them dead. These staged narratives given by police or RAB during press briefings or press releases, are almost the same in all the incidents. As a result, the truth behind the incident remains hidden. Instead of the legal process of arrest, investigation and judicial intervention, it is observed that some members of RAB and police are involved in criminalisation or are instructed by 'higher authority' which results in such killings. The government constantly denies incidents of extrajudicial killing, despite repeated demands from the victim families and human rights defenders to bring the perpetrators to justice. The law enforcement agencies are enjoying impunity in this regard.
2. According to documentation gathered by Odhikar, nine people were reported as being extra judicially killed in May 2017. Some incidents are as follows:
3. On May 12, 2017 two men named Rakibul Hasan Bappi (30) and Lalon Molla (33) were allegedly shot dead by RAB in 'Rakhalgachhi Chor', a remote area of Debgram Union under Goalanda Upazila in Rajbari District. RAB informed that the men were members of the 'radical left' organisation - Purba Banglar Communist Party. RAB claimed that both died in a gunfight between RAB and criminals, when RAB members carried out an operation in that area during a secret meeting of the party. However, the family of one of the men said that he was picked up by some men claiming to be members of the law enforcement agency, four months ago. Rakibul Hasan Bappi's nephew Monirul Islam said that Bappi had small business in Abdullapur, Dhaka. On January 24, 2017 Bappi was picked up from his house. Meanwhile, Lalon Molla's father Abdul Quddus Molla said that his son had been missing from Dhaka four months prior to his death.¹
4. On May 9, 2017 two young men named Sabujuddin and Pavel Munshi were shot in the head and killed in Faridpur. Police, in a statement, said that the men were killed during a shootout between two groups of robbers. Sabujuddin's mother Sajeda Begum said that her son could not continue with his studies due to poverty and had obtained a provisional driving license. She claimed there was no complaint lodged against him in any police station. She said, police killed her son after making him a dacoit. She had submitted written appeals to the Prime Minister and the Deputy Commissioner seeking justice for the killing of Sabujuddin.²

¹ The daily Prothom Alo, 14/05/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-05-14/2>

² The daily Prothom Alo, 16/05/2017; www.prothom-alo.com/bangladesh/article/1181326/

Type of death

'Crossfire/encounters/gunfights'

5. Eight persons were reported killed by 'crossfire/encounters/gunfights'. Among them six were allegedly killed by police and two by RAB.

'Tortured to death'

6. One person was allegedly tortured to death by police.

The identity of the deceased:

7. Of the nine persons who were killed extra-judicially, two were members of the Purba Banglar Communist Party (Red Flag), one was a fourth class government employee and six were alleged criminals.

Death in jail

8. According to information gathered by Odhikar, from January to May 2017, a reported 16 persons died in prison due to 'illness'.
9. Deprivation of medical treatment in jail is a violation of human rights. It is alleged that due to lack of proper treatment facilities and negligence by prison authorities, many prisoners become ill and some die. Prisoners sometimes became ill due to the effects of torture in police remand, which cause their death later when they are sent to jail custody. The terrible state of our public healthcare system is partially evidenced in the fact that the country's prison hospitals are riddle with various problems. Among them, the most pressing one being the acute shortage of medical facilities with 93 percent of the doctors posts remaining vacant. According to prison officials, there are at present only six permanent doctors to attend approximately 75,000 inmates at 68 prisons across the country.³

Allegations of torture, degrading treatment and lack of accountability of law enforcement agencies

10. Allegations against the police, of acts of torture, harassment and extortion have been reported. Members of law enforcement agencies are enjoying impunity due to the government practice of using such agencies against its political opponents, critics and dissenters, as a way to suppress them. Due to such practice, they have come to believe that they are above the law and some have added acts of extortion and intimidation to the list. After a prolonged campaign, on October 24, 2013 the Torture and Custodial Death (Prevention)

³ "Prison hospitals in shambles", The daily New Age, 16/05/2017; <http://www.newagebd.net/article/15646/prison-hospitals-in-shambles>

Act, 2013 was passed in the Parliament. However, there is no change in the actual situation, due to lack of implementation of this law.

11. On June 26, 2016 a man named Habibur Rahman filed a case with Mirpur Police Station accusing 23 persons, including Mohammad Mamun Mia of Paikpara area of Mirpur, for beating and severely wounding him after entering his house. Investigating officer of the case, Sub-Inspector (SI) Maruful Islam on February 27, 2017 after investigating the matter, submitted a charge sheet before the Court against 23 persons, including a 10-month child called Rubel and Arifur Rahman who was deceased. Rubel and deceased Arifur Rahman were shown as 'absconding' in the charge sheet. As a result, an arrest warrant was sought before the court. The court, as per request, issued a warrant accordingly.⁴ On May 14, 2017, the Police Headquarters temporarily suspended SI Maruful Islam for this incident.⁵



A 10-month child Rubel accused in a case appeared before the court with father. Photo: Naya Diganta, 10 May 2017

Enforced disappearances

12. People have disappeared after being picked up by men claiming to be members of law enforcement agencies. The families of the disappeared and witnesses claim that members of law enforcement agencies, or men claiming to be from such 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 arrested persons are produced before the public by the police or other security forces; or handed over to a police station and produce in Court, or the bodies of the disappeared persons are later recovered. Similarly, as per news reports and statements from families, many political leaders have disappeared. Needless to say, the victim-families are facing a lot of emotional and financial problems.

⁴ The daily Naya Dignata, 10/05/2017; <http://www.dailynayadiganta.com/detail/news/218917>

⁵ The Daily Star, 15/05/2017 ; <http://www.thedailystar.net/backpage/child-charge-sheet-2-policemen-withdrawn-1-suspended-1405285>

13. Every year, in the last week of May, the associations of families of the disappeared across the world commemorate the International Week of the Disappeared (IWD).⁶ The International Week of the Disappeared was also observed in different countries in Asia, including Bangladesh from May 28 to June 4, 2017. On May 28, Mohammad Rizwan's family organised a press conference at Jessore Press Club demanding Rizwan's return. On May 30, the family members of Kushtia Islamic University students Waliullah and Al Mukaddas organised a press conference at Barisal Reporters Unity. On May 31, the family members of disappeared BNP leader Mahabubur Rahman Ripon organised a meeting and human chain in Feni demanding his return.



On May 28, Mohammad Rizwan's family organised a press conference at Jessore Press Club demanding Rizwan's return. Photo: Odhikar



On May 30, the family members of Waliullah and Al Mukaddas organised a press conference at Barisal Reporters Unity. Photo: Odhikar



On May 31, the family members of disappeared BNP leader Mahabubur Rahman Ripon organised a meeting and human chain in Feni demanding his return. Photo: Odhikar

14. According to information gathered by Odhikar, in May 2017, 18 persons were allegedly disappeared. Of them, three were later found dead, two were freed

⁶ The International Week of the Disappeared was first initiated by the Latin American Federation of Associations of Relatives of Disappeared-Detainees (FEDEFAM) in 1981. Since then it was adopted by families of the disappeared and the week has been observed all across the world. In many Latin American countries, several people were disappeared during the dictatorship. At that time the commemoration was also meant to gear up the campaign against enforced disappearances.

alive, three were later shown as arrested and the whereabouts of 10 persons remain unknown.⁷ Some examples are as follows:

15. On May 9, 2017 at around 10:00 am, Mehdi Hassan Sabuj (27) of Moheshpur in Jhenaidah, was picked up by a group of plainclothes men from his work place 'Sabuj Electronics' and taken to Moheshpur Police Station. His father Aminur Rahman and others were present when Sabuj was picked up. They were able to identify the men in plainclothes as police of Moheshpur Police Station. Later Mehdi Hassan Sabuj was taken towards Jhenaidah town in a while microbus from the police station. There has been no trace of him since. His family informed that there was no case filed against Sabuj in any police station. On the date of incident, when the family of the disappeared Sabuj contacted the police station, police told them that no information could be given.⁸ The Detective Branch (DB) of Police claimed that on May 31, 2017 at 5:10 pm, they arrested Sabuj as a JMB member from Sayedabad, Dhaka. However, Mehdi Hassan Sabuj's maternal uncle Moshikur Rahman said that on May 30, 2017 Sabuj's paternal uncle Abdus Salam met Sabuj at Moheshpur Police Station.⁹
16. On May 16, 2017 a Bench of the High Court Division of the Supreme Court consisting of Justice Kazi Reza-ul Huq and Justice Mohammad Ullah asked the Chief Judicial Magistrate of Satkhira to submit an inquiry report to the High Court Division by July 3, 2017 regarding the disappearance of homeopathy physician Mokhlesur Rahman Jony of Kukhrali Village in Satkhira, after he was detained for three days at Satkhira Police Station as a suspected 'extremist'. Mokhlesur Rahman Jony's wife Jasmine Nahar Reshma filed a writ petition before the High Court on March 2, 2017. In the petition, Jasmine Nahar Reshma stated that on August 4, 2016 at around 9:30 pm, Sub-Inspector Himel of Satkhira Sadar Police Station took her husband to the Police Station from the Rabony Cinema Hall intersection of the town where he had gone to buy medicine for his father. Later on August 5, 6 and 7, 2016 she and her father-in-law, along with other family members, provided food to Jony at the Police Station custody cell and also talked to him. They also spoke to the then Officer-in-Charge of the Police Station Emdadul Huq and SI Himel, regarding Jony. The police informed them that Jony had involvement with 'Islamic extremists' and demanded a huge amount of money for his release. On August 8, 2016 the family did not find Jony at the Police Station and the police refused to inform them of his whereabouts.¹⁰

⁷ 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.

⁸ Information gathered by Odhikar.

⁹ Information gathered by Odhikar.

¹⁰ The daily Naya Diganta, 17/05/2017; <http://www.dailynayadiganta.com/detail/news/220613>

17. Nine persons of Chuadanga, Baruikhali and Podahati Villages in Jhenaidah district have allegedly disappeared between May 4 and 6, 2017. Among them, on May 6, six persons were picked up from their houses. Police said that they might have been picked up by any 'agency' due to their involvement in 'extremist activities'. On May 7, 2017 police informed that two persons named Abdullah and Tuhin Biswas of Chuadanga Village were killed during a police 'operation' at Bojarpur Village under Moheshpur Upazila, 45 kilometers away from Chuadanga Village. The deceased Abdullah was a Nasimon¹¹ driver and Tuhin was a supplier of timber to a local fertilizer factory. However, according to a police statement, they were members of 'New JMB'. Among the nine disappeared persons, Mohammad Titu Biswas, elder brother of Tuhin Biswas and Abdul Latif, a rickshaw van puller and father-in-law of Abdullah, were also victims of disappearance. Other victims were Mohammad Shaheen Zaman (22), a third year degree student of Accounting at the Government Keshab Chandra (KC) College; Rana Ahmed (25), a final year student of the same college; Monwar Hossain (32), a bi-cycle mechanic; Milon Biswas (17), a grille-maker; Al-Amin (25), a transport driver; Mohammad Saheb Ali (42), a cloth businessman; and Emon Hossain (17), a student of class XI in Wazir Ali School and College. Among the nine disappeared, the family of Titu Biswas filed a General Diary (GD) with Jhenaidah Sadar Police Station. Amena Khatun, mother-in-law of victim Saheb Ali said that on May 6, 2017 at around 11:30 pm, five men came to their house in a white microbus and asked them to point out the house of Shaheen Zaman. The distance from Saheb Ali's home to Shaheen Zaman's home is about 40-50 yards. Shaheen Zaman's father Anwar Hossain said, the men put his son in a microbus without giving any reason and that police did not accept their complaint when he went to police station to file a General Diary.¹²
18. On May 23, 2017 at around 12:00 am, Sheikh Mohammad Mohiuddin, senior Vice-President of Chittagong South District BNP, was picked up by some men claiming to be members of the Detective Branch (DB) of Police, from a bus counter at Arambagh area in Dhaka. On May 24, in the afternoon, it was learnt that he was returned to the same place. His wife Farida Yeasmin said that her husband went to Dhaka on May 21 to see his ill father. Sheikh Mohammad Mohiuddin was picked up by Members of the Detective Branch (DB) of Police from a bus terminal while he was returning to Chittagong in the night of May 23. A family friend who was present in the bus terminal with Mohiuddin informed Farida. The Deputy Commissioner of the Dhaka Metropolitan DB Police (East), Khandker Nurun Nabi said that he was not

¹¹ Nasimon: a local vehicle.

¹² The daily Prothom Alo, 18/05/2017; www.prothom-alo.com/bangladesh/article/1184506/

aware about the arrest of Mohiuddin.¹³ In the meanwhile, Sheikh Mohammad Mohiuddin said that he was in extreme fear of the possibility of being disappeared, while under detention. He had given up all hope of returning to his family and party leaders and activists.¹⁴



Sheikh Mohammad Mohiuddin. Photo: Prothom Alo, 25 May 2017

19. On May 30, 2017 Mobarak Hossain (16), a student of class X of Aagran High School, was picked up from Boraigram Upazila in Natore by some men claiming to be members of RAB-13. Teachers of Aagran High School said that two men had come to the school about two months ago saying they were development activists. They were interested in providing stipends to the students of the vocational section and selected five students, including Mobarak Hossain. On May 30, they called the school and said they would come to the school to give the stipend money. Though the school was closed, the teachers including the Head Teacher were present with those five students. At around 1:00 pm, four men arrived in a white microbus. They said they were RAB-13 members and forcefully took Mobarak Hossain into the microbus. Head Teacher Abdus Sobhan said that the men gave him a cell phone number (01718779522) and told him that Mobarak was being taken for questioning, under suspicion of extremist connections. He called that number, but got no connection. When the control room of RAB-13 was contacted, one official under anonymity informed that no team from RAB-13 visited Natore. Meanwhile the Assistant Superintendent of Police of Natore RAB Camp, Anwar Hossain said that they have confirmed that members of RAB-13 had taken Mobarak.¹⁵ On May 31, 2017 Mobarak Hossain was shown as arrested by RAB-13 in a matter under the Anti Terrorism Act, which was filed on May 6, 2017 with Kotwali Police Station. Till afternoon Mobarak Hossain was not produced before the Court, said his lawyer Shahadat Hossain.¹⁶

¹³ The daily Prothom Alo, 25/05/2017; www.prothom-alo.com/bangladesh/article/1192486/

¹⁴ The daily Jugantor, 26/05/2017; www.jugantor.com/last-page/2017/05/26/127471/

¹⁵ The daily Prothom Alo, 31/05/2017 ; www.prothom-alo.com/bangladesh/article/1199106/

¹⁶ The daily Prothom Alo, 01/06/2017 ; <http://epaper.prothom-alo.com/view/dhaka/2017-06-01/5>

Public lynching continues

20. In May 2017, two persons were reportedly killed due to public lynching.
21. Due to a weak criminal justice system, lack of respect for law, distrust of the police and instability in the country, the tendency to resort to public lynching is increasing. People are losing their confidence and faith in the police and judicial system. As a result, incidents of killings by mob violence continue.

Political violence continues

22. In May 2017, according to information gathered by Odhikar, 11 persons were killed and 575 persons injured in political violence. Furthermore, 35 incidents of internal violence in the Awami League and eight in the BNP¹⁷ were also recorded during this period. 10 persons were killed and 376 were injured in internal conflicts of the Awami League while 123 were injured in conflicts within the BNP.
23. The ruling party leaders-activists are abusing power after grabbing it through a controversial election¹⁸ and are not accountable to the people. Across the country, criminal activities perpetrated by leaders and activists belonging to the Chhatra League¹⁹ and Jubo League²⁰ have increased. They are attacking leaders and activists of the opposition political parties using the administration for their vested interest. During violent public political altercations, these groups were seen carrying and using lethal weapons.
24. The internal conflict among the ruling Awami League is so extreme that it is now becoming visible and many unknown incidents, amounting to criminalisation of politics, are being disclosed by its disgruntled members.
25. On May 4, 2017 examinations for students of class IX and X were being held at SM Badrul Huq Bidash High School in Gafargaon, Mymensingh. During the exams, teachers seized cell phones from eight students. As a result, some students left the examination hall and went to local Shibganj Bazar and complained to Joshra Union Parishad Ward 3 unit Awami League President, Saiful Islam and Joshra Union unit Jubo League President Sumon Mia. Saiful Islam and Sumon Mia arrived at the school with their associates and took away the motorbike of Head Teacher Badrul Huq. Hearing this Badrul Huq, along with his colleagues and some students, went to Saiful Islam to take his motorbike back. At that time Saiful and Sumon with their associates attacked

¹⁷ BNP: Bangladesh Nationalist Party

¹⁸ Most of the political parties registered with the Election Commission, including the then main opposition BNP led 18-Party Alliance boycotted the 10th Parliamentary elections held on January 5, 2014 as their demands for elections under an interim caretaker government were ignored. As a result, 153 MP's of the ruling Awami League and its alliance out of 300 constituencies were declared elected uncontested even before the polling commenced. The people of Bangladesh lost their voting rights through this election.

¹⁹ Student wing of Awami League.

²⁰ Youth wing of Awami League.

the teachers and students. Head Teacher Badrul Huq had his left leg broken in this attack.²¹



Head Teacher Badrul Huq, who was attacked by men from Awami League and Jubo League, under treatment in Gafargaon hospital. Photo: Jugantor, 7 May 2017

26. On May 10, 2017 over a hundred Chhatra League activists, led by Narayanganj City unit Chhatra League Convener Habibur Rahman Riyad, attacked a cultural programme organised by Unmesh Cultural Sangsad on the occasion of 'Rabindra Joyanti'²² at the Shahid Minar in Chashara, Narayanganj. They vandalized and set fire to chairs and megaphones. At that time, Narayanganj District unit Chhatra Union²³ General Secretary Sumaiya Shetu, Vice President Farzana Akhtar and General Secretary of Unmesh Cultural Sangsad, Shubha Bonik were beaten and injured by Chhatra League activists.²⁴
27. On May 23, 2017, Mehendiganj Upazila Awami League unit President and Chairman of Barisal Zila Parishad, Moidul Islam, attended a press conference organised in protest of vote rigging in Chandpur Union and against the criminal activities of local Awami League MP Pankanj Debnath. There Mohidul Islam said, "Sechchasebak League²⁵ General Secretary Pankanj Debnath was involved in setting fire to his own transport company 'Bihanga Paribahan' at Shahbagh, Dhaka when the opposition political parties were protesting (the removal of the caretaker government system) before the January 5, 2014 elections. As a result, 11 persons were killed. After that incident he was able to get sympathy from the party Chief and get nominated for election".²⁶ It is to be mentioned that many people were killed due to petrol bomb attacks and fires during protest of the opposition led by BNP,

²¹ The daily Jugantor, 07/05/2017; www.jugantor.com/last-page/2017/05/07/122765/

²² The birthday of Poet Rabindranath Tagore.

²³ Student wing of the Communist Party of Bangladesh.

²⁴ Information sent by local human rights defender associated with Odhikar from Narayanganj; The daily Prothom Alo, 11/05/2017; www.prothom-alo.com/bangladesh/article/1176666/

²⁵ Voluntary wing of Awami League

²⁶ The daily Manabzamin, 24/05/2017; www.mzamin.com/article.php?mzamin=66716&cat=3/

before and after the controversial elections held on January 5, 2014. On behalf of the government, it was claimed that BNP-led 20 Party Alliance during country-wide protests killed people by throwing petrol bombs and setting fire to vehicles.



A press conference at Mehendiganj. Photo: Manabzamin, 24 May 2017

Police raid BNP Chairperson's party office

28. On May 20, 2017 police led by Gulshan Zone Deputy Commissioner of Police, Mostaq Ahmed Khan, raided the political party office of the BNP Chairperson at Gulshan, Dhaka. At around 6:45 am, during the search operation, police broke the main gate and five locks. They also turned the CCTV cameras away and out of focus. Police informed that such raid was conducted based on a General Diary (GD) filed with Gulshan Police Station on May 13 by an unknown person. It was mentioned in the GD that based on secret news, it was learnt that a large number of destructive material, including various statements urging the participation of ordinary people in anti-state and destructive activities, are in House No, 6, Road No. 86, Gulshan and its adjacent area. The Officer-in-Charge of Gulshan Police Station, Abu Bakkar Siddiqui said in this regard that an operation was conducted at the BNP Chairperson's party office based on the search warrant issued by the Court. Such operation was made to see whether there was any anti-state activities carried out or any such documents preserved therein. Nothing was found.²⁷ Police sources informed, that two days before the operation, two vans had entered the BNP office. After that, information came from Intelligence that BNP had printed a paper in relation to acts of corruption of the ruling party and government. Such publications were kept in the BNP Chairperson's party office for distribution to foreign diplomats and across the country. Therefore, in order to seize those documents, this search operation was conducted as per

²⁷ The daily Bangladesh Protidin, 21/05/2017; <http://www.bd-pratidin.com/first-page/2017/05/21/233400>

instruction of the 'high-ups' of the government.²⁸ It is to be mentioned that the current government is constantly harassing BNP and its alliance party activists in various ways. There are allegations of extrajudicial killings, enforced disappearances and torture perpetrated against BNP and its alliance party activists. Many incidents of obstructing meetings and assemblies of the opposition parties and detaining their leaders and activists in jail through false cases are also reported.

Hindrance to freedom of assembly

29. Conducting peaceful meetings, assemblies and rallies are the democratic and political rights of everyone, as guaranteed in Article 37 of the Constitution. Barring and attacking peaceful meetings, assemblies and rallies, means blocking the path of democracy. The government and ruling party leaders are barring meetings and assemblies and rallies of opposition political parties and activist groups by using law enforcement agencies. The political atmosphere of the country has turned repressive as a result of suppression of the opposition and alternative or dissenting voices, by severely curtailing the right to freedom of expression, and preventing peaceful meetings and assemblies. Some instances are as follows:
30. On May 6, 2017 Madaripur District unit BNP organised a meeting as part of the central programme at Chormuguria Community Centre in Madaripur. At the commencement of the programme, the police asked them to stop. As a result BNP leaders and activists stopped the meeting and gathered at the regional office of Chhatra Dal²⁹, where police baton charged them. After failing to organise a meeting at the Chormuguria Community Centre, the central and local BNP leaders then tried to hold a meeting in Abu Bakkar Siddique School. Police also barred them there and baton charged the BNP leaders and activists. At least 15 BNP leaders-activists were injured and police arrested 23 BNP activists.³⁰
31. On May 13, 2017 Satkhira District BNP organised a conference at the Shilpokala Academy auditorium. During the meeting police and Jubo League³¹ activists entered the venue and vandalized the auditorium and forcefully stopped the meeting.³²
32. On May 18, 2017 students of the Medical Assistant Training School (MATS) started a march towards the Prime Minister's Office to bring home their four-

²⁸ The daily Prothom Alo, 21/05/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-05-21/1>

²⁹ Student wing of BNP.

³⁰ The daily Jugantor, 07/05/2017; www.jugantor.com/city/2017/05/07/122800/

³¹ Youth wing of Awami League

³² The Jugantor, 14/05/2017; http://ejugantor.com/2017/05/14/3/details/3_r6_c4.jpg

point demand, after finishing a programme at the central Shaheed Minar.³³ At that time, police barred the students and baton charged them. At one stage, students reached the National Museum, ignoring the police barrier. Police then threw tear gas shells and hot water on them using water cannons and dispersed the protestors.³⁴



Photo: Manabzamin, 19 May 2017

Police in action against students of the Medical Assistant Training School (MATS). Photo: Jugantor, 19 May 2017

33. On May 21, 2017 police barred leaders and activists of BNP when they brought out a procession at Gudaraghat in Badda, Dhaka in protest of the search operation at the BNP Chairperson's party office. Protestors marched forward ignoring the police barrier. Police opened fire at the procession and the Joint General Secretary of Dhaka Metropolitan unit BNP, Mahfuzur Rahman was shot.³⁵



Police in action at rally organised by Sechchasebak Dal (a voluntary wing of the BNP) in protest of the search operation at BNP Chairperson's party office. Photo: Naya Diganta, 22 May 2017

³³ Shaheed Minar ("Martyr Monument") is a national monument established to commemorate those killed by the then East Pakistan during the Bangla Language Movement in 1952.

³⁴ The daily Prothom Alo, 19/05/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-05-19/8> and the daily Naya Diganta, 19/05/2017; <http://www.dailynayadiganta.com/detail/news/221099>

³⁵ The daily Naya Diganta, 22/05/2017; <http://www.dailynayadiganta.com/detail/news/221955>

34. On May 25, 2017 leaders and activists of Metropolitan unit BNP brought out rallies in different places at Dhaka in protest of the search operation at the BNP Chairperson's Gulshan party office, as they were not given permission to assemble at Suhrawardi Uddan. Police attacked and baton charged the protestors. As a result protest rallies stopped. Police arrested 30 BNP leaders-activists, including Dhaka Metropolitan (South) BNP Organising Secretary Tanvir Ahmed Robin.³⁶
35. On May 26, 2017 various organisations, including Bangladesh Chhatra Union³⁷, Shomajtantrik Chhatra Front³⁸, Chhatra Oikkya Forum, Udichi³⁹, and online activists brought out a procession in protest of the removal of a statute of (a Bengali representation of) Themis, from the Supreme Court premises and for the demand of its reinstallation. Police barred the procession when it reached the Shishu (Children's) Academy. At that time protestors, ignoring the police barrier, tried to move forward towards the Supreme Court. Police threw tear gas shells and used water cannons. About 25 protestors were injured in this incident.⁴⁰



Left-leaning organisations' procession in protest of the removal of the statute of Themis from the Supreme Court premises. Photo: The Daily Star, 27 May 2017

Hindrance to freedom of expression and the media

36. Interference on the media and freedom of expression, by the government and the ruling party members has become a regular phenomenon. The present government is severely suppressing people who criticise the government and

³⁶ The daily Jugantor, 26/05/2017; www.jugantor.com/first-page/2017/05/26/127470/

³⁷ Student wing of the Communist Party of Bangladesh.

³⁸ Student wing of the Socialist Party of Bangladesh.

³⁹ A cultural organisation.

⁴⁰ The daily Jugantor, 27/05/2017; www.jugantor.com/first-page/2017/05/27/127761/

those who have alternative beliefs. If any media, journalist or any citizen criticises the government or comments against the government on social media, particularly on Facebook, there is the real possibility that the government will take action against them, which is tantamount to violations of freedom of thought and conscience.

Freedom of the media

37. According to information gathered by Odhikar, in May 2017, two journalists were injured, one was attacked and two were sued while they were performing their professional duties.
38. The present government is allegedly controlling most of the media, particularly the electronic media. The only state owned TV channel, Bangladesh Television (BTV) broadcasts mainly government programmes and ruling party-related news. The government has already given approval to some new private television channels, whose owners are closely connected with the government. Meanwhile the government closed down pro-opposition electronic media, such as Channel 1, Diganta TV, Islamic TV and the publication of the print media, the daily Amar Desh. Accurate and impartial reporting and proper journalism are hindered as the government puts pressure on the media. As a result, in most cases, journalists are forced to practice self-censorship. In spite of that journalists are being attacked by criminals backed by the ruling party while gathering information or in relation to publishing reports.

Attack on Journalists

39. H. M. Badal, Kathalia Upazila correspondent of the daily Barisal Protidin shared and liked news on Facebook, which was widely published in different mass media, regarding Awami League MP of Jhalokathi-1 constituency, Bazlul Huq Harun, also the owner of Rain Tree Hotel where an incident of the rape of two female university students occurred. Due to this, on May 16, 2017 Kathalia Upazila Parishad Chairman, Golam Kibria Shikdar and his associates picked up journalist H. M. Badal from Kathalia Bazar and took him to the Upazila Parishad office, where he was beaten with iron rods and severely wounded. Badal was admitted to Jhalokathi Sadar Hospital in a critical condition.⁴¹ Locals revealed that the father of a primary school girl student made a complaint to the Upazila Nirbahi Officer⁴² regarding the incident of the attempted rape of his daughter by the son of a Union Parishad member

⁴¹ The daily Jugantor, 18/05/2017; www.jugantor.com/news/2017/05/18/125553/

⁴² Upazila Executive Officer.

and ruling Awami League supporter. The local ruling party leaders-activists were also angry at Badal for publishing this report in his newspaper.⁴³



Injured journalist H M Badal. Photo: Jugantor, 30 May 2017

Government decision to monitor journalists travelling abroad later withdrawn

40. On May 17, 2017 the Ministry of Foreign Affairs issued a notification and sent it to all Bangladesh embassies and diplomatic missions abroad to monitor Bangladeshi journalists in order to keep track of their activities. The notification was issued after the Parliamentary Standing Committee of the Ministry, in its 12th meeting, asked the Ministry for taking necessary steps to monitor journalists traveling abroad. If any journalist gets engaged in activities abroad against the interests of the country, the embassies and diplomatic missions would have to report to the Ministry. The Parliamentary Standing Committee on the Ministry of Foreign Affairs expressed its concern about the negative activities of journalists abroad.⁴⁴ Later the Ministry of Foreign Affairs withdrew the circular due to growing criticism.⁴⁵

⁴³ The daily Prothom Alo, 18/05/2017; www.prothom-alo.com/bangladesh/article/1184051/

⁴⁴ The daily Jugantor, 18/05/2017 and New Age, 18/05/2017; <http://www.newagebd.net/article/15807/govt-to-keep-eye-on-journalists-travelling-abroad>

⁴⁵ The Daily Star, 20/05/2017; <http://www.thedailystar.net/backpage/monitoring-journos-foreign-ministry-withdraws-circular-1408039>

***Repressive Information and Communication Technology Act 2006
(amended 2009 and 2013) remains in force***

41. According to information gathered by Odhikar, in May 2017, three persons were arrested under the Information and Communication Technology Act 2006 (amended 2009 and 2013).
42. The use of the Information and Communication Technology Act 2006 (amended 2009 and 2013) continues to hinder freedom of expression. Section 57⁴⁶ of the ICT Act 2013, states that the publishing or transmitting in electronic form, of any defamatory or false information is considered to be a cognizable and non-bailable offence. Moreover, punishment for committing this offence has been amended from a maximum of 10 years imprisonment, with no minimum; to a term of a minimum of seven years and maximum of 14 years imprisonment. This law has curtailed the freedom of expression and the government is using it against human rights defenders, journalists, bloggers and activists of the opposition political parties and even the ordinary people who have alternative opinions. An example is as follows:
43. On May 9, 2017 Hasan Ali, a human rights defender associated with Odhikar from Kushtia, and Kushtia district correspondent of Bangla Vision TV; and Aslam Ali, staff reporter of Dainik Kushtia Dorpan, were sent to jail in a case filed under section 57(2) of the Information and Communication Technology Act, when both surrendered before the Court of an Additional Chief Judicial Magistrate, F M Mezbaul Huq. It is to be mentioned that on March 30, 2017 Hasibur Rahman Riju, a police informer, filed a case with Kushtia Model Police Station under the ICT Act⁴⁷ against Hasan Ali and Aslam Ali accusing them of publishing an offensive post from a fake facebook ID, which defamed and socially humiliated him. Hasan Ali said that they have published many reports after conducting fact finding on various human rights violations, including extra-judicial killings, torture, rape and enforced disappearances,

⁴⁶ 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.

⁴⁷ Hasibur Rahman mentioned in the FIR that Hasan Ali and Aslam Ali published an offensive post from a fake facebook ID named 'Sultan Eslam' by using the cell phone of Miraj Ali, a worker at Mostafa's tea stall at Thana Mor of Kushtia town, which had defamed and socially humiliated him and violated section 57(2) of ICT Act. A statement was taken from a boy who worked at the tea stall by police with the help of Sub Inspector (SI) Azizur Rahman of Model Police Station. Based on that, on March 30, 2017 SI Azizur Rahman arrested Hasan Ali, Aslam Ali and Moudud Rana, Kushtia District correspondent of the daily Manab Kantho without any warrant, while they were performing their professional duties; and took them to Kushtia Model Police Station. When the news spread among other journalists, they all went to the police station. The Officer-in-Charge of Kushtia Model Police Station, Shahabuddin Chowdhury released the three journalists immediately, to bring the situation under control. After that SI Azizur Rahman filed a case with Kushtia Model Police Station based on the statement of the tea stall boy.

while performing their professional duties. As a result, a group of police officers of Kushtia have been angry with them for a long time. On April 11, 2017 a High Court Division Bench of the Supreme Court, comprising of Justice AKM Asaduzzaman and Justice Razik Al Jalil granted ad-interim bail to Hasan Ali and Aslam Ali for four weeks. On May 9, 2017 Hasan Ali and Aslam Ali, after the High Court bail period, surrendered before the Court of an Additional Chief Judicial Magistrate, F M Mezbaul Huq. They were released on May 29 on bail after 20 days detention in jail. ⁴⁸



Hasan Ali

Aslam Ali

Situation of Workers' rights

44. According to information gathered by Odhikar, in May 2017, four workers were killed. Of them, one was a construction worker who died when a chunk of concrete fell on him; two cleaners who died in a septic tank while cleaning it; and one was a ship-breaking worker died due to an iron pipe falling on him. Apart from this, 15 ready-made garment workers were injured by the authority during workers protests.

Readymade garment industries

45. 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, due to extreme irresponsibility and serious negligence, the workers have been facing disaster repeatedly. Odhikar believes that it is very important to investigate the incident of the Rana Plaza disaster properly and bring the perpetrators before justice. The current situation of impunity may lead to the cause of new disasters.
46. On May 16, 2017 workers of Pacific Spinning Mills Limited in Jatramura area under Rupganj Upazila in Narayanganj gathered on the Dhaka-Sylhet

⁴⁸ Information gathered by Odhikar

highway, demanding holidays for May Day and Shab-e-Barat⁴⁹ and wages that were due for the last two months. At that time, at least 15 workers were injured when men belonging to the factory owner attacked them.⁵⁰

47. On May 16, 2017 workers of Kanon Knit Fashions situated at Bhuigarh in Narayanganj, gathered at the local Shahid Minar at Chashara in protest. Workers said that the owner of Kanon Knit Fashions, on May 2, declared the closure of the factory, in order to escape paying workers their salary and Eid bonus. The owner did not pay them three months salary despite promises to do so.⁵¹

Aggressive policy of India towards Bangladesh

48. No changes are seen with regard to aggressive policies towards Bangladesh by the Indian government. India is taking transit facility through Bangladesh at almost no cost (the shipment fee for carrying goods is Tk 192.22 per ton) under an amended Protocol on Inland Water Transit and Trade (PIWTT)⁵² signed between India and Bangladesh on June 6, 2015; and is also taking advantage of other business and trade facilities. Of them, a decision was made that Bangladesh will buy electricity worth two thousand billion taka from India – an expensive rate. Bangladesh will have to pay one hundred and ninety thousand nine hundred seventy five taka in a 25-year term.⁵³ The agreement between Bangladesh's Prime Minister Sheikh Hasina and the then Indian Prime Minister Manmohom Singh in 2010 was signed without any consultations in Parliament. This time also several agreements and memorandums of understanding were signed during the Prime Minister's visit to India. As the contents of such agreements and MoU were not made public, questions have been raised whether these agreements are for or against Bangladeshi citizens and whether they threaten the sovereignty of Bangladesh. Furthermore, the environmentally hazardous initiative to build the Rampal Power Plant with an Indian company, near the Sundarbans and a decision to implement an inter-river connection project, will lead Bangladesh to terrible human disaster and environmental catastrophe.⁵⁴ Moreover, the Indian government decided to put up a fence along no-man's land, which will be within 150 yards from the zero line along the border.⁵⁵ The Indian Border Security Force (BSF) is killing and abducting Bangladeshi citizens

⁴⁹ Shab-e-Barat means the night of salvation. This night is called the blessed night and starts at sunset on the 14th and ends at dawn on the 15th. The Muslims observe it as a night of fortune and forgiveness.

⁵⁰ The daily Jugantor, 17/05/2017; www.jugantor.com/second-edition/2017/05/17/125357/

⁵¹ Bangladesh Protidin, 17/05/2017; <http://www.bd-pratidin.com/country-village/2017/05/17/232323>

⁵² The Daily Star, 14/06/2016, <http://www.thedailystar.net/backpage/transit-gets-operational-1239373>

⁵³ The daily Naya Diganta, 29/04/2017; <http://www.dailynayadiganta.com/detail/news/215895>

⁵⁴ UNESCO calls for shelving Rampal project", the daily Prothom Alo, 24/09/2016, <http://en.prothom-alo.com/environment/news/122299/Unesco-calls-for-shelving-Rampal-project>

⁵⁵ The daily Prothom Alo, 05/10/2016; www.prothom-alo.com/international/article/994375/

indiscriminately along the border areas, which is a clear violation of international law and human rights.

49. It is to be mentioned here that before conducting the controversial and farcical January 5, 2015 National election, almost all political parties of Bangladesh decided to boycott it. At that time, the then Indian Foreign Secretary Sujata Singh visited Bangladesh and succeeded to convince Jatiya Party to join the election. Members of the Jatiya Party are now in the government (Ministers of the current government) and at the same time are the opposition in Parliament. It is clear that India had played a major role in destroying democratic system in Bangladesh for keeping Indian political, economic and military supremacy on Bangladesh and gave unconditional support to the controversial election. The next Parliamentary elections will possibly be held in December 2018 as general elections in Bangladesh are held every five years. There are lots of expectations from people that the next election will be held in free, fair and participatory manner, instead of being another controversial election like the one of 5th January 2014. However, the Indian government on May 23, 2017, expressed its willingness to assist Bangladesh for preparing the next Parliamentary elections. On May 23, during a 'view exchange' meeting with the Bangladesh Diplomatic Journalists Association at the National Press Club, the Indian High Commissioner Hashvardhan Shringla said that the election is Bangladesh's internal matter and that India always maintains a distance from internal issues of other countries; however, if Bangladesh wants, India can help to conduct the next election.⁵⁶ India did not maintain a distance during the previous election in 2014.

150 people will die every year if Rampal Coal-based Power Plant is built

50. Rampal coal-based power plant, if constructed, will be the largest source of air pollution in Bangladesh. This was learnt from a research conducted by a coal and air pollution expert Lauri Myllyvirta of the Netherlands based global environmental organisation Greenpeace. The study reveals that the air pollution due to this coal-based power plant will cause the premature deaths of as many as 150 people every year. The study also found that it will also cause some 600 babies to be born underweight every year. It was also known from Lauri Myllyvirta's research that the plant would release high levels of mercury, a potent neurotoxin, that damages children's brains and nervous systems. The mercury pollution could be sufficient to render fish unsafe to eat over an area of approximately 70 square kilometres around the power plant. Additionally, 10 thousand kg of mercury over the life of the plant - 40 years - would end up in either the coal ash pond, which is subject to flooding around the Sundarbans, said Lauri Myllyvirta. As a result, the bio-diversity of the

⁵⁶ The daily Naya Diganta, 24/05/2017; www.dailynayadiganta.com/detail/news/222537

Sundarbans and the Bay of Bangle will be adversely affected, which will harm life and livelihood of the millions of people who depend on this forest.⁵⁷

51. On May 19, 2017, a 21-member committee of UNESCO has finalised the proposal of incorporating Sundarbans in the list of world heritage in danger, as the government has not relocated the Rampal power plant nor has it cancelled the approval of industries/factories around the Sundarbans. This proposal will be opened in the next General Assembly of UNESCO to be held from July 2 – 12, 2017 in Poland. UNESCO said that eight out of 10 recommendations made by them for the protection of the Sundarbans were not implemented. A three-member UNESCO expert team visited the Sundarbans in March 2016, and submitted a report to the government that irreparable damage to the forest would be caused due to this power plant.⁵⁸
52. It is to be mentioned that on July 12, 2016 an agreement of the much debated project of the Rampal Coal-based Power Plant was signed in Dhaka. The agreement was signed by the Managing Director of Bangladesh-India Friendship Power Company Limited (BIFPCL), Ujjal Kanti Bhattacharya; and the General Manager of the construction company Bharat Heavy Electric Limited (BHEL), Prem Pal Yadab. The Prime Minister's Advisor Toufiq Elahi Chowdhury; State Minister for Power, Nasrul Hamid; Principal Secretary of the Prime Minister, Mohammad Abul Kalam Azad; Secretary of the Ministry of Power, Monwar Islam; Indian Secretary for Power, Prodeep Kumar Pujari; and Indian High Commissioner to Bangladesh, Harshbardhan Shringla were present at the signing programme. Environment activists and human rights defenders have been and still are protesting against the construction of Rampal Coal-based Power Plant but their protests are falling on deaf ears.

Agreement signed with Indian multinational company without any tender bids

53. An Indian multinational company 'Reliance Group' signed an agreement with the Bangladesh Government, without any tender bids, to build a liquid natural gas-based power plant of 750 MW at the Meghna Ghat in Narayanganj. On May 24, 2017, at a Cabinet meeting in relation to the National Purchase Committee, this agreement was signed with the Indian multinational company. Due to this agreement, the Indian company will sell per unit electricity to the National Power Development Board of Bangladesh at the rate of 5.80 taka.⁵⁹

⁵⁷ The daily Prothom Alo, 06/05/2017; <http://en.prothom-alo.com/bangladesh/news/147257/Rampal-plant-to-cause-150-premature-deaths-a-yr>

⁵⁸ The daily Prothom Alo, 21/05/2017; www.prothom-alo.com/bangladesh/article/1187366/

⁵⁹ The daily New Age, 25/05/2017 Reliance Group awarded power plant project without tender; <http://www.newagebd.net/article/16283/reliance-group-awarded-power-plant-project-without-tender>

BSF attack by entering Bangladesh and bar river-bank protection work

54. On May 5, 2017 a Bangladeshi citizen named Shahidul Islam and his wife Amena Begum, were cutting grass near 888 no. pillar at Dolapara Jigarhat border under Hatibandha Upazila in Lalmonirhat District. At that time, a BSF patrol team of 34 BSF Battalion of Boro Modhushudan Camp under Shitalkhuchi Police Station in Kochbihar District of India, entered Bangladesh territory and beat them with rifle butts. Hearing this news, local Bangladeshi inhabitants rushed to the spot and BSF members left.⁶⁰
55. Bangladesh Water Development Board initiated work to protect the bank of Dhorola River in Bangladesh, costing 19.2 million taka, in order to prevent river erosion at Moghalhat border in Lalmonirhat. But the Indian BSF stopped this construction work on Bangladesh territory. As a result, Bangladeshi citizens residing near the river bank are living in fear of river erosion. It is to be mentioned that the Indian government had constructed a stone barrage on the bank of Dhorola River at Gitaldah Bharbanda area under Dinhata Police Station in Kochbihar District of India. Due to this, the water flow coming down from the Dhorola River gets obstructed and hits the Bangladesh side. As a result, several constructions including houses, roads and paddy fields near the river under Mogalhat border, have come under erosion every year. Thousands of people have already become homeless. According to local inhabitants, many houses and large stretches of land will fall under river erosion if this embankment is not constructed before the upcoming monsoon.⁶¹

Human rights violations of Bangladeshi citizens by Indian BSF in border areas

56. According to information gathered by Odhikar, in May 2017, three persons were injured by the Indian Border Security Force (BSF). Among them, one was shot and two were tortured by the BSF personnel.

'Extremism' and human rights

57. Bangladesh is experiencing very difficult times. The State is taking away the civil and political rights of the citizens, creating hindrances to freedom of expression and there are repeated violations to the rights to freedom of expression of alternative or dissenting voices. All this has created space for confrontation. Operations carried out in the name of 'countering extremism' have even caused the deaths of women and children.⁶² Furthermore, there are

⁶⁰ Information sent by local human rights defender associated with Odhikar from Lalmonirhat; and the daily Jugantor, 07/05/2017; www.jugantor.com/the-northern-town/2017/05/07/122935/

⁶¹ The daily Naya Diganta, 18/05/2017; <http://www.dailynayadiganta.com/detail/news/220757>

⁶² The daily Prothom Alo, 01/04/2017; www.prothom-alo.com/bangladesh/article/1130046/

reports of people becoming victims of enforced disappearance as well. Meanwhile, alleged 'extremists' are implicated in suicide attacks. Narrations of the operations given by law enforcement agencies against 'religious extremists' are similar in almost all the cases. This resembles the way the law enforcement agencies narrate the death of crime suspects in 'gunfight', 'crossfire' and 'encounter.' As for operations against religious extremism, after the July 2016 attack on Holey Artisan Bakery at Gulshan in Dhaka, at least 80 suspected extremists either died in such law enforcement operations or 'committed suicide' or were arrested. Furthermore, there are reports that some of those who were arrested during such operations later died in the custody of law enforcement agencies. As a result what actually happens in such operations is still unclear.⁶³ Some incidents are as follows:

58. On May 6, 2017 members of law enforcement agencies cordoned a house at Bozrapur Hothatpara suspecting it to be an 'extremists den' in Moheshpur under Jhenaidah District. The local administration issued section 144 of the Code of Criminal Procedure in the area adjacent to 'extremists den' and an operation named 'Shuttle Split' was conducted there. On May 7, 2017 at around 5:00 am, the Counter Terrorism and Transnational Unit and police tried to enter the house. At that time gunshots and bombs exploded from inside the house. A tussle between the Officer-in-Charge of Moheshpur Police Station, Ahmed Kabir and 'extremist' Tuhin continued for 10 minutes and Tuhin died in a suicide vest explosion, as claimed by police. Another 'extremist' was killed during this operation, who could not be identified by the police. After the operation, at around 8:30 pm on May 7, the Deputy Inspector General (DIG) of Police (Khulna Range), Didar Ahmed spoke to journalists. He informed that two 'extremists' were killed and the land lord Zahirul Islam and his son Jasim were arrested. Furthermore, four bombs were recovered from the 'extremists den' and have been defused and two pistols were also recovered from there.⁶⁴
59. On May 10, 2017 at around 2:00 am, police cordoned a house of a cloth merchant Sajjad Ali suspecting it to be an 'extremists den' in Benipur Village of Matikata Union under Godagari Upazila in Rajshahi District. In the morning on May 11, police used a megaphone to urge the 'extremists' to come from the house. As there was no response, at around 7:45 am, members of the Fire Services started to spray water into the house. At that time, 'extremist' Sajjad, his wife Belly Khatun, daughter Karima Khatun, son Al-Amin; and JMB leader Ashraf attacked the fire service people with sharp weapons. As a result, a fireman Matin was seriously injured and died on the way to hospital.

⁶³ The daily New Age, 28/04/2017; <http://www.newagebd.net/article/14532/extremism-tackling-narrative-warrants-transparency>

⁶⁴ Information sent by local human rights defender associated with Odhikar from Jhenaidah.

The Officer-in-Charge of Godagari Police Station Hipzur Alam Munshi informed that ‘extremist’ Sajjad (50), his wife Belly Khatun (45), daughter Karima Khatun (17), son Al-Amin (20); and JMB leader Ashraf died after exploding suicide vests. Later Sajjad’s elder daughter Sumaiya came out of the house and surrendered to the police. At that time police rescued her one and half month baby and five year old son. Police informed that on May 12, at around 9:30 am, they recovered 11 bombs, one pistol, one magazine, two bullets, some religious books and CDs from the house after the operation. At around 1:00 pm on May 12, the Additional DIG of Rajshahi, Nisharul Arif closed the operation ‘son devil’.⁶⁵

60. On May 19, 2017 RAB cordoned a house at Gabtoli Uttarpara in Norshingdi after hearing a news that some ‘extremists’, who escaped from Atia Mahal⁶⁶ in Sylhet, had made a ‘den’ there. However, that night the authenticity of RAB’s claim came into question after the statements of the relatives of the detained persons who had come to the area. Furthermore, the persons inside the house also talked with journalists through cell phones and claimed they were innocent. Their relatives also claimed that they were staying in that house as students and were not ‘extremists’. During the operation, a youth named Abu Zafar gave a status on his facebook from inside the house and appealed to the Prime Minister saying, “Honourable Prime Minister please save us. We are innocent. We are Awami League activists. We are the victims of conspiracy”. On May 21, 2017 RAB rescued five persons from that house and they were taken away by RAB vehicle. The law enforcement agency informed that among the five persons, cases were filed under Anti-Terrorism Act against Salauddin and Abu Zafar; and Basikul Islam, Masudur Rahman and Moshiur were handed over to their families.⁶⁷
61. Odhikar believes that society must mobilise and unite around the principles of inclusion in order to avoid such violent incidents; and that this is possible only when everyone in the country enjoys their rights, and all national institutions function independently for restoring rule of law. An enabling environment must be created that can effectively deal with socially alienated individuals at the community level, with appropriate social and cultural institutions that can harness anger and frustration and convert these emotions in a positive manner, without resorting to violent means. In the past, Odhikar

⁶⁵ The daily Jugantor, 13/05/2017; www.jugantor.com/first-page/2017/05/13/124093/

⁶⁶ The police cordoned off the building called Atia Mahal, in South Surma of Sylhet Metropolitan City at around 2:30 am on March 23, 2017, based on information that suspected extremists were staying on the ground floor. On March 24, a team of SWAT and another team from the Army reached Sylhet from Dhaka. In the morning of March 25, a Para commando team of the Army started ‘Operation Twilight’ and at around 11:00 am, 78 persons, who had been living in the building, were rescued. During that operation, incidents of bomb blast took place twice in the evening on March 25, which resulted in many casualties. After a day-long operation on March 26, a press briefing was organised by the Army in the evening on March 27 where it was stated that four bodies were lying on the ground floor of the building. Among them, three were men and one was a woman. Suicide vests were found on two bodies.

⁶⁷ The daily Jugantor, 22/05/2017; www.jugantor.com/first-page/2017/05/22/126472/

has constantly warned that a regime that denies the human rights of its citizens, gagging freedom of speech, expression and association; and does not cease torture, extra-judicial killings and enforced disappearances and other crimes, will inevitably trigger a counter-reaction.

Bangladeshis leave the country due to human rights violations

62. Many Bangladeshis are seeking asylum in Europe. A report published in the daily Independent stated that during the first three months of the last year, one Bangladeshi citizen was able to reach Italy by crossing the Arabian Sea. However, this year in the same period, more than 2800 Bangladeshis fled to Italy.⁶⁸ They were rescued from boats in the Arabian Sea and told the rescuers that they paid 10 thousand US Dollars to traffickers to go to Libya from Dhaka via Dubai or Turkey. Later, 700 USD more was spent to board the boats to Europe. The most dangerous trafficking route to Italy was from North Africa. About 1100 people have already died due to the cold and due to respiratory problems. Gareth Proise, Senior Research Fellow, Asia Programme of Chatham House, said that poverty is not the only reason for migration; the oppressed Rohingya Muslims community people of Myanmar are also leaving Bangladesh. The opposition party leaders and activists of the country claimed that they are subjected to torture, and many of them want to seek shelter abroad for the sake of their lives.⁶⁹ The Asian Human Rights Commission based in Hong Kong also expressed grave concern in this regard.⁷⁰
63. On May 1, 2015 Thai security guards recovered 32 mass graves of Bangladeshi and Myanmar citizens from a jungle in Sadao District under the Shongkhal Province of Thailand, along the Malaysian border. At the same time, Thai police also found some abandoned camps where migrants were detained by their traffickers. It was learnt that more than 10 thousand poor Bangladeshis and citizens belonging to the Muslim minority Rohingya population of Myanmar, enter Malaysia for work through this notorious human trafficking route.⁷¹

⁶⁸ 'Bangladesh is now the single biggest country of origin for refugees on boats as new route to Europe emerges' /The daily Independent UK, May 5, 2017/ <http://www.independent.co.uk/news/world/europe/refugee-crisis-migrants-bangladesh-libya-italy-numbers-smuggling-dhaka-dubai-turkey-detained-a7713911.html>

⁶⁹ The daily Manabzamin, 07/05/2017; www.mzamin.com/article.php?mzamin=64433&cat=2/

⁷⁰ BANGLADESH/WORLD: Establishing effective governance is way to stop refugee flow out of the country / AHRC, 11 May 2017/ <http://www.ahrchk.org/ruleoflawasia.net/news.php?id=AHRC-PAP-001-2017>

⁷¹ The Bangladesh Pratidin, 03/05/2015 <http://www.bd-pratidin.com/first-page/2015/05/03/78737> and the daily Prothom Alo, 03/05/2015; www.prothom-alo.com/bangladesh/article/518338/



Thai police and forensic officers recovered human skeletons from mass grave in a jungle in Sadao area of South Thailand. Photo: Prothom Alo, 3 May 2015

64. Despite the government claim that the country's economic growth has increased, the divide between the ultra rich and poor has widened greatly. The government is prioritising development over democracy and publicising that huge development has been made. Corruption and plundering of resources have taken a front seat in the name of 'development'. In this regard on May 18, 2017 the Chief Justice Surendra Kumar Sinha, in a meeting at Tangail said that "if 100 taka was allocated for any developmental work, of that, only 40 taka is being spent and 60 taka is stolen. This is the reality. I do not want to say anymore".⁷² The ordinary people are living under extreme uncertainty due to corruption and repression by the leaders-activists of the ruling party. As a result, many are leaving the country in desperation, through traffickers and risking their lives.

Violence against women

65. Incidents of violence against women continue, including Incidents of rape, domestic violence, sexual harassment and acid violence. Women are becoming victims of such violence due to non-implementation of laws, a prevailing culture of impunity and lack of awareness in society. At the same time child marriage remains a menace. The special provision⁷³ of the Child

⁷² The Daily Star, 19/05/2017 Tk 60 out of every Tk 100 stolen in dev project: CJ /#WBwj ÷vi 19 †g 2017/
<http://www.thedailystar.net/city/tk-60-out-every-tk-100-stolen-country-cj-1407475>

⁷³ The special provision in the new Act of 2017 allows underage females (below the age of 18) to be married off under "special contexts" as long as it is conducted with the permission of her parents or guardians in conjunction with a Magistrate. Such a marriage will no longer be considered an offence.

Marriage Restraint Act, 2017 has only encouraged child marriage in Bangladesh.

Rape

66. The heinous crime of rape is alarmingly persistent in society and at presently such crime has become extremely widespread. Victims of rape and their families do not dare to go the police to complain due to a prevailing culture of impunity and lack of justice. Furthermore, a negative social view of rape and its victim, also contribute to the under-reporting of this crime.
67. In May 2017, Odhikar recorded a total number of 77 females who were raped. Among them, 25 were women and 52 were girls. Of the women, 12 were victims of gang rape and two were killed after being raped. Out of the 52 girls, nine were victims of gang rape and four were killed after being raped. Seven women and girls were also victims of attempted rape. Three incidents are as follows:
68. On March 28, 2017 two female students of a private university were raped in a hotel named the Rain Tree Hotel at Banani, Dhaka. On May 4, 2017 the two victims filed a written complaint to Banani Police Station. However, the police did not accept the complaint till 10:00 pm of May 5, as the accused persons were influential. In the meantime, the rapists had threatened the victims that they will spread the videos of the rape on internet if they went to the police. On the night of May 6, a rape case was lodged with Banani Police Station accusing five persons, including Sadnan Shafik, Safat Ahmed and Nayeem Ashraf. Police arrested Shafat Ahmed, Sadnan Shafik and his bodyguard Abul Kalam Azad and driver Billal; and Abdul Harim alias Nayeem Ashraf.⁷⁴



Safat Ahmed



Nayeem Ashraf



Sadnan Shafik

⁷⁴ Bangladesh Protidin, 06/05/2017; <http://www.bd-pratidin.com/city/2017/05/06/229315>, The daily Jugantor, 07/05/2017; www.jugantor.com/first-page/2017/05/07/122755/, and the daily Manabzamin, 16/05/2017; www.mzamin.com/article.php?mzamin=65577&cat=2/



Safat's driver Billal



Safat's bodyguard Abul Kalam Azad

69. On May 5, 2017 at around 11:00 pm, two women were waiting at Kotchandpur Rail Station in Jhenaidah to go to Dhaka to search for work. At that time Kotchandpur Upazila unit Chhatra League President Sheikh Shahin, ward unit Jubo League President Krishan Das and their associates Raju, Sabuj and Azgar raped the two women after taking them to a mango orchard. Police arrested Sheikh Shahin, Krishan Das and Raju.⁷⁵

Dowry-related violence

70. According to information gathered by Odhikar, in May 2017, a total of 22 women were subjected to dowry violence. Of these women, it has been alleged that 11 were killed, 10 were physically abused and one committed suicide due to dowry demands. One example is as follows:
71. A housewife named Rojoni Khatun committed suicide after failing to meet the dowry demands of her husband, in Koira Village under Alamdnaga Upazila in Chuadanga District. Five months ago Rojoni Khatun got married to Singapore migrant Ripon Ali. Rojoni's father Shamsul Alam said that a motorbike, refrigerator and bed were supposed to be given to the bridegroom at the time of marriage, but he could not fulfill the demands due to financial crisis. As a result, Ripon Ali used to beat Rojoni and put mental pressure on her. On May 2, 2017 Rojoni committed suicide after taking poison. Police could not arrest anyone in this regard.⁷⁶ It is to be mentioned here that according to the Dowry Prohibition Act 1980, giving and taking dowry is a punishable crime; and that causing death due to dowry demands is always a punishable offence under the Women and Children Repression Prevention Act 2000 (amended in 2003).

⁷⁵ The daily Jugantor, 11/05/2017; www.jugantor.com/city/2017/05/11/123869/

⁷⁶ The daily Jugantor, 04/05/2017; www.jugantor.com/news/2017/05/04/122084/

Stalking

72. According to information gathered by Odhikar, in May 2017, a total of 14 girls and women were victims of stalking and violence. Of them, one committed suicide as she could not bear the harassment from the stalker, one was injured and 12 were victims of stalking. Three men were injured by the stalkers for protesting such incidents. One incident is as follows:
73. Puja Sarkar, a student of class VIII and her elder sister Shomapti Sarkar of Kodaldhoa Village of Bakal Union under Agoiljhara Upazila in Barisal were being stalked by Poresh Barua, Swapon, Shishir Baroi of Ramshil Village and some other criminals, while on the way to and from school. On May 12, 2017 at night, the drunken men called out to Puja and Shomapti and verbally abused them while sitting on a bridge near their home. At that time, Puja and Shomapti's elder brother Monotosh barred them from coming near his sisters. The criminals beat and injured four persons including Monotosh.⁷⁷

Acid violence

74. According to information gathered by Odhikar, in May 2017, a total of five women became victims of acid violence.
75. On May 6, 2017 Suruj Mia threw acid on his wife Nasrin over a family dispute in Gazipur. As a result, Nasrin became seriously wounded. She was admitted to Regent Hospital at Uttara, Dhaka. Nasrin's elder sister Jyotsna Begum said that her sister's husband Suruj Mia was a drug addict. He married her sister after hiding his first marriage. Suruj often beat Nasrin. At one stage Nasrin started to live with her son in a rented house and work in a factory. This made Suruj angry and he threw acid on Nasrin. Police arrested Suruj Mia.⁷⁸

Hindrance to human rights activities of Odhikar

76. The present government continues to harass Odhikar for being vocal against human rights violations and for campaigning to stop this. The government, after assuming power in 2009, started the harassment on Odhikar for its reports on the human rights situation of the country. On August 10, 2013 at night, 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. Adilur and Odhikar's Director ASM Nasiruddin Elan, were later charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were detained in prison and later, Adilur and Elan were released on bail

⁷⁷ The daily Jugantor, 14/05/2017; www.jugantor.com/bangla-face/2017/05/14/124489/

⁷⁸ The daily Prothom Alo, 11/05/2017; www.prothom-alo.com/bangladesh/article/1176659/

after spending 62 and 25 days in prison respectively. 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.

77. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are harassed and victimised. For instance, in March 2016, a journalist and human rights defender associated with Odhikar, Mohammad Afzal Hossain, was shot and severely wounded by police while he was observing the irregularities of a local government election in Bhola⁷⁹ and in February 2017, another human rights defender associated with Odhikar, journalist Abdul Hakim Shimul, was shot dead by Shahjadpur Municipality Mayor and Awami League leader Halimul Huq Miru.⁸⁰
78. Furthermore, the NGO Affairs Bureau (NGOAB) has, for the last three years, barred the release of all project related funds of Odhikar and withheld renewal of its registration 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 its members and staff and their commitment to human rights activism.

⁷⁹ For details, please see Odhikar's monthly report of March 2016. <http://odhikar.org/human-rights-monitoring-report-march-2016/>

⁸⁰ For details, please see Odhikar's monthly report of February 2017. <http://odhikar.org/human-rights-monitoring-report-february-2017/>

Recommendations

1. An initiative needs to be taken immediately to conduct free, fair and inclusive national elections under a neutral interim government or even under the supervision of the United Nations. The government must take effective legal action in order to stop criminalisation of the ruling party activists.
2. The Government must bring to effective justice, the members of the law enforcement agencies, involved in incidents of extrajudicial killings and torture. The Government must accede to the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013, and the High Court and Appellate Division directives contained in the matter of BLAST and Others Vs. Bangladesh and Others. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to end torture. 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”.
3. The Government has to investigate and explain all incidents of enforced disappearance and post-disappearance killings, allegedly perpetrated by law enforcement agencies. The Government must take effective measures to recover the victims of enforced disappearance and return them to their families. The Government must bring the members of the security and law enforcement agencies who are involved, before the law. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to criminalise enforced disappearance in the national laws. The government must sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly in 2006.
4. The Government must refrain from repressive, undemocratic and unconstitutional activities. Rights to freedoms of assembly and association of the opposition political parties, people who have alternative beliefs and dissenters must be ensured, as per the Constitution and international norms.
5. Freedoms of speech, expression and the media must be ensured and protected. The Government must bring the perpetrators of attacks on human rights defenders and journalists to justice through proper and impartial investigation. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel One must be removed. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed.
6. The ready-made garment factories and other factories need to be brought under synchronized security programmes and adequate wages must be given

to workers; and all factories should be made with adequate infrastructural and other facilities. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions.

7. The construction of the Rampal coal-based power plant must be stopped to prevent ecological and human disaster.
8. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF) and initiatives taken to investigate and make the Indian Government accountable. The victim-families must also be compensated. The Government must also ensure the safety and security of the Bangladeshi citizens residing along the border areas.
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 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 ceased. The government must release the funds of Odhikar to enable it to continue its human rights activities.

Tel: +88-02-9888587

Email: odhikar.bd@gmail.com , odhikar.documentation@gmail.com

Website: www.odhikar.org

Facebook: <https://www.facebook.com/Odhikar.HumanRights>

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.
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.