

# BANGLADESH

## Annual Human Rights Report 2017



**ODHIKAR**  
অধিকার

12 January 2018

**Cover Photo:**

**Left side (from top to bottom):**

1. Police beating up a protester. Photo: Daily Star, 16 March 2017, <http://www.thedailystar.net/city/march-against-gas-price-hike-foiled-1376698>
2. Stamped ballot papers on Awami League electoral symbol 'boat' found in Mandra Govt. Primary School polling centre in Nangolkot, Comilla. Photo: Prothom Alo, 29 December 2017. [www.prothomalo.com/bangladesh/article/1396661/](http://www.prothomalo.com/bangladesh/article/1396661/)

**Right side (from top to bottom):**

3. Police obstructed the protest rally of the students of seven government colleges in front of the national museum at Shahbagh, Dhaka. During this time, police threw tear gas shells at the students. Photo: Prothom Alo, 21 July 2017. [www.prothomalo.com/bangladesh/article/1260011/](http://www.prothomalo.com/bangladesh/article/1260011/)
4. Families of the disappeared in collaboration of Odhikar organised a human chain in front of the National Press Club, Dhaka, in protest of enforced disappearances during the International Week of the Disappeared in May 2017. Photo: Odhikar.

## Foreword

Odhikar was formed in 1994 and it has been diligently working to protect and promote the civil, political, social, economic and cultural rights of the people since its inception. Odhikar, being an organisation of human rights defenders in Bangladesh, has always been consistent in creating mass awareness of human rights by several means, including reporting violations perpetrated by the State and advocacy and campaign to ensure internationally recognised civil and political rights of citizens. We unconditionally stand by the victims of oppression and maintain no prejudice with regard to their political leanings or ideological orientation. Odhikar firmly believes that all victims of human rights violations are in dire need of protection and deserve justice. Thus it advocates for establishing protection and justice for victims of human rights abuses.

Rule of an authoritarian regime has been in operation in the country and as an impact of such governance, human rights violations continued in an endemic form in 2017. Odhikar consistently monitors the human rights situation of Bangladesh and releases a status report every month. The key strengths of Odhikar are the human rights defenders associated with it across the country and human rights organisations around the world. The monthly reports are produced based on Odhikar's own fact finding, information collection and reports sent by associated local human rights defenders across the country; and information and statistics published in different mass media. The annual report of 2017 is the outcome of a compilation and analysis of the monthly human rights situation monitoring reports published every month in 2017.

While working on human rights activities, Odhikar has been facing severe repression and harassment by the government since 2013. The Organisation has released this annual human rights report of 2017, in accordance with international standards by analyzing incidents of human rights abuses, despite the persecution and continuous harassment and threats to its existence. Odhikar is deeply grateful to all the human rights defenders, partners and well-wishers at home and abroad who are supporting us to continue our work and show their solidarity with Odhikar, which strengthens our mission in difficult times.

To see the detailed human rights reports of Odhikar, please visit [www.odhikar.org](http://www.odhikar.org) and facebook: [Odhikar.HumanRights](https://www.facebook.com/Odhikar.HumanRights)

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## Executive Summary

The democratic and human rights situation of 2017 in Bangladesh has been analyzed through this annual report. This report illustrates systematic violations of civil and political rights, including violations of the rights to freedom of expression, a shrinking democratic space and dysfunctional justice delivery system due to politicization in the judiciary; and deprivation of the right to life. If the state is not established on a democratic foundation, its potential political target cannot be achieved. Bangladesh has ratified eight out of nine core international Conventions and Treaties, including the International Covenant on Civil and Political Rights (ICCPR), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UN CAT). It has also ratified the Rome Statute of the International Criminal Court. The human rights situation of Bangladesh in 2017 remained detrimental due to the failure of implementation of the mandatory obligations of these treaties. The Awami League has remained in power since 2009, thus the background of the human rights situation of 2017 is the continuation of the 2009 human rights record. The Grand Alliance, led by Bangladesh Awami League, had promised to establish justice, good governance, transparency and human rights; and put an end to extrajudicial killings, as per its electoral manifesto during the ninth Parliamentary Elections in 2009. After winning the elections, Awami League deviated from its electoral manifesto and began the enactment of various repressive laws; violations of civil and political rights and the crippling of national institutions. As a result the situation of human rights continued to decline. The human rights situation of Bangladesh was reviewed in the first cycle of the Universal Periodic Review of the UN Human Rights Council at Geneva in 2009. The then Foreign Minister of Bangladesh said that the government had 'zero tolerance' regarding extrajudicial killings. However, the zero tolerance policy was not implemented rather extrajudicial killings continued. A new form of human rights violation – enforced disappearance – was noted from 2009. Furthermore, another trend, of shooting in the leg or knee-capping by the security forces, was added to the list of human rights abuses since 2011, of which a large majority of victims were leaders and activists of the opposition political parties. The Caretaker Government system had been removed in 2011, which opened the door for the Awami League to reassume power for a second term through controversial and farcical Parliamentary Elections<sup>1</sup> on January 5, 2014. Through this election, a peculiar Parliament was

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<sup>1</sup> The Caretaker Government system was incorporated in the Constitution through the 13<sup>th</sup> amendment to the Constitution, as a result of people's movement led by the then Opposition Awami League and its alliance between 1994 and 1996 due to the continuation of enmity, mistrust and violence between the two main political parties (BNP and Awami League). Later this system received a huge public support. However, in 2011 the caretaker government system were removed unilaterally by the Awami League government through the 15<sup>th</sup> amendment to the Constitution, without any referendum and ignoring the protests from various sectors; and a provision was made that elections were now to be held under the incumbent government. As a result, the farcical 10<sup>th</sup> Parliamentary elections were held on January 5, 2014 despite the boycotting of this election by a large majority of political parties. The election was not only farcical (for example, 153 MP's were declared

formed where the former autocratic ruler Lt. Gen. Ershad's Jatiya Party had become both the Opposition and a part of the government. As a result the Parliament was formed without an effective opposition and that has created an imbalance in the accountability of the government, which has led to expanding human rights violations.

In 2017, extrajudicial killings in the name of 'crossfire' and enforced disappearances continued. Furthermore, several incidents of torture in remand and deaths in the custody of law enforcement agencies allegedly took place. Many casualties occurred this year due to internal conflicts within the ruling party Awami League and its affiliated organisations. Attacks on opposition political parties (BNP and Jamaat-e-Islami) also manifested<sup>2</sup>. The government had allegedly used the members of law enforcement agencies in such incidents; as a result they are enjoying impunity. On many occasions, the ordinary citizens became victims during political violence. In 2017, the government imposed various repressive laws, targeted at dissenters and also suppressed and harassed the opposition and people belonging to alternative beliefs and ideology, by accusing them of different criminal acts, including sedition and defamation. Accurate and independent news reports were barred from publication due to the government's imposition of restrictive policies and by putting pressure on the media by different ways and means; and in most cases journalists were forced to maintain self censorship while publishing reports. The government controls most of the media; particularly the electronic media, which are mostly owned or controlled by supporters or members of the ruling party and closed down some pro-opposition electronic and print media. Many journalists were attacked by criminals backed by and supporters of the ruling party while performing their duty during this period. In 2017, surveillance and monitoring on social media by the government was wide and the Information and Communication Technology Act 2006 (amended 2009, 2013) and the Special Powers Act 1974 were imposed against people who were critical of the decisions and activities of those in high positions of the government.

The moral and legal foundation of the government has become weak due to the farcical Parliamentary Elections of 2014. Furthermore, aggression and control of the Indian government on Bangladesh was initiated through its support of the controversial 2014 elections<sup>3</sup>, where people's participation was absent. Such aggression and control continued into 2017. Torture and killings of Bangladeshi

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elected uncontested even before the polling commenced), it was a hotbed for election-related crimes such as ballot-box stuffing, capturing of polling stations, intimidation of voters and violence.

<sup>2</sup> For example, on January 30, 2017 leaders and activists of BNP's student wing Chhatra Dal brought out a rally welcoming the newly formed Chhatra Dal committee at MC College in Sylhet. The Awami League affiliated student wing Chhatra League activists attacked the rally in broad daylight with local weapons. As a result the rally was stopped.

<sup>3</sup> [www.dw.com/bn/নির্বাচন-না-হলে-মৌলবাদের-উত্থান-হবে/a-17271479](http://www.dw.com/bn/নির্বাচন-না-হলে-মৌলবাদের-উত্থান-হবে/a-17271479)

citizens along the border areas, by the Indian Border Security Force (BSF) are common. Bangladesh also shares a border with Myanmar. In Myanmar's Rakhine state (previously Arakan) widespread and systematic incidents of extrajudicial killing, enforced disappearance, gang-rape, torture, arson and mass-arrest occurred during violent operations carried out by the Myanmar security forces and local Buddhist extremists, against the Rohingya people. As a result, hundreds of thousands of Rohingya people have fled Myanmar and crossed the border to take refuge in Bangladesh.

The year 2017 was also significant for Bangladesh as the 11<sup>th</sup> Parliamentary Elections will likely be held in December 2018. In 2017 the tenure of the controversial Election Commission headed by Kazi Rakibuddin Ahmed ended and a new Commission led by K. M. Nurul Huda was set up. However, here too there is lack of people's confidence, created due to widespread criminalization and irregularities during the local government polls conducted under this Election Commission. The creation of a level playing field was demanded by the opposition political parties and civil society organisations in order to hold the forthcoming elections in a free, fair and inclusive manner, so that another controversial election like 2014 could not be held. But the government, ignoring such demand, continued to suppress the opposition political parties and harass their leaders-activists through filing cases and arresting them in order to remain in power. The government also barred and stopped meetings and assemblies and peaceful processions of the opposition. Leaders and activists belonging to the opposition parties were forced to flee Bangladesh and take political asylum abroad as a result of threats on life and massive suppression in the political sphere. Acts of 'extremism' expanded in the absence of a democratic atmosphere and various human rights violations took place in the hands of law enforcement agencies in the name of combating such 'extremism'. Meanwhile the government took an initiative and recommended the withdrawal of many significant criminal cases filed against the ruling party activists, by considering them to be 'politically motivated cases'<sup>4</sup>.

The condition of workers was vulnerable in 2017. Incidents of suppression on workers, closing of factories without informing workers, termination without any notice and non-payment of wages, continued during this reporting period. Furthermore, as always, workers in the informal sector, such as construction workers, were exploited in various ways. There have been allegations against the ruling party leaders-activists, about attacking citizens belonging to religious and ethnic minority communities. Acts of discrimination and violence against women

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<sup>4</sup> The daily Prothom Alo, 20/02/2017; [www.prothom-alo.com/bangladesh/article/1084939/](http://www.prothom-alo.com/bangladesh/article/1084939/); see Odhikar's human rights report of February 2017/ [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)



were rampant in 2017. Numerous incidents of rape, dowry related violence, acid throwing, sexual violence and stalking and domestic violence occurred during this year.

Not only has the government not repealed the existing repressive laws such as the Special Powers Act 1974 and the Information and Communication Technology Act 2006 (amended in 2009 & 2013), in 2016 the government drafted several repressive laws, which were not passed in 2017, but remain as a silent threat. If these laws are passed, they will further violate the human rights of the citizens. The Information Ministry drafted a proposed Bill for a 'National Broadcasting Act'<sup>5</sup>, incorporating the provisions of imprisonment and monetary fine. The Government had drafted a Bill for another repressive law, called 'Distortion of the History of Bangladesh Liberation War Crimes Act'<sup>6</sup> and the Press Council finalised the draft of a Bill for a Press Council (amendment) Act, 2016 incorporating provisions for stopping the publication of any newspaper or media for a maximum of three days or five hundred thousand taka fine, if the media and news agencies contravene any decision or Order of the Press Council.<sup>7</sup> On October 5, the National Parliament passed the Foreign Donation (Voluntary Activities) Regulation Act 2016<sup>8</sup>, which is extremely repressive and contrary to international law. As a result of this Act, an environment

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<sup>5</sup> According to the draft, violations of any rules or provisions of this law will result in a sentence of up to three months imprisonment and at least five hundred thousand taka fine or both. If violations of this Act continue the accused person will be fined up to one hundred thousand taka per day. It is also mention in the draft law that if someone broadcasts, violating this law, he will be fined upto 100 million taka. Such fine can be recovered by an administrative order. The Act also states that if anyone is harmed by an administrative order, he/she will not be able to seek legal recourse.

<sup>6</sup> According to the draft, misinterpretation or disrespect to any documents relating to the liberation war disseminated or published during the Liberation War and any publication during that period, will be considered a crime. In the draft law, the period of the liberation war was set from March 1 to December 16, 1971. The second sub-clause of the proposed law says the denial of 'incidents' that occurred between March 1 and March 25, 1971, will be considered as a crime. However, there was no explanation or discussion with regard to what were those incidents. Moreover, the liberation war started from the midnight of March 25, 1971, but the draft law states it was from March 1. There was no such explanation of this as well. This means that the police and complainants will have the freedom to decide what would be an 'incident' and what would be a 'distortion'. According to section 6(1) of the proposed Act, "if anybody was instigated or abetted in or engaged in conspiracy with someone or took any initiative or attempt, that person will be punished as per the law. Anyone will be able to file a case under this Act. Violations of any section of this law will result in a sentence of up to five years imprisonment and ten million taka fine. Furthermore, cases filed under this Act will be investigated and prosecuted in a short and specified period of time.

<sup>7</sup> The daily Jugantor, 03/05/2016; [www.jugantor.com/first-page/2016/05/03/29050/](http://www.jugantor.com/first-page/2016/05/03/29050/)

<sup>8</sup> According to this newly passed law, the government officials will be able to inspect, monitor and evaluate the activities of the voluntary organisations (and NGOs). The persons belonging to the NGOs who individually or collectively receive foreign fund for implementing projects, will come under constant surveillance under this law. According to section 3 of this law, "Notwithstanding anything contained in any other law for the time being in force, an individual who is undertaking or operating any voluntary activity by receiving foreign donation or contribution, approval from the NGO Affairs Bureau must be taken". As per section 10(1), the Bureau under this Act shall have the authority to inspect, monitor and evaluate the voluntary activities of an individual and the NGO and the progress of the NGOs it has approved. Under section 10(2), to serve the purpose of subsection (1), the Bureau shall have the authority to create a monitoring committee and if necessary, appoint a third-party evaluator. It is mentioned in section 14 that if any NGO or individual makes 'inimical' and 'derogatory' remarks on the Constitution and constitutional bodies or conducts any anti state activity or involves in terrorism and financing, patronizing or assisting terrorist activities, it shall be considered an offense under this Act. For committing any offense under section 14, the Bureau may cancel or suspend the registration given to the said NGO or organisation or close down the voluntary activities undertaken or operated by the said NGO in the prescribed manner; and it may take action against the concerned NGO or person for punishment, as per existing laws of the country.

has been created which will strictly regulate organisations, which work on civil and political rights and are vocal against corruption and the undemocratic actions of the government. On November 24, 2016, the Cabinet approved the draft 'Child Marriage Restraint Act, 2016' and it was enacted on February 27, 2017<sup>9</sup>. Although 18 years remains the minimum age of marriage for girls, this law allows the marriage of minor girls (with no minimum age specified) in 'special circumstances' and for 'best interest' with the consent of the Court and parents.<sup>10</sup> In a country that has one of the highest rates of child marriage, there is genuine fear that child marriage will be legitimized on the pretext of 'special circumstances' and for 'best interest' through this provision in the law.

It is to be mentioned that most cases of human rights abuse could not be reported in the media due to hindrances on freedom of expression and media and also due to self-censorship. Meanwhile, victims and their families refrained from making the incidents of violence on them public, due to fear of reprisals. Thus, it is safe to say that the actual number of human rights violations were more than the information published in this report.

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<sup>9</sup> Dhaka Tribune, 27/02/2017; <http://www.dhakatribune.com/bangladesh/law-rights/2017/02/27/child-marriage-bill-passed/>

<sup>10</sup> The daily Prothom Alo, 25/11/2016; [www.prothom-alo.com/bangladesh/article/1027783](http://www.prothom-alo.com/bangladesh/article/1027783)

## Statistics of Human Rights Violations: January - December 2017

Statistics: January-December 2017*															
Type of Human Rights Violation		January	February	March	April	May	June	July	August	September	October	November	December	Total	
Extrajudicial killings	Crossfire	15	17	19	8	8	12	17	9	2	11	11	10	139	
	Shot to death	1	0	0	0	0	0	0	0	0	0	0	0	1	
	Tortured to death	0	0	1	1	1	1	1	1	2	3	1	1	13	
	Beaten to death	0	0	0	1	0	0	0	0	0	0	1	0	2	
	<b>Total</b>	<b>16</b>	<b>17</b>	<b>20</b>	<b>10</b>	<b>9</b>	<b>13</b>	<b>18</b>	<b>10</b>	<b>4</b>	<b>15</b>	<b>12</b>	<b>11</b>	<b>155</b>	
Enforced Disappearances**		6	1	21	2	20	7	3	7	3	7	5	4	86	
Death in Jail		1	5	4	2	4	6	7	4	8	5	8	5	59	
Human rights violations by Indian BSF	Bangladeshis Killed	2	2	0	2	0	4	2	0	3	3	2	5	25	
	Bangladeshis Injured	3	9	3	1	3	5	4	0	0	5	5	1	39	
	Bangladeshis Abducted	5	1	1	4	1	2	9	1	1	2	0	1	28	
	<b>Total</b>	<b>10</b>	<b>12</b>	<b>4</b>	<b>7</b>	<b>4</b>	<b>11</b>	<b>15</b>	<b>1</b>	<b>4</b>	<b>10</b>	<b>7</b>	<b>7</b>	<b>92</b>	
Attack on journalists	Killed	0	1	0	0	0	0	0	0	0	0	0	0	1	
	Injured	2	3	0	2	2	1	2	0	1	3	5	3	24	
	Assaulted	0	1	0	1	0	0	1	0	3	1	0	2	9	
	Threatened	0	4	3	0	0	2	0	1	0	0	1	0	11	
	<b>Total</b>	<b>2</b>	<b>9</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>5</b>	<b>45</b>	
Political violence	Killed	5	7	6	12	11	6	3	4	8	6	2	7	77	
	Injured	217	325	428	595	575	325	308	255	428	352	369	458	4635	
	<b>Total</b>	<b>222</b>	<b>332</b>	<b>434</b>	<b>607</b>	<b>586</b>	<b>331</b>	<b>311</b>	<b>259</b>	<b>436</b>	<b>358</b>	<b>371</b>	<b>465</b>	<b>4712</b>	
Dowry related violence against women		17	14	19	26	22	29	24	18	21	30	22	14	256	
Rape		44	51	69	55	83	79	73	89	78	68	49	45	783	
Sexual harassment /Stalking of women		14	22	35	23	14	19	23	17	16	25	24	10	242	
Acid violence		3	7	4	5	5	6	4	4	7	6	0	1	52	
Public lynching		1	3	8	5	2	2	3	9	5	3	4	2	47	
Situation of workers	Ready-made Garments workers	Killed	0	0	0	0	0	0	13	0	0	0	0	0	13
		Injured	0	20	21	70	15	50	70	17	25	38	23	13	362
		Terminated	1034	1733	43	0	0	0	0	37	0	294	0	0	3141
	Workers in other sectors	Killed	2	2	10	19	3	9	1	6	5	8	3	14	82
		Injured	7	3	15	22	0	0	2	3	3	11	0	14	80
Arrest under Information and Communication Technology Act***		0	3	1	4	1	5	6	2	2	3	3	2	32	

\*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 high officials of the government and their families.

# Main Report

## A. Democracy and Human Rights

1. Human rights do not merely mean an individual's rights and freedoms to be protected; rather human rights are very important segments of democracy and the foundational principles of the State. The democratic crisis has become acute in Bangladesh ever since the controversial and farcical 10<sup>th</sup> Parliamentary Elections, which created severe human rights violations. Such violations increased at a rapid rate and continued in 2017. The people's right to vote was taken away through this nontransparent, controversial and farcical election; and the disorder and criminalisation in the electoral system in Bangladesh has caused the democratic electoral environment to collapse. Various government, constitutional and autonomous institutions have become hugely politicized after the Awami League led Grand Alliance government assumed power. The results have been political insensitivity, intolerance, undemocratic behavior of the state and lack of effective institutions to prevent human rights violations. Despite the Election Commission being a constitutional body, the government does influence it greatly. As a result, the previous Election Commission, led by Kazi Rakibuddin Ahmed, implemented the government's agenda during all local government polls and the 2014 Parliamentary elections. In 2017 the tenure of the Election Commission headed by Kazi Rakibuddin Ahmed ended and a new Commission headed by K M Nurul Huda was set up. Several allegations of electoral fraud and irregularities have been observed in the polls conducted under this new Election Commission. Elections are extremely vital parts of democratization. A repressive regime has been empowered in Bangladesh due to the failure of holding the 2014 National elections in free, fair and participatory manner. This regime, like other repressive regimes before it, is using the state security forces to commit acts of repression, harassment and human rights violations. However, due to the long tenure of the regime, such violations have reached levels that probably go beyond any form of correction or legal control.

### ***Unlawful acts by ruling party activists***

2. Crimes and acts of violence by the ruling Awami League activists persisted during the whole of 2017. Like previous years, the ruling party affiliated organisations, Chhatra League<sup>11</sup> and Jubo League<sup>12</sup> were involved in

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<sup>11</sup> Student wing of the Awami League

<sup>12</sup> Youth wing of the Awami League

violence and attacked leaders and activists of the opposition<sup>13</sup> political parties, women and children and ordinary citizens, members of minority communities and dissenters across the country. They dominated educational institutions and various business institutions and several incidents of extortion, clashes over tender bids, land grabbing, leakage of exam question papers and violence at different places occurred during this period. They were also engaged in many internal conflicts and violence. Most of the criminal activities and violence were linked to vested interest. In many cases they were seen attacking opponents with weapons, which was also publicised in different media<sup>14</sup>. The ruling party leaders-activists enjoy impunity for their crimes due to political influence. The incumbent government also took the initiative to withdraw several criminal cases filed against the ruling party activists, by considering them to be 'politically motivated cases'.

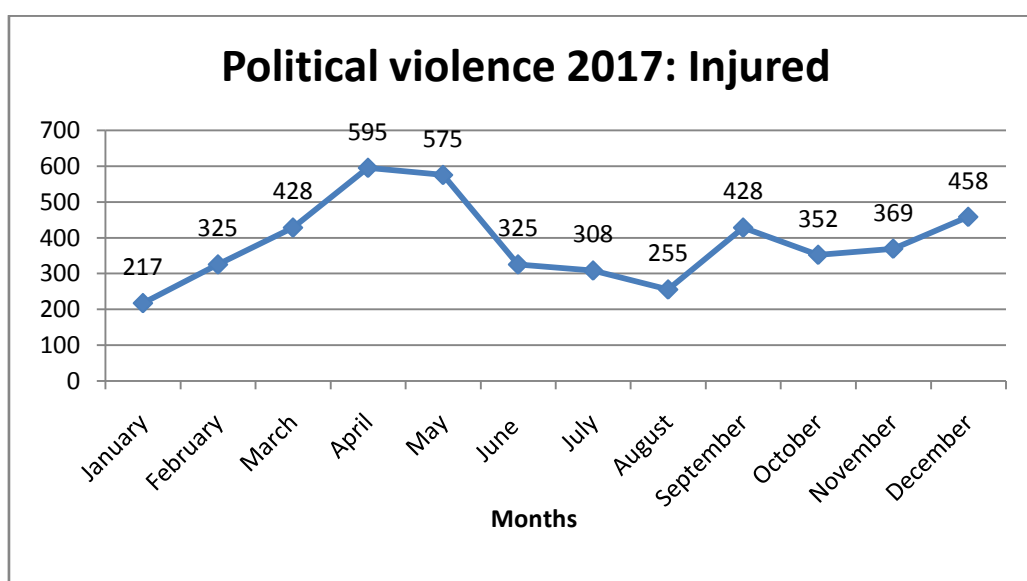
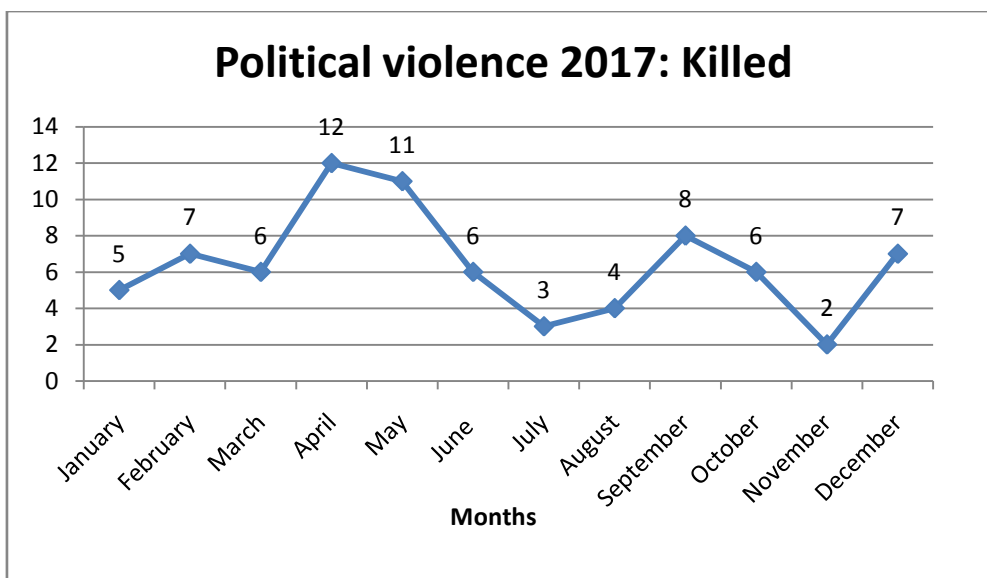


*Chhatra League activists carrying sharp weapons chase away Chhatra Dal activists in Sylhet MC College.  
Photo: Jugantor, 31 January 2017.*

3. In 2017, according to information gathered by Odhikar, 77 persons were killed and 4635 were injured in political violence. 314 incidents of internal violence in the Awami League and 22 in the BNP were also recorded during this period. 66 persons were killed and 3327 were injured in internal conflicts of the Awami League while 225 were injured in conflicts within the BNP.

<sup>13</sup> In this report, the Opposition political parties are meant to be the parties which are out of Parliament.

<sup>14</sup> The Daily Star, 31/01/2017; <http://www.thedailystar.net/city/three-icd-men-injured-bcl-attack-1353547>



### ***Internal conflicts of Awami League and its affiliated organisations***

- The criminal activities and internal conflicts of the ruling party affiliated Chhatra League and Jubo League continued across the country in 2017. A total of 66 persons, including Hossain Khan<sup>15</sup> of Zazira Upazila under Shariatpur District on January 10; Saiful Islam and Sohel Mia<sup>16</sup> of Osmaninagar Upazila under Sylhet District on February 25; Nur Alam and Bahar<sup>17</sup> of Hatia Upazila under Noakhali District on April 16; Masud<sup>18</sup> of

<sup>15</sup> The daily Jugantor, 11/01/2017, <http://www.jugantor.com/first-page/2017/01/11/92220/>; see Odhikar's human rights monitoring report of January 2017, [http://www.odhikar.org/wp-content/uploads/2017/02/HRR\\_January\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/02/HRR_January_2017_English.pdf)

<sup>16</sup> The daily Jugantor, 27/02/2017 [www.jugantor.com/last-page/2017/02/27/104528/](http://www.jugantor.com/last-page/2017/02/27/104528/); see Odhikar's human rights report of February 2017, [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)

<sup>17</sup> The daily Prothom Alo, 17/04/2017; for details, see Odhikar's human rights monitoring report of April 2017, <http://www.odhikar.org/wp-content/uploads/2017/05/human-rights-monitoring-report-April-2017-English.pdf>

Chorkewar Union under Munshiganj District on June 10; Khaled Ahmed Litu<sup>19</sup> of Bianibazar under Sylhet District on July 17; Iqbal Hossain Fakir<sup>20</sup> of Noria Upazila under Shariatpur District on August 11; Joynal Abedin<sup>21</sup> of Alamdanga Upazila under Chuadanga District on September 4; Billal Hossain, Enamul and Sanowar<sup>22</sup> of Jhaudia Union under Kushtia Sadar Upazila on October 5; and on December 3, Hossain Ahmed<sup>23</sup> of Jointapur Upazila under Sylhet, were killed in internal conflict among the Awami League leaders and activists over establishing supremacy in local politics.

Political Violence: 2017									
Month(s)	Due to intra party clash activists/ leader killed			Injuries: Intra party clash			Total Incidents of Intra Party clash		
	AL	BNP	Others*	AL	BNP	Others*	AL	BNP	Others*
January	5	0	0	167	0	0	20	0	0
February	5	0	0	260	0	0	24	0	0
March	6	0	0	384	0	0	38	0	0
April	8	0	0	415	10	0	27	1	0
May	10	0	0	376	123	0	35	8	0
June	6	0	0	201	5	0	21	1	0
July	3	0	0	183	28	10	24	4	1
August	4	0	0	215	13	0	23	2	0
September	8	0	0	299	20	0	25	2	0
October	6	0	0	291	0	0	28	0	0
November	1	0	0	289	15	0	27	2	0
December	4	0	0	247	11	0	22	2	0
<b>Total</b>	<b>66</b>	<b>0</b>	<b>0</b>	<b>3327</b>	<b>225</b>	<b>10</b>	<b>314</b>	<b>22</b>	<b>1</b>

\*Others include Jatiya Party

### ***Activities of Awami League and its affiliated organisations against ordinary people***

5. Reports show that the ruling party leaders and activists were also involved in criminal acts including violence against women, across the country in 2017. In some cases, although perpetrators were arrested and sent to prison,

<sup>18</sup> The daily Naya Dignata, 11/06/2017; <http://www.dailynayadiganta.com/detail/news/227496> and Report sent by local human rights defender associated with Odhikar from Munshiganj

<sup>19</sup> The daily Prothom Alo, 17/07/2017; for details, see Odhikar's human rights monitoring report of April 2017, [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017_Eng.pdf)

<sup>20</sup> The daily Jugantor, 12/08/2017; [www.jugantor.com/first-page/2017/08/12/147385/](http://www.jugantor.com/first-page/2017/08/12/147385/)

<sup>21</sup> The daily Jugantor, 05/09/2017; <https://www.jugantor.com/news/2017/09/05/152910/>

<sup>22</sup> Information received from human rights defender associated with Odhikar from Kushtia

<sup>23</sup> The daily Prothom Alo, 04/12/2017

many of them were later released on bail and began threatening the victims and/or victim-families.

●On March 12, a school girl was picked up by Jubo League leader Khoka Sikder and his three associates and allegedly raped in Kalkini under Madaripur District<sup>24</sup>. ●On April 5, Abdul Majid Sardar, Vice President of Rajshahi District unit Awami League, was incited to attack the Kaliganj High School in Durgapur Upazila, with his men. He dragged the Head Teacher of the school, Mokbul Hossain, out and beat him with sticks and hammers for making a list of the School Management Committee members without informing him<sup>25</sup>. ●On May 4, local Awami League leader Saiful Islam and Jubo League leader Sumon Mia in Gafargaon, Mymensingh, beat and broke the leg of Badrul Huq, Head Teacher of S M Badrul Huq Bidash High School, for taking away cell phones from eight students during examinations for students of class IX and X<sup>26</sup>



School teacher Badrul Huq under treatment in Gafargaon hospital. Photo: Jugantor, 7 May 2017.

●On May 10, Kotchandpur Upazila unit Chhatra League President Sheikh Shahin, ward unit Jubo League President Krishna Das and their associates raped two women who were waiting at Kotchandpur Rail Station in Jhenaidah<sup>27</sup>. ●On July 29, Convener of Bogra Shramik League, Tufan Sarkar kidnapped a female student from her house and raped her<sup>28</sup>. ●On December 6, Chhatra League leaders and their supporters attacked female students at Rajshahi Institute of Health Technology when students were submitting a memorandum to the Principal in protest of

<sup>24</sup> The daily Prothom Alo, 19/03/2017; [www.prothom-alo.com/bangladesh/article/1112749/](http://www.prothom-alo.com/bangladesh/article/1112749/); for details, see Odhikar's human rights monitoring report of March 2017, <http://www.odhikar.org/wp-content/uploads/2017/04/human-rights-monitoring-report-March-2017-Eng.pdf>

<sup>25</sup> The daily Jugantor, 06/04/2017; [www.jugantor.com/last-page/2017/04/06/115413/](http://www.jugantor.com/last-page/2017/04/06/115413/); for details, see Odhikar's human rights monitoring report of April 2017, <http://www.odhikar.org/wp-content/uploads/2017/05/human-rights-monitoring-report-April-2017-English.pdf>

<sup>26</sup> The daily Jugantor, 07/05/2017; [www.jugantor.com/last-page/2017/05/07/122765/](http://www.jugantor.com/last-page/2017/05/07/122765/)

<sup>27</sup> The daily Jugantor, 11/05/2017; [www.jugantor.com/city/2017/05/11/123869/](http://www.jugantor.com/city/2017/05/11/123869/); for details, see Odhikar's human rights monitoring report of May 2017 <http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017-Engl.pdf>

<sup>28</sup> The daily Prothom Alo, 30/07/2017; [www.prothom-alo.com/bangladesh/article/1270381/](http://www.prothom-alo.com/bangladesh/article/1270381/); for details, see Odhikar's human rights monitoring report of July 2017, <http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017-Eng.pdf>



open entrance to the female students' dormitory and against the harassment and verbal abuse by Chhatra League leaders-activists. As a result five female students were injured<sup>29</sup>.



*Chhatra League leaders-activists attack on female students in Rajshahi. Photo: Jugantor, 7, 2017.*

● On December 16, an auto-rickshaw driver, Moti Mia and a businessman Rafiqul Islam were severely burnt when petrol bombs were exploded during an altercation between Achintopur Union Parishad Chairman and Union unit Awami League General Secretary Shahidul Islam and Swechchasebak League leader Abdul Quddus of Gouripur in Mymensingh. 12 others were injured during this incident<sup>30</sup>.



*Auto-rickshaw driver Moti Mia and a businessman Rafiqul Islam burnt petrol bombs explosion in Mymensingh. Photo: Jugantor, 17 December 2017.*

<sup>29</sup> Information sent by local human rights defender associated with Odhikar from Rajshahi.

<sup>30</sup> The daily Jugantor, 17/12/2017; <https://www.jugantor.com/second-edition/2017/12/17/180299/>

## ***Arrest and suppression of opposition leaders and hindrance to freedom of assembly***

6. In 2017, the government, using law enforcement agencies and its party activists, attacked and stopped many meetings and assemblies conducted by different political parties, including the BNP and other organisations. Such hindrance and attacks are clear violations of Article 37<sup>31</sup> of the Constitution of the People's Republic of Bangladesh and Article 21<sup>32</sup> of the International Covenant on Civil and Political Rights.
7. During this period, members of the law enforcement agencies completed information collection of the opposition political parties in Dhaka and across the country. Many homes and workplaces belonging to members of the opposition parties were searched and their workplaces also monitored. On May 20, police raided the political party office of the BNP Chairperson at Gulshan, Dhaka; and on November 30, police searched the office of the Communist Party of Bangladesh and arrested its leaders and activists and allegedly tortured them<sup>33</sup>. The police arrested leaders-activists of the opposition parties under allegations of vandalism and filed cases against them when they participated in informal gatherings or attend any meeting. The relatives of the opposition party leaders-activists alleged that once arrested by police they were shown as arrested under multiple charges or cases<sup>34</sup>.
8. The incumbent government made permission from the police mandatory before holding any public meeting, rally or even for indoor meetings – violating Article 37 of the Constitution of Bangladesh. Several meetings and assemblies of the opposition parties were attacked and stopped by law enforcement agencies and the ruling party leaders-activists during this period. Many of them were also charged under criminal cases for harassment.

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<sup>31</sup> The right to freedom of assembly and the holding of peaceful meetings and processions are the democratic and political rights of every citizen.

<sup>32</sup> The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

<sup>33</sup> The daily Prothom Alo, 01/12/2017

<sup>34</sup> The daily Naya Diganta, 11/10/2017; <http://www.dailynayadiganta.com/detail/news/258984>

- On January 5, at least 50 BNP leaders and activists including BNP leader Kamrunnahar Rosy were injured when Chhatra League, Jubo League and police attacked a rally organized by BNP on the occasion of 'Death of Democracy Day'<sup>35</sup> near the Aushwini Kumer Hall in Barisal town<sup>36</sup>.



*Chhatra League and Jubo League activists attacked BNP leader Kamrunnahar Rosy during a political programme of BNP in Barisal. Photo: Jugantor, 6 January 2017.*

- On January 26, police attacked hartal supporters during a hartal called by the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port for implementation of its seven-point demands, including cancelation of all destructive agreements relating to the coal-based power plant in Rampal, near the largest mangrove forest, the Sundarbans. Two journalists and over a hundred hartal supporters were injured during the attack by police<sup>37</sup>.



*Police beat up an activist of the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port during the hartal at Shahbagh in Dhaka. Photo: Prothom Alo, 27 January 2017.*

<sup>35</sup> The highly controversial and fraudulent parliamentary elections, boycotted by BNP and its alliance, were held on 5 January 2014. Every year the BNP observe this day as 'Death of Democracy Day'.

<sup>36</sup> The daily Jugantor, 06/01/2017, [www.jugantor.com/first-page/2017/01/06/90832/](http://www.jugantor.com/first-page/2017/01/06/90832/)

<sup>37</sup> The daily Prothom Alo, 27/01/2017, [www.prothom-alo.com/bangladesh/article/1068233/](http://www.prothom-alo.com/bangladesh/article/1068233/); see Odhikar's human rights monitoring report of January 2017, [http://www.odhikar.org/wp-content/uploads/2017/02/HRR\\_January\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/02/HRR_January_2017_English.pdf)

- On February 25, a seminar titled ‘Killings at Border: Obligation of the State’ organised by People’s Movement for Democracy at the Spectra Convention Centre in Gulshan, Dhaka was stopped by police<sup>38</sup>.



Police stopped a seminar titled ‘Killings at Border: Obligation of the State’ organised by People’s Movement for Democracy at the Spectra Convention Centre in Gulshan, Dhaka. Photo: New Age, 26 February 2017.

- On February 28, during a hartal<sup>39</sup> in protest against gas price hikes, the leaders and activists of Progotishil Chhatra Jote<sup>40</sup> blocked the road at Shahbagh in Dhaka. Police baton charged the protesters and threw tear gas shells at them<sup>41</sup>.



Leaders and activists of various left-leaning organisations assembled at Shahbagh area during hartal. Police attacked and arrested several hartal supporters. Photo: Prothom Alo, 1 March 2017.

- On April 7, a remembrance meeting in memory of late leaders Infar Ali, Mojammel Haque and Mohammad Nasir of ‘Sammobadi Dal’<sup>42</sup> at Charghat Central Shahid Minar in Rajshahi was stopped by the ruling party activists. They also filed a case against four leaders of the Jatiya Mukti

<sup>38</sup> Information gathered by Odhikar, 28/02/2017. The Organisation had been invited to the meeting. For details, see Odhikar’s human rights monitoring report of February 2017, [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)

<sup>39</sup> Hartal: general strike

<sup>40</sup> Progressive Students Alliance

<sup>41</sup> For details, see Odhikar’s human rights monitoring report of February 2017/ [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)

<sup>42</sup> A left-wing political party.

Council<sup>43</sup> including its Secretary Dr. Faizul Hakim<sup>44</sup>. • On April 24, a tribute to victims of the Rana Plaza<sup>45</sup> building collapse, by the relatives of the victims and trade unions, was stopped due to police attacks<sup>46</sup>.



Police barred the programme organised by Garment Workers Trade Union Centre in memory of the victims of Rana Plaza collapse. Photo: Prothom Alo, 25 April 2017.

• On May 13, a conference organised by Satkhira District BNP at the Shilpokala Academy auditorium was stopped by police and Jubo League activists<sup>47</sup>. • On July 13, an informal discussion meeting of the leaders of different political parties at the house of Jatiya Somajtantrik Dal (JSD) President ASM Abdur Rab at Uttara, Dhaka<sup>48</sup> was stopped by police. • On July 20, police attacked and baton charged and threw tear gas shells at the students of seven government colleges under Dhaka University, gathered in front of the Shahbagh intersection with a list of demands<sup>49</sup>, where one of the students, Siddiqur Rahman was hit in the face with a tear gas shell and became blind.

<sup>43</sup> A left-leaning political alliance.

<sup>44</sup> For details, see Odhikar's human rights monitoring report of April 2017, <http://www.odhikar.org/wp-content/uploads/2017/05/human-rights-monitoring-report-April-2017-English.pdf>

<sup>45</sup> Rana Plaza building was collapsed on April 2013 which caused deaths of 1134 and approximately 2500 persons injured. <http://odhikar.org/broken-dreams-a-report-on-the-rana-plaza-collapse-2/>

<sup>46</sup> The daily Prothom Alo, 25/04/2017; [www.prothom-alo.com/bangladesh/article/1156811/](http://www.prothom-alo.com/bangladesh/article/1156811/); for details, see Odhikar's human rights monitoring report of April 2017, <http://www.odhikar.org/wp-content/uploads/2017/05/human-rights-monitoring-report-April-2017-English.pdf>

<sup>47</sup> The Jugantor, 14/05/2017; [http://ejugantor.com/2017/05/14/3/details/3\\_r6\\_c4.jpg](http://ejugantor.com/2017/05/14/3/details/3_r6_c4.jpg); for details, see Odhikar's human rights monitoring report of May 2017 [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>48</sup> The daily Prothom Alo, 14/07/2017; <http://www.prothom-alo.com/bangladesh/article/1251316/>; for details, see Odhikar's human rights monitoring report of July 2017, [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017_Eng.pdf)

<sup>49</sup> The daily Jugantor, 21/07/2017; [www.jugantor.com/first-page/2017/07/21/141515/](http://www.jugantor.com/first-page/2017/07/21/141515/); for details, see Odhikar's human rights monitoring report of July 2017, [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017_Eng.pdf)



Police threw tear gas shells at the students during protest. Injured Siddiqur Rahman at the hospital. Photo: Prothom Alo, 21 July 2017. Photo: Prothom Alo, 23 July 2017

• On October 28, the motorcade of BNP Chairperson Khaleda Zia were attacked by leaders and activist of the ruling party in Dhaka-Chittagong highway, while she was on way to Cox's Bazar to visit Rohingya refugee camps and distribute aid<sup>50</sup>. • On November 11, local Jubo League activists stopped a remembrance meeting organised by Oikka NAP<sup>51</sup> in Choddogram Upazila under Comilla District<sup>52</sup>. • On December 10, a human chain organised by Dania University College at Dhaka in protest of taking addition fee for application forms, was stopped by Chhatra League and police<sup>53</sup>. • On December 16, a rally on the occasion of the Victory Day<sup>54</sup> organised by BNP in Darshana under Damurhuda Upazila in Chuadanga, was stopped due to attacks by Chhatra League, Jubo League activists and police<sup>55</sup>.

## B. Constitutional and state institutions

### *Independence of the Judiciary*

9. Reported allegations show that political influence and interference on the Judiciary increased after the Awami League assumed power through elections conducted under the military backed caretaker government in 2008, which turned into a serious matter after the controversial elections of January 2014. In 2017 tensions between the Supreme Court and the government on various issues continued. On July 3, the Appellate Division upheld the verdict of the High Court Division declaring the 16<sup>th</sup> Amendment<sup>56</sup> illegal; and in his judgement, the then Chief Justice Surendra Kumar Sinha, made observations and opinions about past and present politics in the country, the contents of which infuriated the ruling Awami League. Furthermore, disputes between the government and former Chief Justice Sinha arose over the Judicial Service Rules for the lower court judges.

<sup>50</sup> The daily Prothom Alo and Jugantor, 29/10/2017 and <https://www.jugantor.com/first-page/2017/10/29/167192/>

<sup>51</sup> National Awami Party.

<sup>52</sup> The daily Prothom Alo, 12/11/2017

<sup>53</sup> The daily Naya Diganta, 11/12/2017; <http://www.enayadiganta.com/news.php?nid=372681>

<sup>54</sup> 16<sup>th</sup> December is the victory day of Bangladesh. In 1971, on that day Bangladesh won the liberation war and got independence from Pakistan.

<sup>55</sup> The daily Naya Diganta, 17/12/2017; <http://www.dailynayadiganta.com/detail/news/277137>

<sup>56</sup> The Sixteenth Amendment Bill was passed by the Parliament on September 17, 2014. As a result of this amendment, the power to impeach and remove the Judges of the Supreme Court has been given to the Parliament from the Supreme Judicial Council.

Surendra Kumar Sinha wanted to bring Article 116 of the Constitution of 1972 back into the present Constitution. Article 116 of the 1972 Constitution stated that transfer of Judges and Magistrates, selection of workplace, leave and disciplinary matters of the subordinate courts would be laid before the Supreme Court. The government submitted a draft Service Rules for the subordinate courts, to the Supreme Court, but former Chief Justice Sinha sent this draft back to the government with his objections<sup>57</sup>. On March 14, while hearing this matter, the Appellate Division of the Supreme Court commented that the Judiciary is being made reliant<sup>58</sup>. Due to such reasons, the government became annoyed with the Chief Justice, which allegedly put in motion events that forced him to resign. This is the first time in Bangladesh history that a Chief Justice had resigned. The government published a gazette notification of this Judicial Service (Disciplinary) Rules for lower court Judges and Magistrates after the resignation of Chief Justice S K Sinha, on December 11, through the Ministry of Law, Justice and Parliamentary Affairs. It is mentioned in the Service Rules that disciplinary and related matters of the lower court Judges/officials will be controlled by the 'concerned authority', meaning the Ministry or Department responsible for service administration, authorised by the President or Rules of Business prepared in accordance with Article 55(6) of the Constitution.<sup>59</sup> The government has thus prepared such Judicial Service (Disciplinary) Rules by keeping control of the lower judiciary in its hand.

### ***Election Commission, electoral system and local government***

10. After the tenure of the controversial Election Commission headed by Kazi Rakibuddin Ahmed<sup>60</sup> ended in February 2017, the President of Bangladesh appointed a new Election Commission through a search committee comprising of five members, headed by K M Nurul Huda as Chief Election Commissioner. However, a crisis of confidence has been created among the people due to activities carried out by the new Commission, as the local elections held under it have repeated the shortcomings of its predecessor.

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<sup>57</sup> The daily Prothom Alo, 12/12/2017; [www.prothom-alo.com/bangladesh/article/1385432/](http://www.prothom-alo.com/bangladesh/article/1385432/)

<sup>58</sup> The Daily Naya Diganta, 15/13/2017; <http://www.dailynayadiganta.com/detail/news/203746>

<sup>59</sup> <http://lawjusticediv.portal.gov.bd/site/notices/b7dcbccc-b80f-432d-8fd6-0ebce2942ce9/bd-Judicial-Service-Disciplinary-Rules-2017>

<sup>60</sup> After the 10<sup>th</sup> Parliamentary elections conducted under the Election Commission, headed by Kazi Rakibuddin Ahmed, all the local government polls, including Upazila Elections in 2014 and Dhaka North, Dhaka South and Chittagong City Corporation elections in 2015, were marked with widespread vote rigging; 'capturing' of polling stations and stuffing of ballot boxes; intimidation, casting of fake votes and other forms of violence. The whole electoral process became farcical. Under this Commission, Municipality Elections in 2015 and Union Parishad Elections in 2016 were held for the first time in Bangladesh history, with a political party symbol. Before this, all local government polls were contested by non-partisan and independent candidates. All these polls were marred with irregularities, capturing polling centres, casting fake votes and sporadic violence. Furthermore, all by-elections held under this EC were also marked with massive irregularities.

Various irregularities were observed during local government polls conducted under it. There were allegations that junior officers had been positioned in senior posts during a reshuffle at the field level. Many officials were transferred to better places through political influence and recommendations.<sup>61</sup> Furthermore, in 2017 the nation-wide voters' list update programme of the Election Commission came into question as it had become controversial. A large number of young men and women, who turned 18 years of age, had been deprived from being voters<sup>62</sup>. The Election Commission declared an election roadmap, centering around the 11<sup>th</sup> Parliamentary elections in 2018. Inclusive elections with the participation of all political parties was not clearly laid down in this roadmap. The Election Commission did not even clarify how it would create a level playing field for all. Leaders and activists of the (out of the Parliament) opposition parties are suppressed by law enforcement agencies under the current political scenario. They are also deprived of holding peaceful meetings and assemblies which are attacked by both police and ruling party activists. Regarding such oppression, the Election Commission did not take any preventive measures while conducting local level polls.

11. Elections in 14 Upazila Parishads (including a by-election) and in four Municipalities were held on March 6, 2017<sup>63</sup>; Comilla City Corporation Elections were held on March 30; elections in 160 Union Parishads (UP) (including by-elections) and voting in Karnophuli Upazila Parishad election in Chittagong (which was suspended) were held on April 16<sup>64</sup>; Bianibazar Municipality election, voting in two polling centres of Meherpur and Comilla Municipalities respectively, and elections in 14 Union Parishads under Banshkhali Upazila in Chittagong on April 25; elections in 12 Union Parishads in the country were held on September 24; Rangpur City Corporation polls were held on 21 December; and polls in 37 Union Parishads, six Municipalities and 83 by-elections and re-elections at different levels were held on December 28 under the current Election Commission. In most of the polling centres at these elections, apart from a few exceptions, there were allegations of casting fake votes, 'capturing' polling centres, stuffing ballot boxes and forcefully ousting polling agents of rival

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<sup>61</sup> The Bangladesh Protidin, 17/07/2017; <http://www.bd-pratidin.com/last-page/2017/07/17/248243> ; for details, see Odhikar's human rights monitoring report of July 2017, [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-july-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-july-2017_Eng.pdf)

<sup>62</sup> The daily Jugantor, 10/08/2017/ [www.jugantor.com/first-page/2017/08/10/146815/](http://www.jugantor.com/first-page/2017/08/10/146815/)

<sup>63</sup> For detailed report, please see Odhikar's human rights monitoring report of March 2017; [www.http://odhikar.org/human-rights-monitoring-report-march-2017/](http://odhikar.org/human-rights-monitoring-report-march-2017/)

<sup>64</sup> For detailed report, please see Odhikar's human rights monitoring report of April 2017. [www.http://odhikar.org/human-rights-monitoring-report-april-2017/](http://odhikar.org/human-rights-monitoring-report-april-2017/)



candidates. Moreover, a number of polls were boycotted by the opposition political parties due to such acts.

•On March 30, during the Comilla City Corporation elections, about 10-15 supporters of the Awami League nominated candidate, wearing the badge of electoral symbol 'boat', were guarding Ishak Government Primary School polling centre of ward number 10, after locking the collapsible gate. When some journalists and voters tried to enter the polling centre, members of the law enforcement agencies stopped them. At that time, 20-25 supporters of Awami League nominated candidate, in each polling booth, snatched the ballot papers from polling officers and stamped the symbol 'boat' on the papers after forcibly ousting polling agents of other candidates<sup>65</sup>.



Supporters of Awami League openly stamping on ballot papers in Chouara Islamia Fazil Madrassa polling centre during Comilla City Corporation Elections. Photo: Prothom Alo, 31 March 2017.

•On April 25, voting was postponed due to the snatching away of ballot boxes and ballot papers by the supporters of Awami League late on the night before the polls, from Meherpur Government High School polling center of ward seven of Meherpur Municipality. •On April 25, while voting commenced at Bianibazaar Municipality in Sylhet, supporters of Abdus Shukur attacked Koshba Model Primary School polling center and captured it. They took the ballot papers out and started stamping on the electoral symbol 'boat' after apprehending the Presiding Officer. At that time, the Officer-in-Charge of Koshba Police Station, Chandan Kumar with other policemen were silent spectators at the polling center<sup>66</sup>. •On April 25 at around 11:00 am, an altercation took place between Awami League nominated candidate Ibn Amin and Awami League rebel candidate Joynal Abedin, in Purba Kathariya Union under Banskhali Upazila in Chittagong. Three persons, including a child named Sharmin Akhtar (10), were shot and injured<sup>67</sup>.

<sup>65</sup> The daily Manabzamin, 31/03/2017; [www.mzamin.com/article.php?mzamin=59589&cat=3/](http://www.mzamin.com/article.php?mzamin=59589&cat=3/); for details, please see Odhikar's human rights monitoring report of March 2017. [www.http://odhikar.org/human-rights-monitoring-report-march-2017/](http://odhikar.org/human-rights-monitoring-report-march-2017/)

<sup>66</sup> The daily Jugantor, 26/04/2017; [www.jugantor.com/last-page/2017/04/26/120253/](http://www.jugantor.com/last-page/2017/04/26/120253/); for details, please see Odhikar's human rights monitoring report of April 2017. [www.http://odhikar.org/human-rights-monitoring-report-april-2017/](http://odhikar.org/human-rights-monitoring-report-april-2017/)

<sup>67</sup> Ibid



*Sharmin Akhtar(10) was shot and injured during electoral violence in Banskhali. Photo: Jugantor, 26 April 2017.*

•At 11:00 am on September 24, during elections at Jirtoli Union Parishad under Begumganj Upazila in Noakhali District, supporters of the ruling Awami League were casting fake votes in the polling centres after ousting polling agents of the candidates nominated by the opposition party<sup>68</sup>. •On December 28, BNP nominated Chairman candidates boycotted elections in 17 Union Parishads over allegations of casting fake votes, stamping ballots in public, pre-stamped ballots given to voters, intimidation of voters and ousting polling agents from various polling centres<sup>69</sup>. •BNP nominated candidate Mohammad Mainuddin, Jamaat-e-Islami nominated candidate Saifullah and Islami Shasantantra nominated candidate Nasiruddin could not cast their votes due to deterrence by supporters of the Awami League in Chatitola Government Primary School polling centre of Adra Union Parishad under Nangolcoat Upazila in Comilla District<sup>70</sup>.



*Polling officers giving pre-stamped ballots to voters in Moramoidan Primary School polling centre in Nangolkot, Comilla (left). Photo: Prothom Alo, 29 December 2017. Pre-stamped (on Awami League symbol 'boat') ballots in Chotitola High School polling centre in Nagolkot, Comilla. Photo: Jugantor, 29 December 2017.*

•During Bakshiganj Municipality election in Jamalpur District, on December 28, supporters of Awami League nominated Chairman candidate forcibly entered the Malirchor Hazipara Government Primary School polling centre and snatched the ballot papers away. An altercation took place due to this and voting was suspended<sup>71</sup>.

<sup>68</sup> The daily Jugantor, 25/09/2017; <https://www.iugantor.com/news/2017/09/25/158451/>

<sup>69</sup> The daily Prothom Alo, 29/12/2017

<sup>70</sup> The daily Naya Diganta, 29/12/2017; <http://www.dailynayadiganta.com/detail/news/280442>

<sup>71</sup> The daily Jugantor, 29/12/2017; [www.mzamin.com/article.php?mzamin=98196&cat=2/](http://www.mzamin.com/article.php?mzamin=98196&cat=2/)

12. Instead of strengthening the local government, the incumbent government took the local government system to almost destruction point, through the sacking of elected public representatives and the practice of capturing polling centres and other illegal acts during the polls. Acts of suspending public representatives continued in 2017. Public opinion had been totally ignored here, not just by taking away the right to vote, but also by making an example by sacking elected representatives. The local government division has sacked 381 elected public representatives in the last three and a half years<sup>72</sup>. They were temporarily suspended for being accused in different criminal cases. The Mayors of Gazipur, Sylhet, Rajshahi and Khulna City Corporation were on the list of suspension. Among them, Sylhet and Rajshahi Mayors were sacked for the second time. Most of the sacked public representatives are involved in the politics of BNP and Jamaat political parties<sup>73</sup>.

### ***Anti Corruption Commission***

13. The Anti Corruption Commission (ACC) was established under the Anti Corruption Commission Act, 2004, in order to prevent corruption in the country. According to Section 3(2) of the Anti Corruption Commission Act, 2004 (amended 2016)<sup>74</sup>, this Commission shall be independent and impartial. The ACC is unable to function as an independent institution due to pressure from the ruling party, which has been reflected in several of its activities over the years. The ACC had initiated investigations into acts of corruption by the former Ministers of the incumbent government, Members of Parliament, influential politicians and bureaucrats under cases filed during the military-backed caretaker government in 2007-2008. However, most of those graft suspects have been given a 'clean chit' by the ACC. The ACC has given impunity to them by keeping those cases on record (closing the matter) without public knowledge<sup>75</sup>.

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<sup>72</sup> The daily Manabzamin, 07/04/2017; [www.mzamin.com/article.php?mzamin=60531&cat=2/](http://www.mzamin.com/article.php?mzamin=60531&cat=2/); for details, please see Odhikar's human rights monitoring report of April 2017. [www.http://odhikar.org/human-rights-monitoring-report-april-2017/](http://odhikar.org/human-rights-monitoring-report-april-2017/)

<sup>73</sup> The daily Manabzamin, 07/04/2017; [www.mzamin.com/article.php?mzamin=60531&cat=2/](http://www.mzamin.com/article.php?mzamin=60531&cat=2/); for details, please see Odhikar's human rights monitoring report of April 2017. [www.http://odhikar.org/human-rights-monitoring-report-april-2017/](http://odhikar.org/human-rights-monitoring-report-april-2017/)

<sup>74</sup> The National Parliament on June 6, 2016 passed the Anti-Corruption Commission (Amendment) Bill, 2016 aiming to making the ACC more strong, accountable and effective. <http://www.abnews24.com/english/2016/06/09/1222>

<sup>75</sup> The Anti Corruption Commission relieved some senior Awami League leaders and people associated with the ruling party of graft charges in 2013. Among them former parliamentarian HBM Iqbal and former Chief Whip and Awami League leader Abul Hasnat Abdullah were acquitted by this Commission. In June 2013, the ACC relieved former Minister Mohiuddin Khan Alamgir of an allegation of corruption. Furthermore, many government officers were acquitted from the graft charges. The ACC also acquitted the ruling party MP from Cox's Bazaar-4, Saimum Sarowar and his wife Syeda Selina Akhter, the Awami League MP from Narayanganj-4, Shamim Osman from charges. Between January and August 2014, about 1,600 politicians, backed by the ruling party Awami League, and high-level government officers were given clean chits. Among them, the ACC had given clean chits to the Deputy Leader of the Parliament, Sajeda Chowdhury; former Health Affairs Adviser to the Prime Minister Syed Modasser Ali; the Disaster Management and Relief Minister Mofazzal Hossain Chowdhury Maya; the Health Minister, Mohammad Nasim; and former Ambassador of Bangladesh to the Philippines, Mazeda Rafiqun Nesa.

14. After the Awami League government reassumed power in 2014, several reports have been published on irregularities and corruption in banks. Among them, corruption of several billion Taka occurred in BASIC Bank and the ACC after investigating the matter, filed 56 cases against BASIC Bank officers and businessmen<sup>76</sup>. But the ACC did not investigation or file any case against the Chairman of the Managing Committee of the bank, Sheikh Abdul Hye Bachchu, possibly due to his strong ties to the high command of the ruling party. On July 26, 2017 after a directive from the High Court Division of the Supreme Court, the ACC initiated an investigation against Bachchu<sup>77</sup>. Furthermore, the ACC did not take any action, despite allegations, against various banks, including Farmers Bank owned by the then Home Minister Mohiuddin Khan Alamgir between 2012 and 2013. In the meanwhile, the ACC continues legal proceedings in the cases filed against top leaders of the BNP. In June 2017, the ACC filed a case with Ramna Police Station against the Managing Director of Amar Desh Publications, Firoza Mahmud, for allegations of acquiring property outside of her declared income.<sup>78</sup> In protest of this, on June 12, Firoza Mahmud's husband, Acting Editor of the daily Amar Desh, Mahmudur Rahman, organised a press conference at the Dhaka Reporters' Unity and accused the ACC of harassment.<sup>79</sup>
15. In 2017, corruption in Bangladesh took a dangerous turn and its deep impact on the country, can be understood from a recent statement given by the Education Minister Dr. Nurul Islam Nahid. On December 24, the Education Minister at a meeting held in Education Bhaban, said that bribes were not only taken by government officers, but that Ministers were also corrupt. He said, Ministers were thieves so he was too. He even urged the government employees to be tolerant while taking bribes.<sup>80</sup> Furthermore, there were allegations that ACC officials demanded bribes from those accused of corruption, threatening to file cases, investigate and press charges against them. Most of the victims did not dare to complain to the ACC, but made allegations to intelligence agencies<sup>81</sup>. On July 18, 2017 in Barisal, the ACC Chairman Iqbal Mahmud said that he has

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<sup>76</sup> The Prothom Alo, 24/09/2015; [www.prothomalo.com/bangladesh/article/639943/](http://www.prothomalo.com/bangladesh/article/639943/)

<sup>77</sup> The daily Jugantor, 30/07/2017; <https://www.jugantor.com/news-archive/first-page/2017/07/30/143941/>

<sup>78</sup> The daily Jugantor, 12/06/2017; [www.jugantor.com/second-edition/2017/06/12/132088/](http://www.jugantor.com/second-edition/2017/06/12/132088/); for details, see Odhikar's half-yearly HR report 2017, [http://www.odhikar.org/wp-content/uploads/2017/07/HRR\\_Six-month-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/07/HRR_Six-month-2017_Engl.pdf)

<sup>79</sup> Mahmudur Rahman who has been persecuted by the present government since 2013, claimed that the ACC has been sent after his wife in order to destroy his entire family. He stated that his wife bought the property based on the undertaking of the real estate agent and at a price determined by RAJUK. If a buyer purchases any product from a shop based on the price determined by a government institution, for this matter, there is no legal basis to file any case against the buyer only. He claimed that this case was filed only to harass his family. The daily Prothom Alo, 13/06/2017; [www.prothom-alo.com/bangladesh/article/1215096/](http://www.prothom-alo.com/bangladesh/article/1215096/); for details, see Odhikar's half-yearly HR report 2017, [http://www.odhikar.org/wp-content/uploads/2017/07/HRR\\_Six-month-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/07/HRR_Six-month-2017_Engl.pdf)

<sup>80</sup> The daily Manabzamin, 25/12/2017; [www.mzamin.com/article.php?mzamin=97674&cat=2/](http://www.mzamin.com/article.php?mzamin=97674&cat=2/)

<sup>81</sup> The daily Ittefaq, 23/06/2014; <http://archive.ittefaq.com.bd/index.php?ref=MjBfMDZfMjNfMTRfMjV8yXzFfMTQwMDAw>

received complaints against officials of the ACC regarding bribes<sup>82</sup>.

## C. State Repression and Culture of Impunity

16. Due to state repression and impunity, enforced disappearances, extrajudicial killings and torture in custody by law enforcement agencies, and deaths in jail continued in 2017. Acts of enforced disappearance have become prominent since 2009 and in 2017, important or well-known persons suddenly became traceless or 'missing'. As a result, it was unclear whether such persons were victims of enforced disappearance or victims of abduction. Those who returned or surfaced alive were vague when describing the event. Moreover, inhuman and degrading treatment and lack of accountability of law enforcement agencies were also observed during this period. On March 28, the United Nations Human Rights Committee was critical of the Bangladesh government during its concluding observations on the ICCPR<sup>83</sup> review on Bangladesh. The Committee expressed concern at the reported high rate of enforced disappearances, extra-judicial killings and the excessive use of force by State security forces<sup>84</sup>.

### *Extrajudicial killings*

17. Law enforcement agencies term such incidents as deaths in 'gunfight' or 'crossfire; and in most cases they enjoy impunity, despite allegations from victim-families to the contrary. It is to be mentioned that the word 'crossfire' is used by law enforcement agencies when they carry out an operation with the detained person (victim) in the name of 'arms recovery' and where it is claimed that associates of the arrested person opened fire at the law enforcers; and members of law enforcement agencies, shot back in self defense and the arrested person was killed. In some cases law enforcers claim that incidents of gunfight or crossfire happened in a specific area, but local people there say no such incident occurred. Extrajudicial killing is a blatant example of the violation of right to life and right to personal liberty, which violate Article 32<sup>85</sup> of the Bangladesh Constitution and Article 6<sup>86</sup> of the ICCPR.

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<sup>82</sup> The daily Prothom Alo, 19/07/2017;

<sup>83</sup> Bangladesh acceded to the International Covenant on Civil and Political Rights in 2000.

<sup>84</sup> [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fBGD%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fBGD%2fCO%2f1&Lang=en)

<sup>85</sup> Article 32: No person shall be deprived of life or personal liberty save in accordance with law.

<sup>86</sup> Article 6: Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

18. According information gathered by Odhikar, 155 persons were reportedly killed extra-judicially in 2017.

<b>Information of alleged killing by law enforcement agencies from January-December 2017</b>						
<b>Month (s)</b>	<b>RAB</b>	<b>Police</b>	<b>BGB</b>	<b>DB Police</b>	<b>Army</b>	<b>Total</b>
January	4	12	-	-	-	<b>16</b>
February	1	15	-	-	1	<b>17</b>
March	1	19	-	-	-	<b>20</b>
April	1	8	-	-	1	<b>10</b>
May	2	7	-	-	-	<b>9</b>
June	2	11	-	-	-	<b>13</b>
July	7	11	-	-	-	<b>18</b>
August	2	8	-	-	-	<b>10</b>
September	1	3	-	-	-	<b>4</b>
October	4	10	1	-	-	<b>15</b>
November	7	5	-	-	-	<b>12</b>
December	1	8	-	2	-	<b>11</b>
<b>Total</b>	<b>33</b>	<b>117</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>155</b>

#### **Crossfire/encounter/gunfight:**

19. Among the 155 persons extra judicially killed, 139 were killed in 'crossfire/encounters/gun fights'. Of them, 104 were killed by the police, 32 by the RAB, two by the DB police and one killed by the Army.

#### **Tortured to death:**

20. In 2017, 13 persons were allegedly tortured to death. Among them 10 were killed by the police, one by the RAB, one by Army and one by BGB<sup>87</sup>.

#### **Shot to death:**

21. Among the deceased, one person was allegedly shot and killed by police during this period while in a protest rally.

#### **Beaten to death:**

22. Among the deceased, two persons were beaten to death by police.

#### **The identity of the deceased:**

23. Of the 155 persons who were killed extra-judicially, two were leaders of BNP, one was an activist of student wing of Jamaat-e-Islami, one was General Secretary of Naniarchar unit Pahari Chhatra Parishad, one was a member of Parbatya Chattagram Jana Sanghati Samiti (PCJSS), one was a member of New Biplobi Communist Party (Mrinal Bahini), one was a

<sup>87</sup> BGB – Border Guard Bangladesh.

member of Purba Banglar Communist Party, two were member of Purba Banglar Communist Party (Red Flag), one was a member of Purba Banglar Communist Party (ML Janajuddho), one was a member of Sarbahara Party, five were alleged members of Jama'atul Mojahidin Bangladesh (JMB), one was a member of Harkat-ul-Jihad-al-Islami (Huji), one was a cattle trader, one was a villager, two were businessmen, one was a carpenter, one was a farmer, one was a driver, one was a Government employee, three were persons accused in different criminal cases; one was a convicted criminal and 119 were alleged criminals. The identities of seven persons were not reported.

*During this reporting period, a total of 139 persons, including Sabuj Malitha alias Saddam, Ramesh Karmokar, Kamruzzaman Kanon and Shohagh Islam<sup>88</sup> of Meherpur District on March 13; Rokibul Hassan Bappi and Lalon Molla<sup>89</sup> of Rajbari District on May 12; Ashraf Uddin Dhol<sup>90</sup> of Mymensingh District on May 24; Alamgir<sup>91</sup> of Lalbagh, Dhaka on June 9; Jalaluddin Bodu<sup>92</sup> of Akhaura Upazila under Brahmanbaria District on August 4; Shahin Ali<sup>93</sup> of Kumarkhali Upazila under Kushtia District on October 13; and on December 31 Yunus Mia<sup>94</sup> of Chunarughat under Habiganj District, were killed in alleged 'gunfight' between members of law enforcement agencies.*



*Bodies of Saddam, Romesh, Kanon and Shohagh, who were killed in 'gunfight' in Meherpur. Photo: Naya Diganta, 15 March 2017.*

<sup>88</sup> The daily Prothom Alo, 15/03/2017; [www.prothom-alo.com/bangladesh/article/1108435/](http://www.prothom-alo.com/bangladesh/article/1108435/); for details, please see Odhikar's human rights monitoring report of March 2017. <http://odhikar.org/human-rights-monitoring-report-march-2017/>

<sup>89</sup> The daily Prothom Alo, 14/05/2017; for details, see Odhikar's human rights monitoring report of May 2017 [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>90</sup> The Daily Star, 25/05/2017; <http://www.thedailystar.net/backpage/robber-killed-gunfight-1410547>; for details, see Odhikar's human rights monitoring report of May 2017 [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>91</sup> The daily Prothom Alo, 20/07/2017; [www.prothom-alo.com/bangladesh/article/1258376/](http://www.prothom-alo.com/bangladesh/article/1258376/); for details, see Odhikar's human rights monitoring report of July 2017, [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017_Eng.pdf)

<sup>92</sup> The daily Prothom Alo, 06/08/2017; [www.prothom-alo.com/bangladesh/article/1278476/](http://www.prothom-alo.com/bangladesh/article/1278476/)

<sup>93</sup> Information sent by local human right defender associated with Odhikar from Kushtia.

<sup>94</sup> The Daily Star, 21/01/2018; <http://www.thedailystar.net/backpage/3-killed-gunfights-1513585>



*The four children are crying next to the corpse of their father, Yunus Mia (inset), who was picked up and eventually killed extra-judicially by police. Photo:*

<https://twitter.com/Wahiduzzaman21/status/948240387344236544>, 2 January 2018.

### ***Torture, inhuman treatment and lack of accountability of law enforcement agencies***

24. Like previous years, allegations of acts of harassment, extortion, taking bribes, torture and killings, perpetrated by the members of law enforcement agencies have been reported in 2017. Though the actual number of such allegations are probably much more than the documented cases, as most of the survivors and victim-families do not speak of the incident in public due to fear of reprisals and further harassment. Apart from leaders-activists of the opposition political parties, many ordinary citizens also became victims of such brutality. A Torture and Custodial Death (Prevention) Act 2013 was passed in Parliament on October 24, 2013 after a prolonged campaign. Despite this, there is no change in the actual situation and a section of law enforcement agencies continue such practice. On November 10, 2016 the Appellate Division of the Supreme Court issued a 19-point guideline<sup>95</sup> to judicial and law-enforcement officials regarding arrests without warrant and the procedure of remand. Like the 2013 law, such guideline is not implemented either.

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<sup>95</sup> Shamim Reza Rubel, a student of Independent University of Bangladesh was arrested under section 54 of the Code of Criminal Procedure (Cr.PC) on July 23, 1998 and he died at the Detective Branch of Police office the day after his arrest. Bangladesh Legal Aid and Services Trust (BLAST) challenged sections 54 and 167 of the Cr.PC and filed a writ petition to the High Court Division of the Supreme Court regarding this incident. In 2003, the High Court Division declared that parts of sections 54 and 167 of the Cr.PC were contrary to some Articles of the Constitution. The High Court Division ordered the amendment of the existing rules of arresting someone and interrogating him in custody under section 54 of Cr.PC, within six months. The Appellate Division of the Supreme Court dismissed the prosecution's appeal against the judgment and afterwards on November 10, 2016 the Court gave a 19-point instruction guideline.



• On January 19, RAB members arrested an expatriate from Spain, Shamim Sikdar and took him to RAB camp where he was beaten<sup>96</sup>. • On April 6, a 'Laguna' (a small public vehicle) driver named Shariful Islam was dragged out from the vehicle and beaten by the Officer-in-Charge of Kanchpur Highway Police, Sheikh Shariful Alam. After that the OC took him to Kanchpur Police Outpost and tied his hands and legs. Shariful Islam was detained there for five hours and tortured several times. Later, police put him under narcotics case into<sup>97</sup>.



*Laguna driver Shariful Islam, who was tortured by police, Photo: Jugantor, 8 April 2017.*

• 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<sup>98</sup>.



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

• On July 18, the Khalishpur police arrested Shahjalal from the street near Boalkhali of Khulna city and detained in a cell of the Khalishpur Police Station. The police demanded one hundred and fifty thousand Taka from his family. Because they failed to pay the police, police gouged out

<sup>96</sup> The daily Prothom Alo, 21/01/2017, [www.prothom-alo.com/bangladesh/article/1064007/](http://www.prothom-alo.com/bangladesh/article/1064007/)

<sup>97</sup> The daily Jugantor, 08/04/2017; [http://ejugantor.com/2017/04/08/16/details/16\\_r2\\_c5.jpg](http://ejugantor.com/2017/04/08/index.php/http://ejugantor.com/2017/04/08/16/details/16_r2_c5.jpg)

<sup>98</sup> The daily Naya Dignata, 10/05/2017; <http://www.dailynayadiganta.com/detail/news/218917>

both his eyes with a screwdriver, making Shahjalal blind<sup>99</sup>. • Allegations arose against the police, of torturing a student of class X, Pritom Bhoumik (15) at Narshingdi Police Station; and forcibly extracting a confession from him saying he was involved in the murder of his mother Dipti Bhoumik<sup>100</sup>. • On October 24, a team of the Detective Branch (DB) of Police of Cox's Bazaar picked up a businessman named Abdul Gafur, resident of Teknaf. The DB police demanded five million taka bribe from his family. Later the Army recovered the 17 hundred thousand taka given by Abdul Gafur's family as ransom. The Army arrested two Sub Inspectors Abul Kalam Azad and Alauddin, three Assistant Sub Inspectors and two Constables and handed them to the police<sup>101</sup>.



The Army detained six members of the Detective Branch of Cox's Bazaar police. They used this microbus for kidnapping a trader and demanding ransom for his release. Photo: The Daily Star. 26 October 2017.

25. In 2017 incidents of tortured to death in the custody of the law enforcement agencies, took place during remand. During this period, many arrested persons were tortured in the police station for a confessional statement by the police. Torture in remand is not only a criminal offence but also a grave violation of human rights.
26. In 2017, 12 people, including Nurul Amin<sup>102</sup> of Feni District on March 24; Romel Chakma<sup>103</sup> of Rangamati District on April 20; Nazrul Islam Babu<sup>104</sup> of Sylhet District on May 19; Mahfuzur Rahman<sup>105</sup> of Nachol Upazila under Chapainababganj District on July 26; Monjur Alam<sup>106</sup>, a former member of Malka Union Parishad under Sirajdikhan Upazila in Munshiganj District on

<sup>99</sup> Information sent by local human rights defender associated with Odhikar from Khulna; ; for details, see Odhikar's human rights monitoring report of July 2017, [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017_Eng.pdf)

<sup>100</sup> The daily Jugantor, 13/08/2017 / [www.jugantor.com/last-page/2017/08/13/147642/](http://www.jugantor.com/last-page/2017/08/13/147642/)

<sup>101</sup> The daily Manabzamin, 26/10/2017; [www.mzamin.com/article.php?mzamin=89197&cat=2/](http://www.mzamin.com/article.php?mzamin=89197&cat=2/)

<sup>102</sup> The daily Dhaka Tribune, 26/03/2017; <http://www.dhakatribune.com/bangladesh/nation/2017/03/26/pentagenarian-dies-feni-police-custody/>

<sup>103</sup> The daily New Age, 24/04/2017; <http://www.newagebd.net/article/14139/death-of-romel-chakma-unacceptable>

<sup>104</sup> The daily New Age, 21/05/2017; <http://www.newagebd.net/article/15988/2-cops-suspended-over-death-of-govt-employee-in-police-custody>

<sup>105</sup> The daily Jugantor, 29/07/2017; [www.jugantor.com/news/2017/07/29/143676/](http://www.jugantor.com/news/2017/07/29/143676/); ; for details, see Odhikar's human rights monitoring report of July 2017, [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017_Eng.pdf)

<sup>106</sup> The daily Jugantor, 08/08/2017; [www.jugantor.com/last-page/2017/08/08/146253/](http://www.jugantor.com/last-page/2017/08/08/146253/)

July 29; Mazharul Islam<sup>107</sup> of Manda Upazila under Naogaon District on September 9; Saidur Rahman<sup>108</sup> of Kolaroa Upazila under Satkhira District on September 16; Biswa Chandra Dey<sup>109</sup> of Nolitabari Upazila under Sherpur District on October 1; Majom Ali<sup>110</sup> of Boda Upazila under Panchgarh District on October 6; Saidur Rahman<sup>111</sup> of Kalai Upazila under Joypurhat District on October 9; Rasel<sup>112</sup> of Kaunia under Rangpur District on October 29; and Sirajul Islam<sup>113</sup> of Barisal Metropolitan City on December 10, were tortured to death while in the custody of law enforcement agencies.

### ***Enforced disappearances***

27. Enforced disappearance<sup>114</sup> is a grave violation of Articles 9<sup>115</sup> and 16<sup>116</sup> of the International Covenant on Civil and Political Rights and Articles 31<sup>117</sup>, 32<sup>118</sup> and 33<sup>119</sup> of the Constitution of the People’s Republic of Bangladesh. This is a tool of state repression used by governments to suppress political opponents. The commission of enforced disappearances continued in 2017. The families of the disappeared and witnesses claimed that members of law enforcement agencies, or men claiming to be from such agencies, arrested and took away the victims and since then they have disappeared and the authorities have denied taking them. Statements of many witnesses in this regard show that members of law enforcement agencies are involved in disappearance. In some cases, although law enforcement agencies deny the arrest; but days or months later, the arrested persons are produced before

<sup>107</sup> The daily Prothom Alo, 10/09/2017 / [www.prothom-alo.com/bangladesh/article/1317686/](http://www.prothom-alo.com/bangladesh/article/1317686/)

<sup>108</sup> The daily Naya Dignata, 17/09/2017; <http://www.dailynayadiganta.com/detail/news/252353/>; The daily Jugantor, 23/09/2017; <https://www.jugantor.com/news/2017/09/23/157742/>

<sup>109</sup> The daily Manabzamin, 03/10/2017; [www.mzamin.com/article.php?mzamin=85613&cat=9/](http://www.mzamin.com/article.php?mzamin=85613&cat=9/)

<sup>110</sup> The daily Manabzamin, 08/10/2017; [www.mzamin.com/article.php?mzamin=86440&cat=9/](http://www.mzamin.com/article.php?mzamin=86440&cat=9/)

<sup>111</sup> The daily Prothom Alo, 10/10/2017; for details, see Odhikar’s human rights monitoring report of October 2017, [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017_Eng.pdf)

<sup>112</sup> The daily Naya Dignata, 30/10/2017; <http://www.enayadiganta.com/news.php?nid=363471>

<sup>113</sup> The daily Naya Dignata, 11/12/2017; <http://www.dailynayadiganta.com/detail/news/275609>

<sup>114</sup> The definition of enforced disappearance is given in the article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance. It is stated that, “For the purposes of this Convention, “enforced disappearance” is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”

<sup>115</sup> Article 9: Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

<sup>116</sup> Article 16: Everyone shall have the right to recognition everywhere as a person before the law.

<sup>117</sup> Article 31: To enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

<sup>118</sup> Article 32: No person shall be deprived of life or personal liberty save in accordance with law.

<sup>119</sup> Article 33 (1): No person who is arrested shall be detained in custody without being informed, as soon as may be of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.

(Continued.....)

the public by the police or law enforcement; or handed over to a police station and appear in Court, or the bodies of the disappeared persons are found. Furthermore, many victim-families are being regularly harassed and threatened by ruling party activists and law enforcement agencies. The 'high-ups' of the government have been repeatedly denying that incidents of enforced disappearance occur and claiming that the victims are voluntarily in hiding. Although denials of such incidents are made by the government and security forces, it has been proved in different inquiry reports and statements by members of law enforcement agencies, that enforced disappearances existed in Bangladesh and systematically continue to occur.

• A Senior Judicial Magistrate of Satkhira, Habibullah Mahmud, submitted an inquiry report to the High Court Division of the Supreme Court on July 4, that found the involvement of three higher police officials in the arrest of homeopathic physician Sheikh Mokhlesur Rahman Jony and his subsequent disappearance<sup>120</sup>.

28. Due to the huge campaign against enforced disappearance in Bangladesh, a new trend has emerged since August 2017, where people are suddenly becoming traceless. During this period, people, including a university teacher, a politician, a former ambassador, a businessman, a journalist and students mysteriously went 'missing'. Most of them have returned and some of them were showed as arrested. Some victims, after their return, gave statements to the media. Their accounts all sound very similar. Even their detention experience was almost the same<sup>121</sup>. During this period, persons who returned after abduction have also commented that their abductors were well-organised and they have the infrastructural facility to disappear people. Some members of law enforcement agencies are allegedly involved in these incidents<sup>122</sup>.

29. Such assumptions became stronger when a high-ranking police officer spoke directly on this matter. On December 14, the Deputy Commissioner of Dhaka Metropolitan Police, Biplob Kumar Sarkar said, at a meeting with

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<sup>120</sup> Mokhlesur Rahman Jony's wife Jasmine Nahar Reshma filed a writ petition before the High Court on March 2, 2017. In the petition, she 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, the family members of Jony, provided food to him 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. 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 Mokhlesur Rahman Jony.

<sup>121</sup> The daily Prothom Alo, 23/12/2017; <http://en.prothomalo.com/opinion/news/168406/Mobashar-Utpal-return-but-what-of-the-abductors>

<sup>122</sup> The daily Prothom Alo, 23/12/2017

intern doctors at Shuhrawardi Medical College Hospital, Dhaka that they (the police) pick up people but cannot admit to doing so due to strategic reasons. He also mentioned the incident of the taking away of an intern doctor Shamim Khan<sup>123</sup> of this hospital. Shamim Khan was picked up on January 1, 2016 and was found unconscious after 30 hours<sup>124</sup>.

30. On September 18, the Bangkok based regional human rights organisation, the Asian Forum for Human Rights and Development (FORUM-ASIA) and Geneva based international organisation, the World Organisation against Torture (OMCT) delivered a joint oral statement to the 36<sup>th</sup> Regular Session of the UN Human Rights Council (HRC), which stated that incidents of enforced disappearance in Bangladesh are increasing. Most of the disappeared persons are affiliated with opposition political parties and dissenters. The next Parliamentary election in Bangladesh is supposed to be held in 2018. A matter of concern is the possibility of rising numbers of enforced disappearances during the pre-election period<sup>125</sup>.
31. The families of the disappeared face numerous challenges, particularly dealing with property and bank transactions, in the absence of the victim. As a result they are facing various financial problems. Furthermore, the families of the disappeared are barred by the government when they attempt to organise protests.

• On June 7, members of law enforcement agencies barred a rally organised by the Hill Women's Federation in Khagrachhori in commemoration of 21 years of the disappearance of its leader Kalpana Chakma and police arrested 21 persons<sup>126</sup>. • Surfaced victim of disappearance, poet and columnist Farhad Mazhar, at press conference organised on December 9, stated that on July 3, some plainclothes men picked him up when he had gone out of his house at Shyamoli to buy medicine. He stated that the men tried to take him to the other side of the Bangladesh border. Later RAB rescued him. He said, at that time a group of plainclothes men tried to snatch him away from RAB by pointing guns at RAB members and as a result an altercation took place between the two groups. At the press conference Farhad Mazhar's wife Farida Akhter also said that they have a right to security as citizens of the country but they are now facing criminal charges instead while seeking this right<sup>127</sup>. On December 28, the Detective Branch of Police filed a case against Farhad Mazhar and his wife Farida Akhter for the allegations of giving false information to the police and for harassment under section 211 and 109 of the Penal Code<sup>128</sup>. On December 31, Dhaka Metropolitan Magistrate Subrata Ghosh summoned

<sup>123</sup> Dr. Shamim Khan was picked up by law enforcement agency on the allegation of sheltering two accused who were involved in bomb blast in a mosque at a naval outpost in Chittagong.

<sup>124</sup> The daily Prothom Alo, 17/12/2017; [www.prothom-alo.com/opinion/article/1388741/](http://www.prothom-alo.com/opinion/article/1388741/)

<sup>125</sup> <https://www.forum-asia.org/?p=24796>

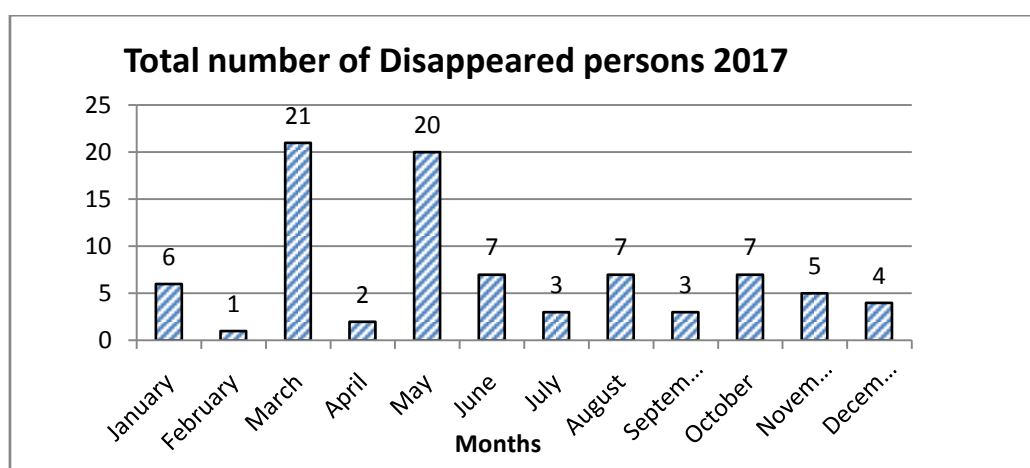
<sup>126</sup> The daily Prothom Alo, 08/06/2017 <http://www.prothom-alo.com/bangladesh/article/1209546/>; for details, see Odhikar's half-yearly HR report 2017, [http://www.odhikar.org/wp-content/uploads/2017/07/HRR\\_Six-month-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/07/HRR_Six-month-2017_Engl.pdf)

<sup>127</sup> Chintaa.com, 09/12/2017; <http://chintaa.com/index.php/blog/showAerticle/349>

<sup>128</sup> The daily Naya Diganta, 29/12/2017; <http://www.dailynavadiganta.com/detail/news/280348>

*Farhad Mazhar and Farida Akhter to appear before the court on January 30, 2018<sup>129</sup>. • M Maroof Zaman, a former Bangladeshi ambassador to Qatar and Vietnam, and a retired Army officer remains traceless since December 4. According to his elder daughter Shabnam Zaman, Maroof Zaman went 'missing' when he was driving to the airport to pick up his younger daughter Samiha Zaman. Later in the evening, three tall, well-dressed men entered his home and searched the entire house and took away his laptop, CPU, camera and a cell phone. A General Diary was filed with the Dhanmondi Police Station by his family members on December 5. His whereabouts remained unknown<sup>130</sup>.*

32. According to information gathered by Odhikar, in 2017, 86 persons have been disappeared after being picked up allegedly by men claiming to be members of law enforcement agencies. Among them, nine were found dead and 45 were later produced before the Court and 16 were released or surfaced alive. The whereabouts of 16 persons are still unknown.



33. Among the persons who were picked up by men claiming to be members of law enforcement agencies and still disappeared since January 2017, are- Mohammad Hassan of Dhaka (disappeared since 7 January)<sup>131</sup>; Shafiqul Islam Modhu of Rangpur (disappeared since 13 January)<sup>132</sup>; Imrul Hossain, Ibrahim Gazi, Rezaul Islam and Alam Khan of Jhenaidah (disappeared since 22 March); SM Shafiqur Rahman and his two brothers-in-law, Mohammad Hasan Tareque and Moazzem Hossain Sathi of Chittagong (disappeared since 24 March)<sup>133</sup>; Abdul Kuddus of Rajshahi (disappeared since 27 March)<sup>134</sup>; Emon Hossain of Jhenaidah (disappeared since 6 May); Mohammad Siddiqur Rahman Nahid of Narsingdi (disappeared since 9

<sup>129</sup> The daily Prothom Alo, 01/01/2018; <http://en.prothomalo.com/bangladesh/news/168769/Court-summons-Farhad-Mazhar-wife>

<sup>130</sup> Information gathered by Odhikar.

<sup>131</sup> The daily Prothom Alo, 20/02/17; [www.prothom-alo.com/bangladesh/article/1085045/](http://www.prothom-alo.com/bangladesh/article/1085045/); see Odhikar's human rights monitoring report of February 2017, [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)

<sup>132</sup> The daily Manabzamin, 08/02/2017 [www.mzamin.com/article.php?mzamin=52528&cat=9/](http://www.mzamin.com/article.php?mzamin=52528&cat=9/)

<sup>133</sup> The bd-pratidin, 31/03/17; <http://www.bd-pratidin.com/last-page/2017/03/31/219234>

<sup>134</sup> Report sent by local human rights defender associated with Odhikar from Rajshahi.

June)<sup>135</sup>; Mohammad Sohel Khan of Bagerhat (disappeared since 17 July)<sup>136</sup>; Abdul Farooq Rashid of Rajshahi (disappeared since 18 July)<sup>137</sup>; and Rabiul Islam Robi of Jhenaidah (disappeared since 25 October)<sup>138</sup>.

34. Among the disappeared victims, the bodies of Mohammad Hanif Mridha of Narayanganj<sup>139</sup>; Nurul Alam Nuru of Chittagong<sup>140</sup>; Rafiqul Islam of Kushtia<sup>141</sup>; Moidul Islam alias Rana and Alimuddin of Jessore<sup>142</sup>; Mohammad Arzullah of Chuadanga<sup>143</sup>; Mohammad Alam of Noakhali<sup>144</sup>; and Saddam of Dhaka and Alamin of Tongi<sup>145</sup>, were later recovered.



*Blindfolded and hands tied body of Chhatra Dal leader Nurul Alam Nuru found beside the Karnophuli river bank. Photo: Naya Diganta, 31 March 2017.*



*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.*

<sup>135</sup> The daily Jugantor, 11/06/2017, [www.jugantor.com/bangla-face/2017/06/11/131768/](http://www.jugantor.com/bangla-face/2017/06/11/131768/)

<sup>136</sup> The daily Manabzamin, 20/07/2017; [www.mzamin.com/article.php?mzamin=74822&cat=9/](http://www.mzamin.com/article.php?mzamin=74822&cat=9/)

<sup>137</sup> The bd-pratidin, 23/07/17; <http://www.bd-pratidin.com/news/2017/07/23/249934>

<sup>138</sup> The daily Jugantor, 10.11.2017; <https://www.jugantor.com/city/2017/11/10/170545/>

<sup>139</sup> The daily Prothom Alo, 21/03/2017; [www.prothom-alo.com/bangladesh/article/1115032/](http://www.prothom-alo.com/bangladesh/article/1115032/)

<sup>140</sup> The daily Manabzamin, 31/03/2017; [www.mzamin.com/article.php?mzamin=59615&cat=2/](http://www.mzamin.com/article.php?mzamin=59615&cat=2/)

<sup>141</sup> The daily Prothom Alo, 30/03/2017; [www.prothom-alo.com/bangladesh/article/1127041/](http://www.prothom-alo.com/bangladesh/article/1127041/)

<sup>142</sup> The daily Prothom Alo, 01/06/2017

<sup>143</sup> The daily Prothom Alo, 01/06/2017

<sup>144</sup> Information sent by human rights defender associated with Odhikar from Noakhali; the daily Prothom Alo, 25/08/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-08-25/6>

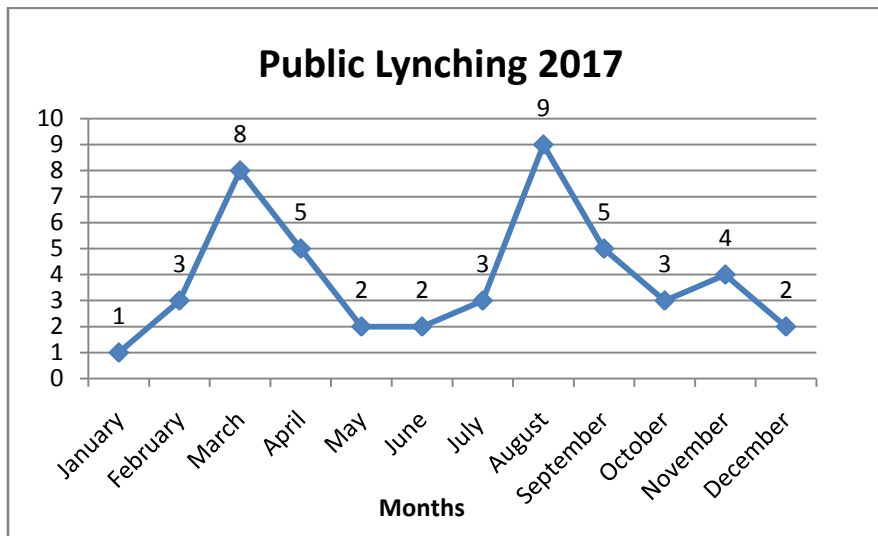
<sup>145</sup> Banani Murder: Two suspects shot dead; The Daily Star, 09/12/2017; <http://www.thedailystar.net/frontpage/banani-murder-two-suspects-shot-dead-1502347>



Local human rights defenders associated with Odhikar in Khulan organised a rally on the occasion of International Day of the Victims of Enforced Disappearances. Photo: Odhikar.

## D. Public lynching

35. Despite the Constitutional guarantee of right to life and security, which is also contained in Article 6 of the ICCPR. Many people are being killed every year as suspects of crimes, in different places of the country, in public lynching due to lack of confidence in the criminal justice system, lack of proper implementation of laws and distrust in the police and social instability. According to information gathered by Odhikar, in 2017, 47 people were reportedly killed due to public lynching. For example, Mohammad Manik<sup>146</sup> in Khilgaon, Dhaka; Nabin<sup>147</sup> in Jamalpur; Sagor Mia<sup>148</sup> in Kaliakoir, Gazipur, were killed in public lynching during this period.



<sup>146</sup> Youth killed in mob beating, The daily New Age, 02/03/2017; <http://www.newagebd.net/article/10250/youth-killed-in-mob-beating>

<sup>147</sup> Cow lifter beaten to death, The Daily Star, 08/01/2017/ <http://www.thedailystar.net/country/cow-lifter-beaten-death-1341832>

<sup>148</sup> The daily Jugantor, 07/04/2017; [http://ejugantor.com/2017/04/07/7/details/7\\_r3\\_c3.jpg](http://ejugantor.com/2017/04/07/7/details/7_r3_c3.jpg)



## E. Interference on freedom of expression and hindrance to the media and repressive laws

36. Interference on the media and freedom of expression, by the government and the ruling party members, increased in 2017. The incumbent government is severely suppressing people who criticise it and those who have alternative beliefs. The Information and Communication Technology Act 2006 (amended 2009, 2013) (the ICT Act) and the Special Powers Act 1974 are being imposed against people who are critical of the decisions and activities of those in high positions of the government and members of their family. The law enforcement agencies also arrested ‘accused persons’ under sedition charges for their comments or opinions. The government controls most of the media; particularly the electronic media, which are mostly owned or controlled by supporters or members of the ruling party; and it closed down the pro-opposition electronic and print media, such as Diganta TV, Islamic TV and the publication of the daily Amar Desh, since 2013. It is also alleged that many print media were compelled to maintain self-censorship due to pressure from the government. On June 19, the Cabinet approved the repressive ‘National Online Media Policy 2017’ taking online media and news portals under the umbrella of a Broadcasting Commission. According to the (draft) Broadcasting Act, violation of section 19 is tantamount to seven years imprisonment and a fine of 50 million Taka or both<sup>149</sup>. Furthermore, attacks on journalists by criminals backed by the ruling party and its affiliated organisations occurred over the year, while the former gather information; and the government continues to file cases against journalists and detain them in jail.

• On August 17, a case was filed with Lalpur Police Station in Natore, against a youth named Sagor Ahmmed (22) under section 16<sup>150</sup> of the Special Powers Act 1974, for allegedly making a derogatory remark against Sheikh Mujibur Rahman, former President and father of the current Prime Minister, Sheikh Hasina on his Facebook account and police arrested him.<sup>151</sup> • In April, a sedition case was filed against 13 school teachers for the allegation of making controversial question papers on ‘Bangladesh and World Affairs’ for class VIII students in six Upazilas, including Banshkhali Upazila under Chittagong District, where the former President of Bangladesh (Prime Minister Sheikh Hasina’s father) Sheikh Mujibur Rahman was compared to anti-Banshkhali Coal Based Power Plant protestor and BNP leader Liakat Ali<sup>152</sup>. • On May 17,

<sup>149</sup> The daily Bangladesh Protidin, 20/06/2017; <http://www.bd-pratidin.com/first-page/2017/06/20/241437>

<sup>150</sup> It is to be mentioned that sections 16, 17 and 18 of the Special Powers Act of 1974 were repealed in 1991 by the Parliament. However, police registered a case against Sagor Ahmmed under this section. The Special Powers (Amendment) Act, 1991 (Act no. XVIII of 1991).

<sup>151</sup> The daily Prothom Alo, 19/08/2017 / [www.prothom-alo.com/bangladesh/article/1294341/](http://www.prothom-alo.com/bangladesh/article/1294341/); for details, see Odhikar’s human rights monitoring report of August 2017, [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017\\_Eng-.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017_Eng-.pdf)

<sup>152</sup> The daily Jugantor, 24/08/2017 / [www.prothom-alo.com/bangladesh/article/1300331/](http://www.prothom-alo.com/bangladesh/article/1300331/)

*Kathalia Upazila Parishad Chairman, Golam Kibria Shikdar and his associates beat H. M. Badal, Kathalia Upazila correspondent of the daily Barisal Protidin, with iron rods and severely wounded him for sharing and liking a widely published news article on Facebook, against Awami League MP of Jhalokathi-1 constituency, Bazlul Huq Harun<sup>153</sup>. • The Awami League leaders-activist across the country filed five cases of sedition, 19 defamation cases, and six cases under the ICT Act, and three general diaries, against Acting Editor of the daily Amar Desh, Mahmudur Rahman, for allegedly criticizing Tulip Siddiqui, the niece of the Prime Minister and a Labour Party MP<sup>154</sup>.*

## **Repressive Information and Communication Technology Act 2006 (Amended 2009 & 2013)**

37. In 2017, according information gathered by Odhikar, 32 persons were arrested under the Information and Communication Technology Act 2006 (Amended 2009 & 2013) for writing posts against high officials of the government and their families on facebook.
38. Over 2017, human rights defenders and journalists demanded the repeal of the Information and Communication Technology Act. Finally the government decided to remove sections 54, 55, 56 and 57 of the ICT Act. But it has been learnt that these four sections will be incorporated in a new Digital Security Act, which has recently been drafted. Thus, there will be no change in terms of imposition of such sections that violate the right to freedom of expression, particularly social media and are which contrary to the Constitution.
39. Police filed cases under the ICT Act and arrested 32 people, including Arman Sikdar<sup>155</sup> on February 4, Habul Khalifa<sup>156</sup> on February 5, Mohammad Bellal Hossain<sup>157</sup> on March 19, Sumon Hossain<sup>158</sup> on April 5, Monirul Islam<sup>159</sup> on April 17, Maksuda Akhter Sumi<sup>160</sup> on May 22, Golam Mostafa Rafiq<sup>161</sup> on June 12, Lenin Khan<sup>162</sup> on August 9, Raihan<sup>163</sup> on September 26,

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<sup>153</sup> The daily Jugantor, 18/05/2017; [www.jugantor.com/news/2017/05/18/125553/](http://www.jugantor.com/news/2017/05/18/125553/)

<sup>154</sup> Information gathered by Odhikar.

<sup>155</sup> The daily Naya Diganta, 06/02/2017; <http://www.dailynayadiganta.com/detail/news/193544>

<sup>156</sup> The daily Manabzamin, 07/02/2017; [www.mzamin.com/article.php?mzamin=52388&cat=9/](http://www.mzamin.com/article.php?mzamin=52388&cat=9/)

<sup>157</sup> The daily Dhaka Tribune, 20/03/2017; <http://www.dhakatribune.com/bangladesh/nation/2017/03/19/bhola-imam-held-facebook-post/>; for details, please see Odhikar's human rights monitoring report of March 2017. [www.http://odhikar.org/human-rights-monitoring-report-march-2017/](http://odhikar.org/human-rights-monitoring-report-march-2017/)

<sup>158</sup> The daily Manabzamin, 06/04/2017; [www.mzamin.com/article.php?mzamin=60335&cat=9/](http://www.mzamin.com/article.php?mzamin=60335&cat=9/); for details, please see Odhikar's human rights monitoring report of April 2017. [www.http://odhikar.org/human-rights-monitoring-report-april-2017/](http://odhikar.org/human-rights-monitoring-report-april-2017/)

<sup>159</sup> The daily Manabzamin, 18/04/2017; [www.mzamin.com/article.php?mzamin=61899&cat=9/](http://www.mzamin.com/article.php?mzamin=61899&cat=9/)

<sup>160</sup> The daily Naya Diganta, 23/05/2017; <http://www.dailynayadiganta.com/detail/news/222271>; for details, see Odhikar's human rights monitoring report of May 2017; [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>161</sup> The daily Prothom Alo, 13/06/2017; [www.prothom-alo.com/bangladesh/article/1215846/](http://www.prothom-alo.com/bangladesh/article/1215846/)

<sup>162</sup> The daily Prothom Alo, 12/08/2017; for details, see Odhikar's human rights monitoring report of August 2017, [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017\\_Eng-.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017_Eng-.pdf)

Rashiqul Islam<sup>164</sup> on October 14, Modasserul Huq<sup>165</sup> on October 29, for allegedly uploading photos, posting status and making derogatory comments on their facebook accounts against high officials of the government and their families.

40. Furthermore, several cases were filed under the ICT Act against many journalists and teachers and they were arrested.

• On June 7, Lt. Gen. (Retd.) Masud Uddin Chowdhury filed a case against BRAC University teacher, Professor Afsan Chowdhury for sharing a false post on facebook<sup>166</sup>. • On July 7, a case was filed against senior journalist Ajmal Haque of the daily Shokaler Khobor, alleging that he shared news on Facebook about Independent MP Rustam Ali Farazi<sup>167</sup>. • On July 9, a case was filed against Mohammad Shahjahan, correspondent of the daily Prothom Alo and Freedom fighter Mozammel Haider Chowdhury of Hajiganj in Chandpur for publishing a report about the negligence of (Awami League) MP, Major (Retd) Rafiqul Islam Bir Uttam<sup>168</sup>. • On July 12, a case was filed against Fahmidul Haque, Professor of Mass Communication and Journalism of Dhaka University, by his colleague, for allegedly making derogatory comment on Faacebook<sup>169</sup>. • On September 4, a case was filed against Mahbubur Rahman, Principal of Abdul Jabbar College in Kurigram District, for allegedly posting an objectionable status on his Facebook against Prime Minister Sheikh Hasina<sup>170</sup>. • On November 27, a case was filed against Dhaka University teacher Dr. Asif Nazrul for allegedly posting a facebook status against the Shipping Minister Shahjahan Khan regarding alleged irregularities in the appointment of employees at Chittagong Port<sup>171</sup>. • Police arrested Sheikh Mohammad Ratan, a human rights defender associated with Odhikar from Munshiganj and district correspondent of MyTV, under the ICT Act for 'liking' a news on facebook. • Hasan Ali, Kushtia district correspondent of Bangla Vision TV and Aslam Ali, staff reporter of Dainik Kushtia Dorpan - both human rights defenders associated with Odhikar - were detained in jail for allegedly posting derogatory remark against police 'informer' Hasibur Rahman Rizu, from a fake account<sup>172</sup>.

<sup>163</sup> The daily Manabzamin, 28/09/2017; [www.mzamin.com/article.php?mzamin=85027&cat=9/](http://www.mzamin.com/article.php?mzamin=85027&cat=9/); for details, see Odhikar's human rights monitoring report of September 2017, [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017_Eng.pdf)

<sup>164</sup> The daily Manabzamin, 16/10/2017; [www.mzamin.com/article.php?mzamin=87640&cat=9/](http://www.mzamin.com/article.php?mzamin=87640&cat=9/)

<sup>165</sup> The daily Bangladesh Protidin, 30/10/2017; <http://www.bd-pratidin.com/country-village/2017/10/30/276415>; for details, see Odhikar's human rights monitoring report of October 2017 [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017_Eng.pdf)

<sup>166</sup> The daily Jugantor, 08/06/2017; [www.jugantor.com/city/2017/06/08/130861/](http://www.jugantor.com/city/2017/06/08/130861/)

<sup>167</sup> The daily Prothom Alo, 12/07/2017; <http://www.thedailystar.net/city/journalist-helal-facing-case-under-ict-act-gets-hc-bail-1431952>

<sup>168</sup> The daily Prothom Alo, 11/07/2017; [www.prothom-alo.com/bangladesh/article/1246321/](http://www.prothom-alo.com/bangladesh/article/1246321/)

<sup>169</sup> The daily Prothom Alo, 14/07/2017; <http://www.prothom-alo.com/bangladesh/article/1251566/>

<sup>170</sup> The daily Prothom Alo, 07/09/2017; [www.prothom-alo.com/bangladesh/article/1314581/](http://www.prothom-alo.com/bangladesh/article/1314581/); for details, see Odhikar's human rights monitoring report of September 2017, [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017_Eng.pdf)

<sup>171</sup> For details, please see Odhikar's human rights monitoring report of November 2017/ [http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017_Eng.pdf)

<sup>172</sup> Information sent by local human rights defenders associated with Odhikar. For details, see Odhikar's monthly human rights monitoring reports, [www.odhikar.org](http://www.odhikar.org)

## Freedom of the Media

41. According to information gathered by Odhikar, in 2017, one journalist was killed, 24 were injured, nine were assaulted, 11 were threatened, and seven were sued.

• On January 5, Jago News correspondent Sajeeb Hossain was beaten by Chhatra League leaders and activists while he was gathering information about the harassment of students who came for admission to Begum Rokeya University in Rangpur<sup>173</sup>. On January 26, ATN News cameraman Abdul Alim and reporter Ehsan Bin Didar were beaten by police while they were filming the police baton charging protesters during the hartal in Dhaka, called by the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port<sup>174</sup>.



Police beating an ATN News cameraman in Dhaka during hartal. Photo: Jugantor, 27 January 2017.

• On February 3, a local journalist and human rights defender, associated with Odhikar, Abdul Hakim Shimul was shot dead by Halimul Huq Miru, Mayor of Shahzadpur Municipality and the Organising Secretary of Sirajganj District unit Awami League<sup>175</sup>. • On April 7, Shahidul Islam, correspondent of the daily JaiJaiDin from Kalkini in Madaripur District, was attacked by Awami League nominated Chairman candidate Badal Talukdar and his supporters while he was taking photos of an election campaign. They took away his cell phone and camera and beat him after tying him to a tree<sup>176</sup>. • On July 10, Chhatra League activists including the University unit Chhatra League Saiful Islam Bijoy attacked and beat Arafat Rahman, Rajshahi University correspondent of the Daily Star and a second year student of the Mass Communication and Journalism Department, when he was conducting his professional duty<sup>177</sup>. • On December 5, Gangachora Press Club General Secretary and correspondent of the daily Maibazar, Babul Mia, was beaten and severely injured by Awami League leader and Borobil Union Parishad member Abul Hossain Khokon, when he went to collect information about irregularities in making a culvert in Rangpur<sup>178</sup>. • On December 16, Chhatra League activists brought out a rally with

<sup>173</sup> The Daily Star, 07/01/2017; <http://www.thedailystar.net/city/bcl-men-beat-journo-rokeya-university-1341628>

<sup>174</sup> The daily Manabzamin, 27/01/2017; [www.mzamin.com/article.php?mzamin=50934&cat=2/](http://www.mzamin.com/article.php?mzamin=50934&cat=2/) and daily Jugantor, 27/01/2017; [www.jugantor.com/first-page/2017/01/27/96496](http://www.jugantor.com/first-page/2017/01/27/96496)

<sup>175</sup> For details, please see Odhikar's human rights monitoring report of February 2017/ [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)

<sup>176</sup> The daily Bangladesh Protidin, 09/04/2017; <http://www.bd-pratidin.com/country/2017/04/09/221981>

<sup>177</sup> Report sent by human rights defender associated with odhikar from Rajshahi and the daily Jugantor, 11/07/2017; [www.jugantor.com/news/2017/07/11/138568/](http://www.jugantor.com/news/2017/07/11/138568/)

<sup>178</sup> The daily Manabzamin, 06/12/2017; [www.mzamin.com/article.php?mzamin=94952&cat=9/](http://www.mzamin.com/article.php?mzamin=94952&cat=9/)

*local-made weapons, including knives and swords, on the occasion of Victory Day, in Hossainpur under Kishoreganj District. At that time District correspondent of Channel 24 Sultan Mahmud Kanik and cameraperson Alam Faisal were filming the scene. Seeing this, Chhatra League activists became angry and beat them<sup>179</sup>.*

## **F. Prison conditions**

42. According to information gathered by Odhikar, in 2017, 58 persons reportedly died allegedly due to ‘illnesses’ in jail.
43. Prison conditions remained deplorable in 2017. Over the years, it is also alleged that due to lack of treatment facilities and negligence by the prison authorities, many prisoners became ill due to the effects of torture in remand, which caused their death. The country’s prisons are extremely overcrowded due to the mass arrests of members of the opposition political parties, during the special drives and due to abuse of the Dhaka Metropolitan Police Ordinance. The prison authorities are facing difficulties in maintaining and controlling inmates and visitors. According to the Prison Directorate, the total maximum capacity of the prisons in the 68 jails across the country is 36,614. Of them, the capacity of male inmates is 34,940 and 1,674 for female inmates. However, currently there were 79,280 inmates detained in the prisons, of which 59,184 were male under trial prisoners and 2,394 were female under trial prisoners. Meanwhile, there were 17,104 male convicted prisoners and 598 were female convicted prisoners in the jails<sup>180</sup>. Relatives of inmates alleged that prisoners could not sleep due to lack of space as a result of overcrowding. Furthermore, prisoners have to buy food at an inflated price from the Prison Canteen (PC)<sup>181</sup>. Moreover, they were being deprived of medical attention and treatment due to lack of doctors and scarcity of medicine.

## **G. High Court declares verdict on the BDR mutiny case**

44. On November 27, Justice Mohammad Shawkat Hossain Chowdhury led a three-member High Court Division Bench of the Supreme Court comprising also of Justice Mohammad Abu Zafar Siddiqui and Justice Mohammad Nazrul Islam Talukder; and confirmed the verdict after hearing the death references and appeals against convictions in the BDR mutiny case<sup>182</sup>.

<sup>179</sup> The daily Naya Diganta, 17/12/2017; <http://www.dailynayadiganta.com/detail/news/277148>

<sup>180</sup> <http://www.prison.gov.bd/>

<sup>181</sup> The daily Naya Diganta, 28/11/2017 <http://www.dailynayadiganta.com/detail/news/272039>

<sup>182</sup> On February 25, 2009 during the ‘BDR Week’ members of the erstwhile Bangladesh Rifles (BDR), later renamed Border Guard Bangladesh (BGB), had attacked Army officers who were deputed in the force. 74 persons, including 57 army officers were killed and army wives and children were taken hostage during the mutiny. For details, please see Odhikar’s Annual Human Rights Report 2009, [www.odhikar.org](http://www.odhikar.org)

Earlier, the trial court had sentenced 152 people to death from among the 850 accused persons in this case. The High Court Division bench upheld the death penalty for 139 out of the 152 and gave life imprisonment to 185 accused persons. Awami League leader Torab Ali, who was sentenced to life imprisonment in the trial court, was acquitted by the High Court<sup>183</sup>.

45. On February 26, 2009 the rebel BDR Jawans surrendered when the government declared a general mercy to mutineers. At that time, many BDR members who came to report at the BDR Headquarters were detained by RAB and they were blindfolded and taken to an unknown place for interrogation. There were allegations of torture on BDR members during this interrogation. BDR members Monir Hossain, Mobarak Hossain, Habilder Kazi Saidur Rahman, Habilder Mohiuddin, Habilder Zakir Hossain Bhiuyan and Habilder Rezaul Karim died due to torture, as alleged by their families<sup>184</sup>.

## **H. Cross-border issues**

### ***Genocide against Rohingya community in Myanmar***

46. From August 25, 2017 the Myanmar Army and Buddhist criminals again committed violations amounting to genocide against the Rohingya community and forcefully evicted them from the Rakhine state<sup>185</sup> of Myanmar. During these operations, Rohingya people experience enforced disappearances, mass rape, killing, burning of families and homes and become victims of torture and other violence. On August 28, the Bangladesh government proposed the Myanmar government to conduct a joint operation along Bangladesh-Myanmar border against 'Rohingya insurgents'. Later, it deviated from that position and opened its border to fleeing Rohingyas, on public demand.

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<sup>183</sup> The daily Naya Diganta <http://www.dailynayadiganta.com/detail/news/272040> ; for details, please see Odhikar's human rights monitoring report of November 2017, [http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017_Eng.pdf)

<sup>184</sup> For details, please see Odhikar's Annual Human Rights Report 2009, [www.odhikar.org](http://www.odhikar.org)

<sup>185</sup> The Arakan state was renamed as Rakhine by the Myanmar government.



*BGB arrested Rohingyas who tried to trespass into Bangladesh through Ulubonia border in Teknaf. Photo: (Prothom Alo, 26 August 2017).*



*Rohingyas entering Bangladesh through Ghumdhum Tumobru border. Many had been shot and injured. (Photo: Bangladesh Protidin, 29 August 2017).*

47. After recent operations carried out by the Myanmar government, people belonging to the Rohingya community entered Bangladesh through at least 20 entry points along the 143 kilometre border between Bandarban and Cox's Bazar Districts (in Bangladesh) to save their lives. No one has the exact number/statistics of Rohingyas who have fled into Bangladesh. There is no specific information regarding how many Rohingyas remain in the Rakhine state either. Local people and non-governmental organisations say that the new Rohingya influx has already crossed one million. About half a million Rohingyas already entered Bangladesh at different periods since the 1960s<sup>186</sup>.

<sup>186</sup> The daily Bangladesh Protidin, 19/10/2017; <http://www.bd-pratidin.com/first-page/2017/10/19/273358> ; for details, see Odhikar's human rights monitoring report of October 2017 [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017_Eng.pdf)

48. Odhikar spoke to Rohingya victims who took refuge in Bangladesh and documented 150 cases<sup>187</sup>. It has learnt of horrible incidents of gang rape, torture, burning and shooting to death of Rohingya men, women and children; the perpetration of enforced disappearances; and the detaining of young women in the Army camps. The Myanmar Army and Buddhist extremists are being accused of involvement in such crimes against humanity. A Rohingya victim named Mohammad Zubair said that the military were not only torching the houses and shooting people to death, but are also planted landmines in the roads in his village so that Rohingyas would die while escaping. Zubair said that he witnessed the military planting landmines.



*Myanmar military planting landmines at the zero line along the Bangladesh-Myanmar border on the other side of Naikkhongchori in Bandorban. Photo: Prothom Alo, 30 September 2017.*

49. Meanwhile Medicines Sans Frontier (MSF) released a report based on its study from August 25 to September 24, 2017. It says that at least 6,700 Rohingya people were killed in the first four weeks during the operations carried out by the Myanmar Army against Rohingyas. Among them, 730 were children below five years. MSF informed that it spoke to about 11 thousand Rohingya people belonging to 2,434 families who took shelter in Bangladesh in various refugee camps. All of them entered Bangladesh after crossing the border during the initial stages of the 2017 Rohingya influx. However, the organisation believes that the actual number of deaths and victims are more than what is shown in its study<sup>188</sup>.

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<sup>187</sup> For details, see Odhikar's report on Rohingya; [www.odhikar.org](http://www.odhikar.org)

<sup>188</sup> Myanmar/Bangladesh: Rohingya crisis - a summary of findings from six pooled surveys, [msf.org](http://www.msf.org), 09.12.2017/  
<http://www.msf.org/en/article/myanmarbangladesh-rohingya-crisis-summary-findings-six-pooled-surveys>





*Rohingya children and women at Bangladesh side. Photo: Odhikar.*

50. Most of the Rohingyas who took refuge in Bangladesh are children. Many of these children's parents or siblings were killed by the Myanmar Army and Buddhist extremists. There are more than 18,500 children who lost both parents.<sup>189</sup> Rohingyas are living in heavily crowded and highly vulnerable conditions in the refugee camps. Safe water and sanitation facilities are inadequate. It was learnt that many Rohingya children living in the camps are suffering from malnutrition and diseases such as diphtheria. Furthermore, children and women are at risk of becoming victims of trafficking.
51. On September 22, the Law Faculty of the University of Malaya in Kuala Lumpur organised a Permanent People's Tribunal that accused the Myanmar government for committing genocide against Rohingyas<sup>190</sup>.
52. On November 15, the UN General Assembly passed a resolution on a ceasefire of military operations against Rohingyas in Myanmar's Rakhine state; taking Rohingyas back to their own land; and giving them citizenship. 135 countries voted in favour of that resolution and 10 countries voted against. 26 countries, including India and Indonesia abstained from voting<sup>191</sup>.

<sup>189</sup> NTV, 20/10/2017; <http://www.ntvbd.com/bangladesh/161087>

<sup>190</sup> Permanent People's Tribunal on Myanmar which was held in September 2017 at Kuala Lumpur, Malaysia; <https://tribunalonmyanmar.org/>

<sup>191</sup> The daily Prothom Alo, 17/11/2017 / [www.prothom-alo.com/bangladesh/article/1367636/](http://www.prothom-alo.com/bangladesh/article/1367636/); for details, please see Odhikar's human rights monitoring report of November 2017, [http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017_Eng.pdf)



*Hundreds of Rohingya line the narrow path that leads to Teknaf in Bangladesh. Photo: Dhaka Tribune, 11 September 2017.*



*Rohingyas arrive at Teknaf crossing the Naf River. Photo: The Daily Star, 8 September 2017.*

53. On November 20, the Hong Kong based human rights organisation, the Asian Human Rights Commission (AHRC) issued an urgent appeal to the Bangladeshi authorities regarding the November 14 abduction of a Rohingya community leader who has been living in Bangladesh, Ko Ko Linn, who headed the Bangladesh chapter of the London-based Arakan Rohingya National Organisation (ARNO). He was picked up from a bus at Chandanaish area, when he was travelling from Cox's Bazar to Chittagong<sup>192</sup>. Meanwhile some Rohingya community leaders said that the Burmese media had reported a few days ago that seven Rohingya men had been handed over to Myanmar authorities by Bangladesh. The Myanmar government's spokespersons recently said that they had handed over a list of "Wanted Rohingyas" to Bangladesh. The AHRC has also reported that in the past two years, several Rohingya men were picked up from Cox's Bazaar by the Bangladeshi security agencies. Rohingya community leaders

<sup>192</sup> <http://www.ahrchk.org/ruleoflawasia.net/news.php?id=AHRC-UAC-198-2017>

alleged that most of them remain missing. They fear that the missing Rohingyas were secretly handed over to Myanmar authorities<sup>193</sup>.



*Rohingyas from Myanmar cross the Naf River on an improvised raft made of empty plastic jerrycans to reach Teknaf of Cox's Bazaar. Photo: Daily Star, 11 November 2017.*

54. To repatriate Rohingyas to Myanmar an 'Arrangement on Return on Displaced Persons from Rakhine State' was signed on November 23, 2017 between Bangladesh and Myanmar government. Both parties have agreed that a Joint Working Group will be established to oversee all aspects of return within three weeks of signing of this arrangement. This arrangement only concerns the repatriation of the residents of Rakhine state who fled to Bangladesh after the incidents of 9 October 2016 and 25 August 2017, without any measures to guarantee their safety, security and citizenship.
55. Acts of genocide continue in the Rakhine state of Myanmar. After analyzing the satellite pictures, Human Rights Watch says that evidence of destruction and genocide have been found in Rakhine state conducted between October and November. In October and November many houses were demolished in 40 villages. Two days after signing a Repatriation Arrangement between Bangladesh and Myanmar, on November 25, a satellite took pictures of arson and wreckage in Miaomichang Village near Mangdaw District of Rakhine state. Within a week of this, the Myanmar Army carried out acts of vandalism in four villages<sup>194</sup>

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<sup>193</sup> The daily Manabzamin and New Age, 22/11/2017 / [www.mzamin.com/article.php?mzamin=93131&cat=2](http://www.mzamin.com/article.php?mzamin=93131&cat=2) ; <http://www.newagebd.net/article/28896/rohingya-leader-goes-missing-on-way-to-ctg>

<sup>194</sup> The daily Naya Diganta, 19/12/2017; <http://www.dailynayadiganta.com/detail/news/277643>



*Views of the Rohingya camp in Palangkhali, Teknaf, Bangladesh. Photo: Odhikar, 15 September 2017*

56. During an interview with BBC, the UN High Commissioner for Human Rights Zeid Ra'ad Al-Hussain said that the way the Myanmar military operations were conducted against Rohingyas in Myanmar, was certainly done by the decision of the high-ups of the country. Due to this Myanmar leaders will have to face trial for genocide in the future<sup>195</sup>.
57. Odhikar urges the Bangladesh government and the international community to take an active role in supporting the struggle for establishing peace in the Rakhine state (Arakan state) and for the establishment of civil, political, economic, social and cultural rights; and citizenship rights of the Rohingya people in Myanmar. Odhikar believes that the repatriation process suspended for a long time as there is no specific timeframe in the Arrangement for the repatriation of Rohingyas to be completed. Odhikar also believes that it is important to bring the perpetrators, including members of the Myanmar Army, Buddhist criminals and others who were directly or indirectly involved in committing genocide against Rohingyas in Myanmar's Rakhine state, to justice. Furthermore, Rohingya people should be given all civil and political rights and recognition. Moreover, creating a safe Rakhine state has to be considered for repatriation and the United Nations has to be engaged into the repatriation initiative in order to avoid conflict with Myanmar. The Bangladesh government should explain the events behind the allegations of picking up Rohingya activists by Bangladeshi security forces and of secretly handing them over to Myanmar authority.

### ***Aggressive policy of India towards Bangladesh***

58. There were reported allegations that the Indian government had played a role in destroying the democratic system in Bangladesh and gave

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<sup>195</sup> Could Aung San Suu Kyi face Rohingya genocide charges?/ BBC, 18 December 2017/ <http://www.bbc.com/news/world-asia-42335018>

unconditional support to the 5<sup>th</sup> January 2014 controversial elections<sup>196</sup>. After this election, a major political crisis was created in Bangladesh and strengthened Indian aggression<sup>197</sup> to establish supremacy on Bangladesh in various ways, which continued in 2017.

59. Like previous years, in 2017 the Indian Border Security Force (BSF) were involved in killing, torturing and robbing Bangladeshi citizens by illegally trespassing into Bangladesh territory, which is a clear violation of international law and human rights. The BSF members also attacked members of the Border Guard Bangladesh (BGB) during this period. However, no strong initiative was taken by the Bangladesh government to protect its citizens. Rather, on February 1, the Director General (DG) of the BGB, Major General Abul Hossain, after visiting Darshana border under Damurhuda Upazila in Chuadanga District, told journalists that the BSF members open fire in self-defense<sup>198</sup>.

### ***Human rights violations on Bangladeshi citizens by Indian BSF in the border areas***

60. According to information collected by Odhikar, in 2017, 25 Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Among them, 18 were gunned down, four were tortured to death, one was killed when the BSF members threw stones at him, one died by jumping into the Padma River and drowning when BSF personnel chased him and one died when BSF hurled crude bombs and stones at him. Furthermore, 39 Bangladeshis

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<sup>196</sup> Before conducting the controversial and farcical January 5, 2014 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. [www.dw.com/bn/নির্বাচন-না-হলে-মৌলবাদের-উত্থান-হবে/a-17271479](http://www.dw.com/bn/নির্বাচন-না-হলে-মৌলবাদের-উত্থান-হবে/a-17271479)

<sup>197</sup> As part of the Indian government's aggressive policy, 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) signed between India and Bangladesh on June 6, 2015; and is also taking advantage of other business and trade facilities. 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. India is depriving Bangladesh from getting adequate water during the dry season and as a result, most of the rivers in Bangladesh remain almost dry. Thousands of people living along the banks of the Teesta River are in danger due to the refusal of water by India to Bangladesh through the Gajaldoba Barrage. Therefore, the issue of acquiring the right to water of Bangladesh, through the Teesta Agreement, is of utmost importance. But, this time again the Teesta Agreement was not signed between India and Bangladesh governments. The Padma River basin in Bangladesh has also been ruined due to the Farakka Barrage in India. The Indian government is creating floods over Bangladesh by opening all the sluice gates of the Farakka Barrage and the Gajaldoba Barrage, during the Monsoon (rainy) season, violating international law and human rights. This also remained unresolved. Furthermore, India did not resolve the dispute between Bangladesh and India on Muhurir Chor in order to identify the international borders. This was supposed to be done as per the agreement on borderlines. 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. 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.

<sup>198</sup> The daily Jugantor, 01/02/2017, [www.jugantor.com/online/country-news/2017/02/01/38356/](http://www.jugantor.com/online/country-news/2017/02/01/38356/)

were injured. Among the injured, 15 were shot, 15 were tortured, six were stoned at; and three were injured by sound grenade explosions. A further 28 persons were abducted by BSF personnel.

61. Bangladeshi citizens named Bakul Mondol<sup>199</sup> on January 7, at Chokoria border under Damurhuda Upazila in Chuadanga District; cattle trader Tulu Mia<sup>200</sup> on February 10, at Dantbhangha border under Roumari Upazila in Kurigram District; cattle trader Saidul Islam and Abdus Samad<sup>201</sup> on April 23, at Gilbari border under Bholahat Upazila in Chapainababganj District; two school students named Sohel Rana (16) and Harun-or-Rashid (15)<sup>202</sup> on June 20, at Kholaspur under Moheshpur Upazila in Jhenaidah District; Saiful Islam<sup>203</sup> on July 2, at Dewanganj border under Jamalpur District; Abdur Razzak<sup>204</sup> on September 25, at Haripur border in Thakurgaon District; Ashraf Ali<sup>205</sup> on October 6, at Gazni border in Sherpur District; Bulbul Hossain<sup>206</sup> on October 8, at Daulatpur border in Kushtia District; Mozaffar Hossain<sup>207</sup> on November 28, at Borogram border in Dokkhin Kotwali under Dinajpur District; Esharul Huq Mithu and Abu Nasharf<sup>208</sup> on December 10, at Godagari border in Rajshahi District; and Ershad Ali<sup>209</sup> on December 21, at Shimultoli border under Naogaon District; and 17 others were killed in the hands of BSF either by torture or shooting. Furthermore, the BSF also attacked on Bangladeshi citizens entering Bangladesh territory leaving many people wounded.

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<sup>199</sup> For detail, see Odhikar's human rights monitoring report of January 2017/ [http://www.odhikar.org/wp-content/uploads/2017/02/HRR\\_January\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/02/HRR_January_2017_English.pdf)

<sup>200</sup> For detail, see Odhikar's human rights monitoring report of February 2017/ [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)

<sup>201</sup> For detail, see Odhikar's human rights monitoring report of April 2017/ <http://www.odhikar.org/wp-content/uploads/2017/05/human-rights-monitoring-report-April-2017-English.pdf>

<sup>202</sup> The daily New Age, 21/06/2017; <http://www.newagebd.net/article/18221/2-bangladeshi-teens-killed-in-bsf-firing>

<sup>203</sup> For detail, see Odhikar's human rights monitoring report of July 2017/ [http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/08/human-rights-monitoring-report-July-2017_Eng.pdf)

<sup>204</sup> The daily New Age, 26/09/2017; <http://epaper.newagebd.net/26-09-2017/12/> / for details, Odhikar's human rights monitoring report of September 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017_Eng.pdf)

<sup>205</sup> The daily Naya Diganta, 07/09/2017; <http://www.dailynayadiganta.com/detail/news/257524>

<sup>206</sup> The daily Jugantor, 10/10/2017; <https://www.jugantor.com/news/2017/10/10/162251/> ; for detail, see Odhikar's human rights monitoring report of October 2017 [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017_Eng.pdf)

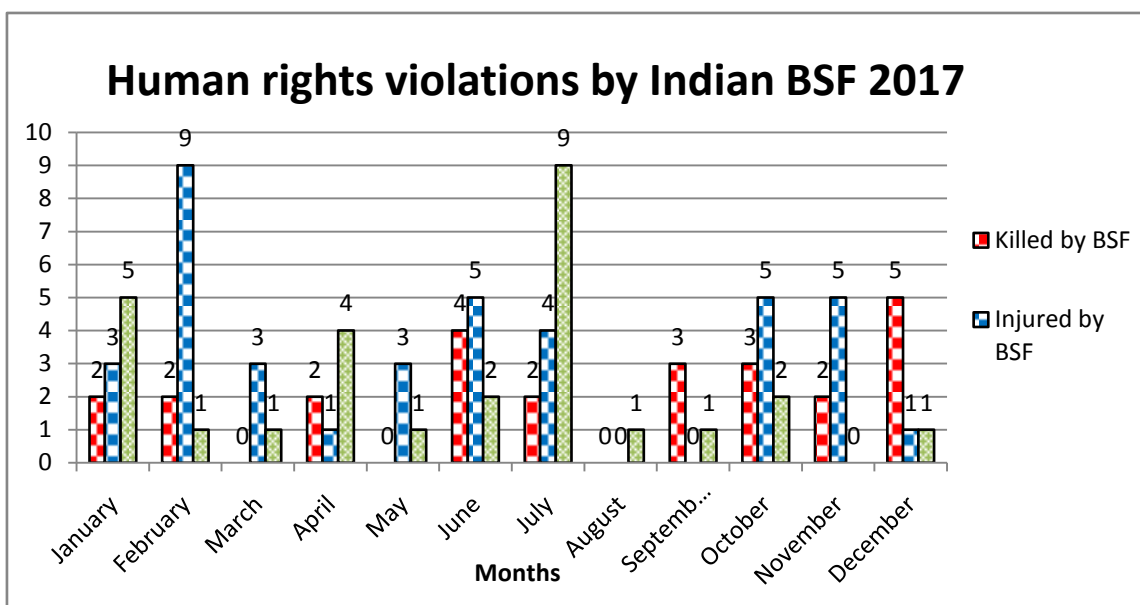
<sup>207</sup> The daily Manabzamin, 28/11/2017; [www.mzamin.com/article.php?mzamin=94081&cat=9/](http://www.mzamin.com/article.php?mzamin=94081&cat=9/) ; for detail, see Odhikar's human rights monitoring report of November 2017/ [http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017_Eng.pdf)

<sup>208</sup> The daily New Age, 11/12/2017; <http://www.newagebd.net/article/30167/2-bangladeshis-shot-dead-by-bsf-in-raishahi>

<sup>209</sup> The daily Star, 22/12/2017; <http://www.thedailystar.net/country/bangladeshi-shot-dead-bsf-naogaon-1508512>



BSF unlawfully entering Bangladesh territory. Photo: Dhaka Times, 25 March 2017



## I. 'Extremism' and human rights

62. Odhikar had repeatedly cautioned various sectors, including the government, that a situation might be created where a section of society might be pushed towards extremism due to the instability created in society as a result of various extreme human rights violations, including torture, extrajudicial killings, enforced disappearances, interference on the rights to freedom of expression and media and hindrance to rights to freedom of peaceful assembly and association. Despite this, the government continued its suppression and created space for confrontation by taking away the civil and political rights of the citizens through the repeated violations of the right to freedom of expression of alternative or dissenting voices. In 2017, the law enforcement agencies conducted many operations against religious 'extremism'. Operations carried out in the name of 'countering extremism'

have caused the deaths of many persons, including women and children<sup>210</sup>. Meanwhile, alleged 'extremists' are implicated in suicide attacks. There has even been an incident where security forces encircle a place to carry out an operation based on information about the presence of 'extremists'. During such an operation, the surrounded people gave a status on facebook from inside the house, that they were not 'extremists' but Awami League activists and were allegedly victims of conspiracy<sup>211</sup>. 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 happened, or happens, in such operations are still unclear<sup>212</sup>.

63. In 2017, members of law enforcement agencies carried out several operations in various places, suspecting 'extremists dens'. During these operations, at least 33 persons were killed. Among them, five were children and five were women.

*The Special Weapons and Tactics (SWAT), Army, RAB, Counter Terrorism Unit and police carried out joint operations at different houses suspecting 'extremists den'<sup>213</sup> at a house in Sitakunda, Chittagong on March 16; a house called Atia Mahal<sup>214</sup> in South Surma of Sylhet Metropolitan City on March 25; a two-storied house<sup>215</sup> at Nasirpur in Moulvabazar on March 28; at Shibganj in Chapainababganj<sup>216</sup> on April 27; a house at Bozrapur Hothatpara<sup>217</sup> in Moheshpur under Jhenaidah District on May 7; a house of a cloth merchant Sajjad Ali<sup>218</sup> in Godagari Upazila under Rajshahi District on May 10; Hotel Olio International<sup>219</sup> at Panthapath in Dhaka on August 15; a house named 'Kamol Probha'<sup>220</sup> at Bordhanbari area in*

<sup>210</sup> The daily Prothom Alo, 01/04/2017; [www.prothom-alo.com/bangladesh/article/1130046/](http://www.prothom-alo.com/bangladesh/article/1130046/)

<sup>211</sup> The daily Jugantor, 22/05/2017; [www.jugantor.com/first-page/2017/05/22/126472/](http://www.jugantor.com/first-page/2017/05/22/126472/)

<sup>212</sup> For details, see Odhikar's human rights monitoring report of April 2017/ <http://www.odhikar.org/wp-content/uploads/2017/05/human-rights-monitoring-report-April-2017-English.pdf>

<sup>213</sup> The daily Prothom Alo, 17/03/2017; [www.prothom-alo.com/bangladesh/article/1110904/](http://www.prothom-alo.com/bangladesh/article/1110904/); For detail, see Odhikar's human rights monitoring report of March 2017/ <http://www.odhikar.org/wp-content/uploads/2017/04/human-rights-monitoring-report-March-2017-Eng.pdf>

<sup>214</sup> The Bangla Tribune, 26/03/2017; [www.banglatribune.com/country/news/192271](http://www.banglatribune.com/country/news/192271); For detail, see Odhikar's human rights monitoring report of March 2017/ <http://www.odhikar.org/wp-content/uploads/2017/04/human-rights-monitoring-report-March-2017-Eng.pdf>

<sup>215</sup> The Daily Star and Prothom Alo, 31/03/2017; [www.prothom-alo.com/bangladesh/article/1129056/](http://www.prothom-alo.com/bangladesh/article/1129056/); For detail, see Odhikar's human rights monitoring report of March 2017/ <http://www.odhikar.org/wp-content/uploads/2017/04/human-rights-monitoring-report-March-2017-Eng.pdf>

<sup>216</sup> The daily Manabzamin, 28/04/2017; [www.mzamin.com/article.php?mzamin=63307&cat=2/](http://www.mzamin.com/article.php?mzamin=63307&cat=2/); for details, see Odhikar's human rights monitoring report of April 2017/ <http://www.odhikar.org/wp-content/uploads/2017/05/human-rights-monitoring-report-April-2017-English.pdf>

<sup>217</sup> For details, see Odhikar's human rights monitoring report of May 2017/ [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>218</sup> The daily Jugantor, 13/05/2017; [www.jugantor.com/first-page/2017/05/13/124093/](http://www.jugantor.com/first-page/2017/05/13/124093/); For details, see Odhikar's human rights monitoring report of May 2017/ [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>219</sup> The daily Jugantor, 18/08/2017; [www.jugantor.com/news/2017/08/18/149141/](http://www.jugantor.com/news/2017/08/18/149141/); for details, Odhikar's human rights monitoring report of August 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017\\_Eng-.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017_Eng-.pdf)

<sup>220</sup> For details, Odhikar's human rights monitoring report of September 2017; for details, Odhikar's human rights monitoring report of September 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017_Eng.pdf)



Mirpur Mazar Road of Dhaka City on September 4; a house in Madhya Char<sup>221</sup> area of Alatuli Union under Chapainabaganj District on November 27. During such operations, six members of law enforcement agencies, including Lt. Col. Abul Kalam Azad, Director, RAB Intelligent Unit were killed.



One man injured in a bomb blast near Atia Mahal in Sylhet is taking to hospital. Photo: Prothom Alo, 25 March 2017.

## J. Violations of human rights of religious and ethnic minority communities

64. Several attacks on citizens belonging to religious and ethnic minority communities took place in 2017 and their houses, places of worship and business were vandalized and set on fire during this period. It has been observed and reported that the ruling party Awami League men were allegedly involved in most of these incidents. However, the law enforcement agencies alleged that leaders-activists of the opposition parties were also involved in some incidents. The actual culprits could not be brought to justice due to the politicisation of these incidents that took place in the past; and as a result, incidents of violence against minority communities continued in 2017.
65. Criminals and the ruling Awami League activists allegedly vandalized effigies in different temples, including the Radha-Krishna temple at Bhulta area under Rupganj Upazila in Narayanganj District<sup>222</sup> on January 13; Romai Thakur Durga temple at Borogaon Bazaar of Moktarpur Union under Kaliganj Upazila in Gazipur District<sup>223</sup> on January 21; Baro Shibaloy temple

<sup>221</sup> The daily Prothom Alo, 28/11/2017; For detail, see Odhikar's human rights monitoring report of November 2017/ [http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2017/12/human-rights-monitoring-report-November-2017_Eng.pdf)

<sup>222</sup> For detail, see Odhikar's human rights monitoring report of January 2017/ [http://www.odhikar.org/wp-content/uploads/2017/02/HRR\\_January\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/02/HRR_January_2017_English.pdf)

<sup>223</sup> The daily Jugantor, 22/01/2017, [www.jugantor.com/news/2017/01/22/95193/](http://www.jugantor.com/news/2017/01/22/95193/); for detail, see Odhikar's human rights monitoring report of January 2017/ [http://www.odhikar.org/wp-content/uploads/2017/02/HRR\\_January\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/02/HRR_January_2017_English.pdf)

in Joypurhat District<sup>224</sup> on May 26; Daspara temple in Kushtia Sadar Upazila<sup>225</sup> on September 20; a temple in Bhanga Upazila under Faridpur District<sup>226</sup> on October 18; and at a Kali temple in Netrokona District<sup>227</sup> on October 25.

• On May 8, Mohammad Mostafizur Rahman, Imam of an Ahmadiyya mosque was attacked by criminals and severely injured in Iswarganj of Mymensingh District<sup>228</sup>. • On June 1, police recovered the body of Mohammad Nurul Islam, Organising Secretary of Langadu Union unit Jubo League, from a forest beside a road in Charmail area under Khagrachhori-Dighinala area. Local Awmai League, Jubo League and Chhatra League leaders-activists alleged that the local ethnic minority community people were involved in his killing and they vandalized and robbed houses belong to ethnic minority communities in different areas. They also set fire to various houses<sup>229</sup>. • On October 2, priest Father Shishir Natal Gregory of Kakrail Church at Dhaka, was locked in a room at Fakir Market in Tongi by Tongi Government College unit Chhatra League Organising Secretary Shams Kabir and his associates, who took his cell phone, money and motorbike. Later Father Gregory was beaten and Chhatra League men demanded three hundred thousand taka from him<sup>230</sup>.

## K. Worker's rights

66. In 2017, suppression on workers, death of workers due to negligence of owners/factory authorities, closing of factories, termination of workers and non-payment of workers, continued. Furthermore impunity of the government and factory owners in terms of providing labour's security, wages, healthcare facility, maternity leave and trade union rights was largely observed. The International Trade Union Confederation (ITUC) Global Rights Index 2017 has ranked Bangladesh among the bottom 10 countries in the world for (lack of) workers' rights<sup>231</sup>. On June 13, the ITUC published a report based on a survey in 139 countries, which states that the number of countries experiencing physical violence and threats against workers rose by 10 per cent and trade unionists in Bangladesh have long suffered at the hands of the state, especially by its industrial police and

<sup>224</sup> The daily Prothom Alo, 27/05/2017; [www.prothom-alo.com/bangladesh/article/1195451/](http://www.prothom-alo.com/bangladesh/article/1195451/); for details, see Odhikar's human rights monitoring report of May 2017/ [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>225</sup> The daily Naya Diganta, 21/09/2017; <http://www.dailynayadiganta.com/detail/news/253494> ; for details, Odhikar's human rights monitoring report of September 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017_Eng.pdf)

<sup>226</sup> The daily Bangladesh Protidin, 20/10/2017; <http://www.bd-pratidin.com/country-village/2017/10/20/273658> ; for detail, see Odhikar's human rights monitoring report of October 2017 [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017_Eng.pdf)

<sup>227</sup> The daily Naya Diganta, 27/10/2017; <http://www.dailynayadiganta.com/detail/news/263318>

<sup>228</sup> The daily Prothom Alo, 10/05/2017; [www.prothom-alo.com/bangladesh/article/1175556/](http://www.prothom-alo.com/bangladesh/article/1175556/) ; For details, see Odhikar's human rights monitoring report of May 2017/ [http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017\\_Engl.pdf](http://www.odhikar.org/wp-content/uploads/2017/06/human-rights-monitoring-report-May-2017_Engl.pdf)

<sup>229</sup> The daily Jugantor, 03/06/2017; [www.jugantor.com/first-page/2017/06/03/129489/](http://www.jugantor.com/first-page/2017/06/03/129489/)

<sup>230</sup> The daily Prothom Alo, 04/10/2017

<sup>231</sup> <https://www.ituc-csi.org/ituc-global-rights-index-2017-18767>

employers, which continued in 2017.<sup>232</sup> Meanwhile workers in the informal sector have been exploited in various ways due to the absence of any policy for the informal labour sector. They are deprived from the basic rights and discriminated in various ways. In Bangladesh, many children, instead of going to school, are engaged in vulnerable works in different factories, which is a violation of labour law and ILO Convention.

### ***Situation of workers in ready-made garment industry***

67. 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. Many incidents of closing down factories without notice, harassment, sudden termination of workers and not paying wages on time occurred in 2017; and as a result workers' unrest continued throughout the year. Furthermore, workers in many factories were injured while escaping fire during this period. According to the Department of Inspection for Factories and Establishments (DIFE), one-third of the garment factories of the country are still under 'C' Grade. These factories do not comply with any compliance standards.<sup>233</sup>
68. According to information gathered by Odhikar, a total of 13 workers were killed by boiler explosion in 2017. Furthermore, 362 workers were injured. Among them, 209 workers were injured by the police and garment authority during workers unrest in the ready-made garment factories and 153 were injured in fire, the stampede to exit burning buildings and the boiler explosions. Furthermore, 3,141 workers were terminated for various reasons.

*The workers of a sweater factory named April Fashion Limited<sup>234</sup> on February 13, at North Ouchpara area of Tongi Upazila under Gazipur District; workers of a garment factory of East-West Group<sup>235</sup> on March 9, at Signboard Boardbazar area under Gazipur City Corporation; workers of Shed Fashion Limited<sup>236</sup> on April 27, at Jamgora in Ashulia, Dhaka; workers of Pacific Spinning Mills Limited<sup>237</sup> on May 16, in Jatramura area under Rupganj Upazila in Narayanganj; workers of Union Garment Factory<sup>238</sup> on August 13, at M C Bazaar area in*

<sup>232</sup> 'Bangladesh among worst 10 countries for workers' rights', The daily New Age, 22/06/2017;

<http://www.newagebd.net/article/18324/bangladesh-among-worst-10-countries-for-workers-rights>

<sup>233</sup> The daily Manabzamin, 24/04/2017; [www.mzamin.com/article.php?mzamin=62689&cat=6/](http://www.mzamin.com/article.php?mzamin=62689&cat=6/); for details, please see Odhikar's human rights monitoring report of April 2017. [www.http://odhikar.org/human-rights-monitoring-report-april-2017/](http://odhikar.org/human-rights-monitoring-report-april-2017/)

<sup>234</sup> The daily Bangladesh Protidin, 14/02/2017, / <http://www.bd-pratidin.com/country-village/2017/02/14/207805>

<sup>235</sup> The daily Manabzamin, 10/03/2017 [www.mzamin.com/article.php?mzamin=56706&cat=9/](http://www.mzamin.com/article.php?mzamin=56706&cat=9/)

<sup>236</sup> The daily Jugantor, 28/04/2017; for details, please see Odhikar's human rights monitoring report of April 2017. [www.http://odhikar.org/human-rights-monitoring-report-april-2017/](http://odhikar.org/human-rights-monitoring-report-april-2017/)

<sup>237</sup> The daily Jugantor, 17/05//2017; [www.jugantor.com/second-edition/2017/05/17/125357/](http://www.jugantor.com/second-edition/2017/05/17/125357/)

<sup>238</sup> The daily Naya Diganta, 14/08/2017 / <http://www.dailynayadiganta.com/detail/news/243912>; for details, see Odhikar human rights monitoring report of August 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017\\_Eng-.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-August-2017_Eng-.pdf)

*Sreepur under Gazipur District; workers of Meridian Fashion Garments<sup>239</sup> on August 7, in Mirpur, Dhaka; workers of Aiymon Textile and Hosiery Ltd<sup>240</sup> on September 21, in Kaliakoir Upazila of Gazipur District; workers of two RMG factories named Runs Apparels and Old Town<sup>241</sup> on October 14, in Siddhirganj Upazila under Narayanganj District; and workers of a readymade garment factory named Hasong BP Limited<sup>242</sup> on October 18, in Baroipara area under Kaliakoir Upazila in Gazipur District, gathered to demand increasing piece rate, due wages, protest the closure of the factory without paying workers their salary and for maternity leave. They organised various programmes in protest of these violations. The police attacked the workers and injured many of them.*



*The remains of the building of Multi Fabs Limited after a boiler explosion. Photo: Prothom Alo, 7 July 2017.*



*Workers blocked the road by burning tyres in protest of their unpaid wages at Siddhirganj, Narayanganj. Photo: Manabzamin, 15 October 2017.*

<sup>239</sup> The daily Naya Diganta, 08/08/2017 / <http://www.dailynayadiganta.com/detail/news/242415>

<sup>240</sup> The daily Naya Diganta, 22/09/2017; <http://www.dailynayadiganta.com/detail/news/253756> ; for details, see Odhikar human rights monitoring report of September 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017_Eng.pdf)

<sup>241</sup> Information sent by human rights defender associated with Odhikar from Narayanganj. For details, see Odhikar's human rights monitoring report of October 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017_Eng.pdf)

<sup>242</sup> The daily Naya Diganta, 19/10/2017; <http://www.dailynayadiganta.com/detail/news/261291>



*Police taking action against RMG workers in protest for wages at Kaliakoir, Gazipur. An injured female worker (inset) Photo: Naya Diganta, 19 October 2017.*



*Workers of Golden Heights and Alpha Textiles of Sunman Group in Chittagong, holding a rally in protest of the termination of workers. Photo: Prothom Alo, 23 November 2017.*

### ***Situation of workers in other factories***

69. In 2017, 82 workers in the informal sector were killed. Of them, 44 were construction workers, one was a footwear factory worker, two were motor garage workers, 19 were rice mill workers, one was a bag factory worker, one was a brick factory worker, one was a plywood factory worker, one was a temporary hourly worker, two were septic tank cleaners, one was a printing factory worker, one was a food factory worker, one was a mason, one was a day labourer, one was a steel factory worker, and five were Cosmetics factory workers. Furthermore, 78 workers were injured. Of them, five were shoe factory workers ; 15 were construction workers; seven were ispat mills workers; six were cosmetics factory workers; one was a coil factory worker; three were belt manufacturing factory workers; 10 were steel factory workers ; 21 were rice mill workers; two were food factory workers; six were plywood factory workers and two were bag factory workers.

• On January 10, a worker died when fire broke out at Rahim Steel Mill Ltd. in Kanchpur area under Sonargaon Upazila in Narayanganj District<sup>243</sup>. • On January 17, two workers were burnt and another one was injured during a fire at a shoe factory named 'Faysal and Seba', in Satroja area of Bongshal in Dhaka<sup>244</sup>. • On April 10, workers of a Chinese owned shoe making factory named 'Bonsho', situated at the Chittagong Export Processing Zone (CEPZ) area in Chittagong, protested due to termination of co-workers<sup>245</sup>. Later the factory owner closed the factory for two days<sup>246</sup>. • On August 29, a clash took place between workers of Amin Jute Mill and police in Chittagong, demanding the payment of their wages and Eid festival bonus<sup>247</sup>. • On September 20, six persons died due to fire at Ideal Textile Mill in Chor Muktarpur area of Panchshar Union under Munshiganj District<sup>248</sup>. • On October 6, workers in Platinum and Crescent Jute Mills at the Khalishpur Industrial Area in Khulna brought out protest rally demanding their dues<sup>249</sup>.

### **Condition of construction workers**

70. The contributions of construction workers are enormous in making roads, bridges and houses. But these workers, who fall in the category of the informal workforce, are being discriminated in various ways and also becoming victims of suppression and negligence. There is no legal framework or specific policy for workers in the informal sector. Most of them have to work under the open sky, particularly under the sun and in unfavourable weather. However, no minimum wage has been fixed for their work. As a result, construction workers, irrespective of gender, are victims of various discrimination, including inadequate wages. Among them, the condition of women workers is obviously more vulnerable. They have to work keeping their babies under trees near the workplace or any place close to the workplace. Many women workers leave their children at home; and as a result, they are at risk of sexual and other abuse. Furthermore, many of their children are deprived from education. They do not have adequate sanitation and safe water. As a result they drink a small amount of water and work for the whole day which causes various diseases including kidney

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<sup>243</sup> The daily Naya Diganta, 11/01/2017; <http://www.dailynayadiganta.com/detail/news/186380>

<sup>244</sup> The daily Dhaka Tribune, 18/01/2017, <http://www.dhakatribune.com/bangladesh/dhaka/2017/01/17/two-burnt-bangshal-shoe-factory-fire/>

<sup>245</sup> Workers alleged that the factory owner took a strategy to terminate the old workers and appoint new workers to avoid giving workers permanent jobs and related facilities. After every four or five months, the owner terminates existing workers and appoints new workers. Recently, the factory owner made a list of more than 200 workers for termination and as a result workers unrest started over this matter.

<sup>246</sup> Information sent by local human rights defender associated with Odhikar from Chittagong.

<sup>247</sup> The Daily Star, 30/08/2017; <http://www.thedailystar.net/city/25-hurt-ctg-mill-workers-clash-cops-1456117>

<sup>248</sup> Information sent by human rights defender associated with Odhikar from Munshiganj. For details, see Odhikar human rights monitoring report of September 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-September-2017_Eng.pdf)

<sup>249</sup> The daily Manabzamin, 07/10/2017; [www.mzamin.com/article.php?mzamin=86251&cat=9/](http://www.mzamin.com/article.php?mzamin=86251&cat=9/); for details, see Odhikar human rights monitoring report of October 2017; [http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017\\_Eng.pdf](http://www.odhikar.org/wp-content/uploads/2018/01/human-rights-monitoring-report-october-2017_Eng.pdf)

failure. Moreover, child workers are also engaged in risky construction work.



*A woman construction worker chipping bricks. Photo: Dhaka Tribune, 31 December 2017*



*Construction workers at work (Photographs taken at Dhaka and Narayanganj).*

*Photo: Odhikar, August-September 2017*

### ***Situation of migrant workers***

71. Many people from Bangladesh go to abroad every year for work. Money from these migrant workers is fuelling economy of Bangladesh. However, allegations of non-cooperation of Bangladesh embassies abroad were found

from Bangladeshi migrant workers. The migrant workers are being harassed at the airport in Bangladesh. Such workers go to abroad by selling land/property and taking loans at home. They are doing hard work and are living there with various difficulties. Women migrant workers are subjected to physical abuse, sexual harassment and rape. A recent study carried out by UN Women and International Organisation for Migrants (IOM) with support from the Swiss Agency for Development and Cooperation says that hundreds of thousands of women migrant workers from South Asian countries in the Middle East signed an employment contract. But these contracts do not adequately protect them from discrimination and abuse.

*It is to be mentioned that 409,000 women migrant workers are working in the Middle East<sup>250</sup>. Bangladesh Occupational Safety, Health and Environment Foundation (OSHE Foundation) reported that at least 33,112 Bangladeshi migrant workers died abroad for different reasons in between January 2005 to November 2017<sup>251</sup>.*

## L. Children under cruel treatment

72. Violence, inhuman and cruel treatment against children continued in 2017. Children are becoming victims of various attacks, sexual harassment, abduction for ransom etc. Many children are involved in child labour and a large majority of them are working in dangerous and vulnerable conditions due to poverty. They are being deprived from right to education. It was observed that violence and cruelty against children has increased due to a degradation of society, lack of justice and worsening of the law and order situation. A very small number of perpetrators were punished in a few incidents, but such incidents continue, which is a matter of grave concern.

*• On September 25, a 16-year old boy named Sagor Mia was beaten to death while tied to a pole by some men including Akkas Ali, his brother Hasu, Abdus Sattar, Jewel Mia, Sohel Mia and Qaiyum, in Gouripur Upazila under Mymensingh District. Sagor was accused of being a thief by the men<sup>252</sup>. • On December 24, Al-Amin (12), who worked in a house, was allegedly killed by Sheikh Jobaer Alam and his wife Saiyeda, the owners. They had been inflicting inhuman treatment on Al-Amin since he had joined work as a domestic helper<sup>253</sup>.*

<sup>250</sup> UN FINDINGS; Women migrants not fully protected in ME/ The daily New Age, 22/12/2017; <http://epaper.newagebd.net/22-12-2017/2>

<sup>251</sup> The daily New Age, 18/12/2017; <http://www.newagebd.net/article/30674/33000-migrant-workers-died-in-13-years-report>

<sup>252</sup> The daily Jugantor, 27/09/2017; <https://www.jugantor.com/last-page/2017/09/27/158841/>

<sup>253</sup> The daily Jugantor, 27/12/2017; <https://www.jugantor.com/last-page/2017/09/27/158841/>



## M. Violence against women and girls

73. In 2017 a significant number of women and girls were the victims of dowry related violence, rape, sexual harassment and acid attacks. During this period, incidents of child marriage also continued in the country. On February 27, the National Parliament passed the 'Child Marriage Restraint Bill 2017' which contains provisions for the marriage of minor girls in 'special circumstances'. As a result the special provision of this Law legitimises child marriage in Bangladesh.

### ***Sexual harassment (stalking)***

74. According to information gathered by Odhikar, in 2017, a total of 242 girls and women were victims of sexual harassment. Of them 17 committed suicide, four were killed, 42 were injured, 42 were assaulted, three were abducted and 134 were victims of stalking. During this time, 12 men were killed, 70 men were injured, one was assaulted and one woman was killed, 22 women were injured, one woman was assaulted by the stalkers when they protested such acts.

*During this period, 17 women including Shipon Akhter<sup>254</sup>, a student of class VIII on February 16; Tania Akhter (15)<sup>255</sup>, a student of class X on February 21; college students Arifa Begum<sup>256</sup> on March 4; Razifa Akhter Sathi<sup>257</sup> (15) committed suicide after being sexually harassed by stalkers on October 8. Furthermore, four were killed by stalkers.*

*• On January 15, a college student Jhuma Begum was stabbed and injured by stalker after bring refused of love proposal. • On March 14, a primary school teacher Misfa Sultana (25) in Chittagong was beaten by stalker Ahsan Ullah with a crowbar and broke her arms.<sup>258</sup>*



*School teacher Misfa Sultana was beaten by a stalker. Photo: Prothom Alo, 15 March 2017.*

<sup>254</sup> The daily Jugantor, 17/02/2017; [www.jugantor.com/news/2017/02/17/101738/](http://www.jugantor.com/news/2017/02/17/101738/)

<sup>255</sup> The daily Prothom Alo, 22/02/2017; [www.prothom-alo.com/bangladesh/article/1086463/](http://www.prothom-alo.com/bangladesh/article/1086463/)

<sup>256</sup> The daily Jugantor, 09/03/2017; <http://www.jugantor.com/news/2017/03/09/107344/>

<sup>257</sup> The daily Manabzamin, 10/10/2017; [www.mzamin.com/article.php?mzamin=86764&cat=2/](http://www.mzamin.com/article.php?mzamin=86764&cat=2/)

<sup>258</sup> The daily Prothom Alo, 15/03/2017

• On April 8, two youth and a girl, who visited the Shahid Miner area of Shahjalal Science and Technology University in Sylhet, were harassed and beaten by the University unit Chhatra League leaders and activists<sup>259</sup>. • On July 3, Jewel Bepari, Joint Convener of Chhatra League of Ichhapur Union under Ramganj Upazila in Laxmipur District, kidnapped a girl student of class VIII at gunpoint<sup>260</sup>. • On August 8, criminals stabbed and injured Mohammad Noushed Alam while he was protesting against their stalking of his daughter, a student of class X in Savar<sup>261</sup>.

During this period, 12 men including Hridoy Gazi<sup>262</sup>, a student named Saiyedur Rahman (15)<sup>263</sup>, Shymol Chanda<sup>264</sup> and a woman named Sabiha Begum were killed by the stalkers for protesting such incidents. Furthermore, many parents, siblings and relatives of victims of sexual harassment were attacked and injured by stalkers while protesting at different times.



Saiyedur Rahman (inset) was killed by stalkers when he protested. Photo: Jugantor, 29 January 2017.

Stalking/sexual harassment against women: January-December 2017						
Months	Suicide	Killed	Injured	Assaulted	Abducted	Other
January	0	0	7	1	0	6
February	2	1	3	4	0	12
March	1	0	5	9	0	20
April	1	0	6	4	0	12
May	1	0	1	0	0	12
June	0	0	3	2	1	13
July	2	0	2	2	1	16
August	0	0	0	8	0	9
September	1	0	4	4	0	7
October	5	0	7	2	1	10
November	4	2	2	3	0	13
December	0	1	2	3	0	4
<b>Total</b>	<b>17</b>	<b>4</b>	<b>42</b>	<b>42</b>	<b>3</b>	<b>134</b>

<sup>259</sup> The daily Naya Diganta, 09/04/2017; <http://www.dailynayadiganta.com/detail/news/210754>

<sup>260</sup> The daily Jugantor, 5 July 2017; [www.jugantor.com/our-chittagong/2017/07/05/137037/](http://www.jugantor.com/our-chittagong/2017/07/05/137037/)

<sup>261</sup> The daily Naya Diganta, 11/08/2017; <http://www.dailynayadiganta.com/detail/news/243147>

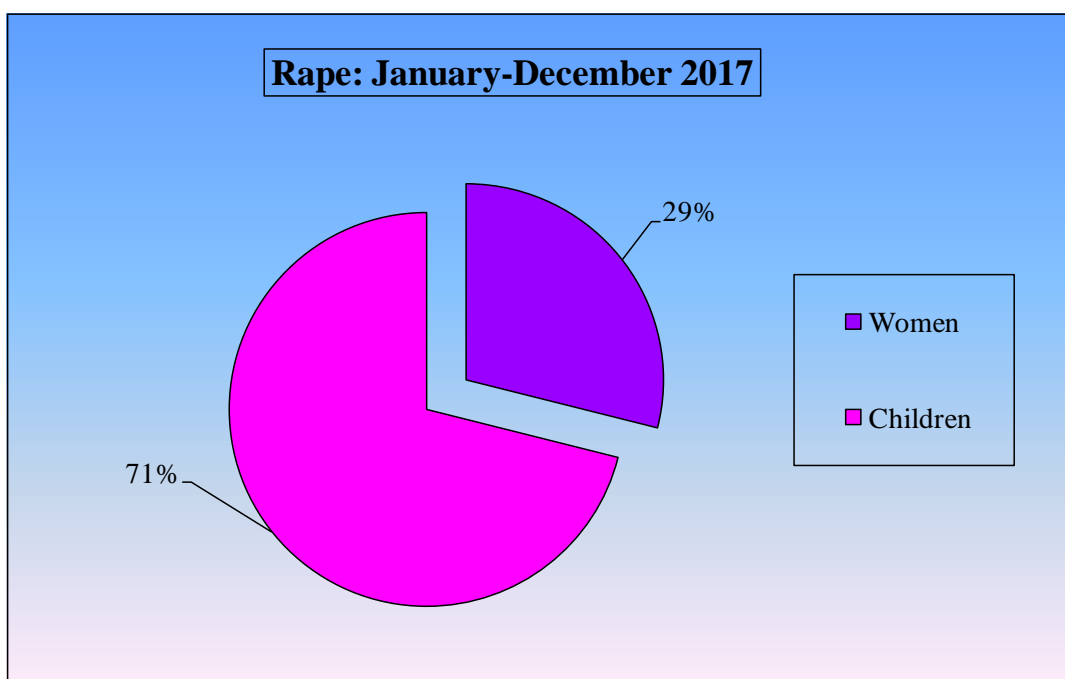
<sup>262</sup> The daily New Age, 29/01/2017; <http://www.newagebd.net/article/8032/stalkers-hack-barisal-schoolboy-to-death>

<sup>263</sup> The daily Jugantor, 29/01/2017, [www.jugantor.com/first-page/2017/01/29/97045/](http://www.jugantor.com/first-page/2017/01/29/97045/)

<sup>264</sup> The daily Prothom Alo, 13/03/2017; [www.prothom-alo.com/bangladesh/article/1106158/](http://www.prothom-alo.com/bangladesh/article/1106158/)

## Rape

75. The heinous crime of rape is alarmingly persistent in society and at present 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.<sup>265</sup> Furthermore, it is a matter of grave concern that the number of children being raped was double of that the adult women.



76. In 2017, a total number of 783 females were reportedly raped. Among them, 225 were women, 553 were children below the age of 18 and the age of five victims could not be determined. Of the women, 14 were killed after being raped, 93 were victims of gang rape and four committed suicide. Out of the 553 child victims, 18 children were killed after being raped, 108 were victims of gang rape and five children committed suicide. Furthermore, 81 women and girls were victims of attempted rape.

*On December 12, a group of criminals attacked a house in Borouthan Union under Kornophuli Upazila under Chittagong District and raped wives and sisters of three brothers who live abroad. Among the rape victims, one was a pregnant woman. The next day of incident, when victims went to Kornophuli Police Station to file a complaint, police did not pay any heed to them. After five days, police finally filed the case<sup>266</sup>.*

<sup>265</sup> Odhikar does not publish the name of the rape victims for ethical grounds

<sup>266</sup> The daily Jugantor, 26/12/2017; <https://www.jugantor.com/city/2017/12/26/182357/>

Death after being raped: January-December 2017					
Month (s)	Killed after being raped		Committed suicide after being raped		Total
	Women	Children	Women	Children	
January	2	0	1	0	3
February	1	0	0	0	1
March	1	0	0	1	2
April	2	1	2	1	6
May	2	4	0	0	6
June	1	3	0	0	4
July	0	2	0	1	3
August	3	0	1	0	4
September	0	4	0	1	5
October	0	1	0	0	1
November	2	0	0	1	3
December	0	3	0	0	3
<b>Total</b>	<b>14</b>	<b>18</b>	<b>4</b>	<b>5</b>	<b>41</b>

### ***Dowry-related violence***

77. In 2017, according to Odhikar documentation, 256 females were subjected to dowry violence. Among them, 118 were killed, 127 were physically abused and 11 committed suicide over dowry demands. It has also been reported that, among 256 females, two under aged brides were killed and two under aged brides were physically abused for dowry demands.

*A housewife named Khadiza Akhter Brishty<sup>267</sup> of Shariatpur District on March 5; Munia Yeasmin Tumpa<sup>268</sup> of Satkhira District on April 7; Khushi Khatun<sup>269</sup> of Sirajganj District on July 1; Mithu Khatun<sup>270</sup> of Pabna District on August 19; a pregnant housewife named Poly Akhter Mim<sup>271</sup> of Dhaka city on September 15; Khadija Begum<sup>272</sup> of Sunamganj District on October 6; and rest others were allegedly killed by their husbands and in-laws family members for dowry demands. Furthermore, 11 women, including Surobhi Akhter<sup>273</sup> of Barisal District; Khukumoni<sup>274</sup> of Jessore District; Irin Akhter<sup>275</sup> of Borguna District; and Rojoni Khatun<sup>276</sup> of Chuadanga District, allegedly committed suicide due to continuous violence over dowry demands.*

<sup>267</sup> The daily Manabzamin, 06/03/2017; <http://www.mzamin.com/article.php?mzamin=56195&cat=9>

<sup>268</sup> The daily Naya Diganta, 09/04/2017; <http://www.dailynayadiganta.com/detail/news/210640>

<sup>269</sup> The daily Manabzamin, 13 July 2017; <http://www.mzamin.com/article.php?mzamin=72244&cat=9/>

<sup>270</sup> The daily Jugantor, 21/08/2017; [www.jugantor.com/the-northern-town/2017/08/21/149902/](http://www.jugantor.com/the-northern-town/2017/08/21/149902/)

<sup>271</sup> The daily Jugantor, 16/09/2017; <https://www.jugantor.com/second-edition/2017/09/16/156060/>

<sup>272</sup> The daily Naya Diganta, 10/10/2017; [www.mzamin.com/article.php?mzamin=86764&cat=2/](http://www.mzamin.com/article.php?mzamin=86764&cat=2/)

<sup>273</sup> The daily Bangladesh Protidin, 27/02/2017; <http://www.bd-pratidin.com/city/2017/02/27/211258>

<sup>274</sup> The daily Manabzamin, 04/04/2017; [www.mzamin.com/article.php?mzamin=60063&cat=9/](http://www.mzamin.com/article.php?mzamin=60063&cat=9/)

<sup>275</sup> The daily Jugantor, 19/04/2017; [www.jugantor.com/bangla-face/2017/04/19/118597/](http://www.jugantor.com/bangla-face/2017/04/19/118597/)

<sup>276</sup> The daily Jugantor, 04/05/2017; [www.jugantor.com/news/2017/05/04/122084/](http://www.jugantor.com/news/2017/05/04/122084/)

78. According to the Dowry Prohibition Act 1980, giving and taking dowry is a punishable crime; despite the fact such practice continues widely in society due to lack of implementation of law. Moreover, causing death due to dowry demands is always a punishable offence under the Women and Children Repression Prevention Act 2000 (amended in 2003).

**Dowry related violence (Bride): January December 2017**

	January	February	March	April	May	June	July	August	September	October	November	December
Killed	6	7	5	13	11	23	10	6	8	14	7	8
Physically Abused	11	6	14	11	10	5	13	10	13	15	13	6
Suicide	0	1	0	2	1	1	1	2	0	1	2	0

### **Acid violence**

79. According to information gathered by Odhikar, in 2017, it was reported that 52 persons became victims of acid violence. Of them, 33 were women, nine were men, nine were girls and one was boy.

80. During this period, 33 persons including a housewife named Aklima Akhtar at Nakhalpara area in Dhaka<sup>277</sup> on January 13; a housewife Nasrin in Gazipur<sup>278</sup> on May 6; a school student Sadia Akhter Priya in Islampur under Pabna District<sup>279</sup> on June 5; a house wife Morjina Begum and her sister-in-law in Bhuapur Upazila under Tangail District<sup>280</sup> on July 9; a housewife named Lucky Begum Punu in Muksudpur under Gopalganj District<sup>281</sup> on August 1; and on September 5, a woman named Morium with her younger brother Rashel and younger sister Mohirun Akhter in Kalapagla area under Haluaghat Upazila in Mymensingh District<sup>282</sup>, became victims acid attack.

<sup>277</sup> The daily Prothom Alo, 15/01/2017, [www.prothom-alo.com/bangladesh/article/1059953/](http://www.prothom-alo.com/bangladesh/article/1059953/)

<sup>278</sup> The daily Prothom Alo, 11/05/2017; [www.prothom-alo.com/bangladesh/article/1176659/](http://www.prothom-alo.com/bangladesh/article/1176659/)

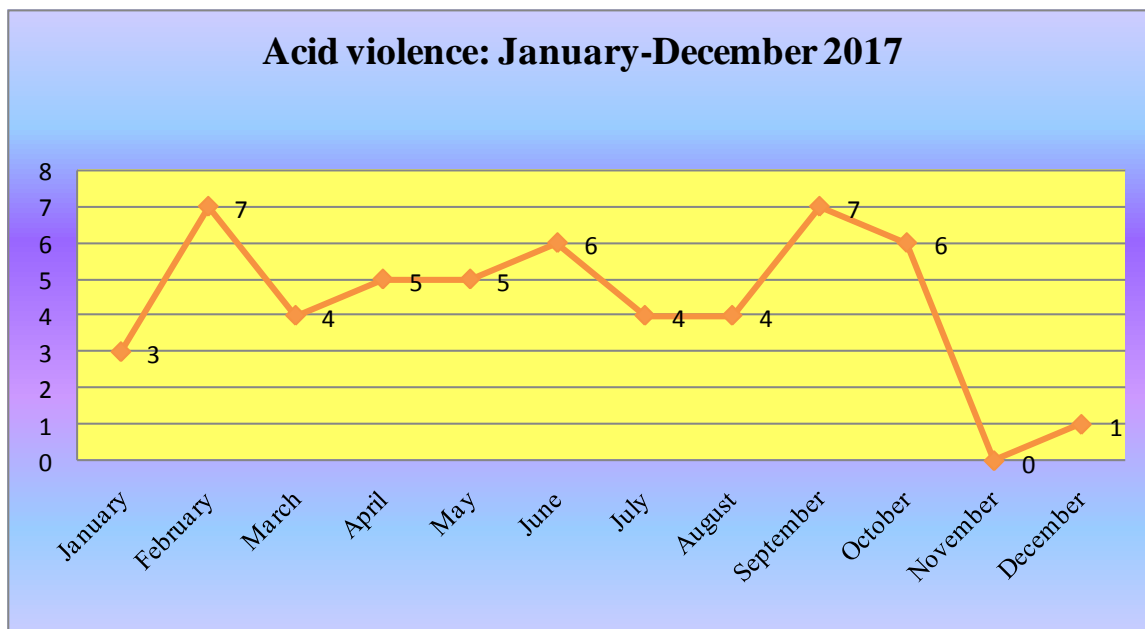
<sup>279</sup> The daily Jugantor, 06/06/2017; [www.jugantor.com/news/2017/06/06/130315/](http://www.jugantor.com/news/2017/06/06/130315/)

<sup>280</sup> The daily Jugantor, 11 July 2017; [www.jugantor.com/news/2017/07/11/138569/](http://www.jugantor.com/news/2017/07/11/138569/)

<sup>281</sup> The daily Naya Diganta, 02/08/2017; <http://www.enayadiganta.com/news.php?nid=344650>

<sup>282</sup> The daily Bangladesh Protidin, 07/09/2017; <http://www.bd-pratidin.com/last-page/2017/09/07/261911>

Acid Violence: January-December 2017					
Month(s)	Female		Male		Total
	Adult	Child	Adult	Child	
January	2	1	0	0	3
February	4	0	3	0	7
March	3	0	1	0	4
April	4	1	0	0	5
May	5	0	0	0	5
June	3	3	0	0	6
July	3	1	0	0	4
August	1	2	1	0	4
September	4	1	2	0	7
October	3	0	2	1	6
November	0	0	0	0	0
December	1	0	0	0	1
<b>Total</b>	<b>33</b>	<b>9</b>	<b>9</b>	<b>1</b>	<b>52</b>



81. While analyzing the reason behind acid violence, it was learnt that in most cases acid was thrown on women and girls by men in retaliation of refusal of love or marriage proposals. Furthermore, incidents of acid violence occur due to domestic violence, dowry demands, land dispute, previous enmity, etc.

## N. Hindrance to human rights activities of Odhikar

82. The ongoing harassment<sup>283</sup> on Odhikar continued in 2017. The government has stopped providing approval and fund clearance to all human rights related projects of Odhikar and continued monitoring human rights defenders associated with it since 2014. Furthermore, the NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office has, withheld renewal of Odhikar's registration and barred the release of any new project funds in order to stop its human rights activities. In 2013, Odhikar took loan of Taka 1,845,038.00 from its own fund in order to accomplish activities on time under "Human Rights Research and Advocacy" project funded by the Embassy of the Kingdom of the Netherlands (EKN) as donor's fund was delayed. Odhikar spent that money to implement the project activities. On July 14, 2013 the Netherlands Embassy transferred the last instalment money of the third year budget to Odhikar's Mother Account at Standard Chartered Bank as per fund request from Odhikar. The NGOAB did not give permission to Odhikar to withdraw the money from bank despite submission of all financial reports, including audit and project activity reports to the NGOAB. As a result, the money is still blocked by the government.
83. Furthermore, although the NGOAB approved activities of Odhikar's two-year project on "Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh" funded by the European Union (EU), the NGOAB did not give fund clearance for 50% of the money of the second year. As a result, some project related activities during six month period could not be undertaken and Taka 3,846,543.00 of the EU is still frozen in the bank. However, several initiatives had been taken on behalf of the EU in this regard but the matter has not resolved yet.
84. Odhikar's accounts are maintained at the Standard Chartered Bank (SCB). The government started to suppress and harass Odhikar from 2013, since then the SCB has been harassing Odhikar through different ways. Currently the Standard Chartered Bank has made dormant all accounts of Odhikar. Despite numerous challenges the Organisation is still operating due to the

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<sup>283</sup> The incumbent government continues to harass Odhikar for being vocal against human rights violations and for campaigning to stop them. 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 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. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are harassed and victimised.

volunteer services of grassroots level human rights defenders associated with Odhikar and its members and staff and their commitment to human rights activism. During this period a human rights defender associated with Odhikar, journalist Abdul Hakim Shimul, was shot dead by Awami League leader Halimul Huq Miru while collecting information on political violence<sup>284</sup>. Three human rights defenders associated with Odhikar from Kushtia and Munshiganj – Hasan Ali, Aslam Ali and Sheikh Mohammad Ratan – were sent to jail in cases filed under the ICT Act.

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<sup>284</sup> For details, please see Odhikar's monthly report of February 2017. [http://www.odhikar.org/wp-content/uploads/2017/03/HRR\\_February\\_2017\\_English.pdf](http://www.odhikar.org/wp-content/uploads/2017/03/HRR_February_2017_English.pdf)



## Recommendations

1. In order to restore democracy and the voting rights of the people, an accountable government must be established through free fair and inclusive elections, under a neutral interim government or even under the supervision of the United Nations; and initiatives must be taken to fix dysfunctional institutions through an elected government.
2. Interference on the Judiciary must stop. The government must refrain from such activities to ensure Independence of the Judiciary in actuality.
3. The Government must stop political violence. The government must also take legal action against the ruling party leaders and activists for criminal activities in order to prevent criminalisation.
4. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators must be brought to effective justice. The law enforcement agencies must follow international guidelines “Basic Principles on the use of Force and Firearms by Law Enforcement Officials” and the “UN Code of Conduct for Law Enforcement Officials”.
5. The Government must 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.
6. 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.
7. The Government must refrain from repressive, undemocratic and unconstitutional activities. Mass arrests and human rights violations in custody and jail should cease. 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. Harassment on the opposition political parties and dissenters must be stopped.

8. Freedoms of speech, expression and the media must be ensured and protected. The Government must withdraw cases filed against all human rights defenders and journalists; and it should also bring the perpetrators to justice through proper investigation. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV and Islamic TV must be removed.
9. All repressive and abusive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 and 2013), the Foreign Donation (Voluntary Activities) Regulation Act 2016, and the Special Powers Act, 1974 must be repealed. Monitoring of the social media and internet, leading to arrests and harassment and human rights violations, should be stopped.
10. Attacks and repression on all minority community citizens must stop. The Government should take all measures to protect the rights of the citizens belonging to religious, ethnic and linguistic minority communities and ensure their security. The government should bring all perpetrators to justice through proper investigation.
11. The ready-made garment factories and all 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 related facilities. Violations of human rights of workers/labourers and harassment to them by the Industrial Police must be stopped. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions. In order to stop discrimination a legal framework or policy must be made for all workers in the informal work sector, including construction site.
12. 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 and put perpetrators to justice.
13. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF) and take initiatives to investigate and make the Indian Government accountable and compensate the families of the victims. The Government must also ensure the safety and security of the Bangladeshi citizens residing at the border areas. The Indian Government should refrain from shifting fences near the zero line along the border thus violating international law.
14. The construction of the Rampal coal-based power plant must also be stopped to prevent ecological and human disaster in Bangladesh. The Bangladesh

Government should take measures to stop the inter-river connecting project as it is detrimental to the people and territory of Bangladesh, as is the Rampal power plant. India must give Bangladesh its right to water and must stop all activities that are creating artificial flooding in Bangladesh. Odhikar also demands a balance in the current trade imbalance between the two countries.

15. The international community must take effective action against the human rights violations on the Rohingya community who are victims of genocide; and the Bangladesh government and international community should support and provide shelter and security to the Rohingya refugees. In order to protect the right to life and human dignity of the Rohingya people, Odhikar demands peace and human rights to be established immediately in the Rakhine state (Arakan) of Myanmar with UN initiatives. The international community must put effective pressure on the Myanmar government and support the establishment of the human rights of the Rohingya community in Myanmar. At the same time, all those responsible, including the Myanmar Army and Buddhist extremists must be made accountable at the international level for committing genocide.
16. 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 NGO Affairs Bureau must renew its registration which is pending since April 2014. The government must release the funds of Odhikar to enable it to continue its human rights activities.

-End of Report-