



Quarterly Human Rights Monitoring Report on Bangladesh

Reporting Period: July – September 2019

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Foreword

In order to promote and protect the civil, political, economic, social and cultural rights of Bangladeshi citizens, Odhikar has been relentlessly working on human rights in Bangladesh since 1994. Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather, it believes that the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As a human rights organization Odhikar has always been active in raising mass awareness of the various human rights violations committed by the state and to campaign for internationally recognized civil and political rights, protest rights violations and prevent the state from violating human rights. The Organisation unconditionally stands by the victims of oppression and maintains no prejudice with regard to political leanings or ideological orientation, race, religion or sex.

Since 2013, Odhikar has been facing persecution and continuous harassment and threats to its existence by the incumbent government due to its human rights activism. Despite this adverse situation, Odhikar continues to work; and has prepared the third quarter (July-September) report of 2019 on the human rights situation of Bangladesh, based on reports gathered by grassroots human rights defenders associated with Odhikar and data collected from the national dailies.

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Executive Summary

1. This report is based on the human rights situation in Bangladesh from July to September 2019. The human rights situation continued to remain grave during the reporting period. The Awami League government, which came to power without the people's vote, has systematically transformed several important state institutions into subservient institutions and introduced a culture of fear in the country through authoritarian rule. Incidents of violence against women, extrajudicial killings and public lynching have drastically increased in the last three months. It has been alleged that members of law enforcement agencies have committed extrajudicial killings without lawful arrest or investigation and ignoring due process of law. Extrajudicial killings have become widespread since the government launched a nationwide 'anti-narcotics operation' from 15 May 2018. Many allegedly innocent people are being harassed in the name of this operation. Acts of extortion, by intimidating people in 'crossfire' or tagging them in criminal cases and incidents of orchestrated 'gunfight', are occurring.¹ In addition, there have been allegations of extrajudicial killings to spare the main culprit associated with the incident. Members of these forces have increasingly been using law enforcement to suppress political opponents.
2. Twenty years after ratifying the United Nations Convention against Torture², Bangladesh submitted its preliminary report to the Committee Against Torture on 23 July 2019 and the Committee reviewed the situation of Bangladesh on 30 and 31 July at the UN Human Rights Council. The CAT Committee stated in its concluding observation that the allegations of torture in Bangladesh were not investigated properly or adequately and that the police often refused to accept the allegations of the victim's family. Even the families of the complainants are later subjected to threats, harassment and retaliation.³
3. Although reports of the commissions of enforced disappearances still continue in the country, it has been consistently denied by the government. When the representatives of the Bangladeshi government denied the occurrences of disappearances, during the review of Bangladesh at the 67th session of the UN Committee Against Torture, the Committee expressed concerns in their concluding observations that the Bangladesh government had failed to disclose information on alleged and reported detentions and disappearances.⁴
4. The efforts of corrupt undemocratic governments are to extinguish people's rights to freedom of expression and assembly, so that the people cannot protest against their wrongdoings. The same situation is seen in Bangladesh. In the absence of a democratic system, corruption and mismanagement have

¹ The daily Prothom Alo, 28 August 2019; <https://www.prothomalo.com/bangladesh/article/1611486/>

² Bangladesh ratified the UN Convention against Torture on 5 October 1998.

³ The daily Prothom Alo, 10 August 2019; <https://www.prothomalo.com/bangladesh/article/1608889/> Concluding observations on the initial report of Bangladesh, CAT/ C/BGD/CO/1

⁴ The daily Prothom Alo, 10 August 2019/, <https://www.prothomalo.com/bangladesh/article/1608889/> Concluding observations on the initial report of Bangladesh, CAT/ C/BGD/CO/1

become widespread. Influential people in the government have allegedly been making money through various criminal activities, including extortion, corruption, tender bribery; and through their involvement in money laundering.

5. Allegations of various types of irregularities and corruption, including torture on prisoners, have been found against almost all prison officials and employees in the country. Furthermore, the prisoners are living in inhumane conditions due to extreme overcrowding in the prisons. There are also allegations that prisoners are dying due to inadequate medical care as well as negligence by prison authorities.
6. Due to their involvement in opposition politics or due to their dissenting voices, many people have been suppressed by the government. They have faced arrest, torture, and false criminal cases. As a result, many Bangladeshi nationals have left the country and are seeking political asylum.⁵ In the present situation, the right to freedom of assembly of the opposition and dissidents has been brutally suppressed. The government has put restrictions to holding any procession or rally without the permission of the police. Leaders and activists of Chhatra League⁶ and Jubo League⁷ have attacked processions and rallies of the opposition political party (BNP) and other organisations who were protesting for various demands to the government. Awami League leaders and activists have been heavily involved in various acts of violence including suppression on leaders and activists of the opposition, extortion, land grabbing and violence against women. Moreover, they were found to be involved in armed clashes among themselves due to the intra-party conflicts of interest.
7. Incidents of public lynching have occurred across the country during this period. Due to lack of confidence in law enforcement and in the judiciary, ordinary people are taking the law into their own hands and engaging in crimes like public lynching.
8. The provision of the death penalty remains in force in the dysfunctional criminal justice system of Bangladesh. Police extract confessional statements from accused persons through torture, after taking them into remand⁸ and based on such confessions, the court may award maximum punishment to the accused, even though the confession was not a valid one. The lower courts also tend to use capital punishment for convictions, even if there are alternative punishments that could apply. As a result, death row inmates are being imprisoned in the condemned cell for years.⁹
9. The government continues to intervene on the media. In this repressive situation, those journalists and reporters that boldly published objective news have been attacked by ruling party leaders and activists at various times. The government is filing cases against journalists, ordinary citizens who criticize

⁵ The daily Manabzamin, 10 July 2019; <https://www.mzamin.com/article.php?mzamin=180571>

⁶ Student wing of the Awami League

⁷ Youth wing of the Awami League

⁸ The daily Jugantor, 31 August 2019; <https://www.jugantor.com/todays-paper/first-page/215370/>

⁹ The daily Jugantor, 5 April 2019; <https://www.jugantor.com/todays-paper/city/163442/>

the government, opposition political activists and dissidents by using the repressive Digital Security Act, 2018.

10. Thirty-five readymade garment (RMG) factories were closed in last four months. As a result, 16,849 workers lost their jobs.¹⁰ Attacks on workers by members of law enforcement agencies, they staged protests against unfair treatment and unpaid arrears. Furthermore, there have been reports of casualties in different work sectors.
11. Bangladeshi women migrant workers working abroad have returned to the country due to various forms of violence against them, including sexual harassment. In addition to that, 331 migrant women workers died in the last three years. Among them, 44 women committed suicide because of sexual assault at the workplace.¹¹
12. In the last three months, many women and children have been subjected to various forms of violence. Incidents of rape rose during this period. There were allegations of ruling party leaders-activists and members of the police involved in rape and gang rape. Incidents of rape in police custody were also reported.¹²
13. Members of the Indian Border Security Force (BSF) continue to kill and torture Bangladeshi citizens along the Indian-Bangladesh border areas and acts of Indian interference to Bangladesh continued during this reporting period. The Indian government has yet to sign the Teesta Agreement with the Bangladesh government. Instead, India is taking water from the Feni River in Bangladesh, violating international law by installing pipes at the zero line along the border without the consent of Bangladesh. India has also surrounded most areas along the Bangladesh border with barbed wire fence.¹³ There are concerns that people who have been excluded from the National Register of Citizens (NRC) list in the Assam State of India will be pushed into Bangladesh¹⁴.
14. The Myanmar government had given clearance to 3,540 Rohingyas for repatriation from Bangladesh to Myanmar for the second term on 22 August 2019. However, Rohingyas refused to return to Myanmar, as the Myanmar government did not meet any of their main demands, including reinstating their citizenship. As a result, attempts to start the second initiative of the repatriation process failed.
15. On 6 November 2016, houses belonging to the Santal ethnic minority community were set on fire during a clash between Santals on one side and Rangpur Sugar Mill's workers and employees, activists of Awami League-backed Chhatra League and Jubo League and the police on the other; in Govindganj under Gaibandha District. It was found in the judicial inquiry report that three police personnel and former Member of Parliament (Awami League) Abul Kalam Azad were involved in the incidents of the killing of

¹⁰ The daily inquilab, 4 September 2019; <https://www.dailyinqilab.com/article/231639>

¹¹ The daily Manabzamin, 31 August 2019, <http://mzamin.com/article.php?mzamin=188217&cat=2>

¹² The daily Prothom Alo, 4 September 2019

¹³ The daily Naya Diganta, 10 August 2019; <http://www.dailynayadiganta.com/first-page/431874/>

¹⁴ The daily Manabzamin, 3 September 2019; <https://mzamin.com/article.php?mzamin=188659>

three Santals and setting fire to their houses.¹⁵ However, the charge sheet submitted to the Court by the police on 28 July 2019 did not include their names.¹⁶

16. Various kinds of harassment on Odhikar took place before the farcical Parliamentary elections of 30 December 2018, in continuation of the government's repression on Odhikar that started in 2013. Odhikar applied to the NGO Affairs Bureau under the Prime Minister's Office for the renewal of its registration in 2014, but the registration has still not been renewed till the publication of this report.

¹⁵ Odhikar fact-finding report, [http://odhikar.org/wp-content/uploads/2017/07/Santal EM Gaibandha 19-22-Nov-16_Eng.pdf](http://odhikar.org/wp-content/uploads/2017/07/Santal_EM_Gaibandha_19-22-Nov-16_Eng.pdf) and "Judicial probe finds cops involvement", New Age, 1 February 2017; <http://www.newagebd.net/article/8172/article/35972>

¹⁶ The daily Prothom Alo, 29 July 2019; <https://www.prothomalo.com/bangladesh/article/1606642/> and New Age, 29 July 2019; <https://www.prothomalo.com/bangladesh/article/1606642/>

Statistics of Human Rights Violations: January – September 2019

Statistics: January-September 2019*												
Type of Human Rights Violation			January	February	March	April	May	June	July	August	September	Total
Extrajudicial killings	Crossfire		26	28	32	31	47	38	33	34	37	306
	Beaten to death		1	0	0	0	0	0	0	0	0	1
	Shot to death		0	4	0	0	0	0	0	0	0	4
	Torture to death		0	0	0	0	1	0	0	1	2	4
	Total		27	32	32	31	48	38	33	35	39	315
Enforced Disappearances			3	2	2	4	4	4	1	1	3	24
Death in Jail			4	3	7	10	5	9	3	3	5	49
Human rights violations by Indian BSF	Bangladeshis Killed		5	1	1	4	3	4	4	3	3	28
	Bangladeshis Injured		0	1	1	3	2	3	0	7	11	28
	Bangladeshis Abducted		0	1	0	0	7	1	2	4	2	17
	Total		5	3	2	7	12	8	6	14	16	73
Attack on journalists	Injured		4	8	2	2	19	0	1	2	4	42
	Assaulted		0	0	0	2	1	0	0	2	0	5
	Threatened		1	1	0	0	1	1	1	3	0	8
	Total		5	9	2	4	21	1	2	7	4	55
Political violence**	Killed		6	6	22	7	8	3	1	5	2	60
	Injured		339	199	584	161	200	297	197	186	254	2417
Dowry related violence against women			5	5	9	20	7	10	6	7	3	72
Rape	Girl under the age of 18		62	37	39	105	70	61	53	78	54	559
	Women		30	12	23	35	20	35	19	34	35	243
	Age could not be determined		0	0	1	0	0	6	0	1	0	8
	Total		92	49	63	140	90	102	72	113	89	810
Sexual harassment /Stalking of females			4	8	6	25	20	9	22	31	8	133
Acid violence			3	2	3	3	1	0	2	1	3	18
Public lynching			3	9	3	9	6	3	14	4	2	53
Situation of workers	RMG workers	Killed	1	0	0	0	0	0	0	0	0	1
		Injured	175	0	53	10	10	0	0	20	32	300
	Workers in other sectors (informal)	Killed	2	4	6	1	4	3	13	3	3	39
		Injured	0	5	19	0	0	2	0	0	0	26
Arrest under Digital Security Act 2018			8	3	3	1	6	3	1	3	1	29

* Statistics of some issues have been updated.

** In March, 15 persons were killed and 448 were injured due to electoral violence centring around the Upazila Elections which has been added in the Political Violence table.

Violations, Impunity and Lack of Accountability

Extrajudicial killings

17. Allegations of widespread extrajudicial killings by members of law enforcement agencies have been reported during the three months from July to September 2019. Extrajudicial killings became prolific when the government commenced its nationwide anti-drugs operations in the name of 'war on drugs' from 15 May 2018, which still continues. **A total of 44 persons were extra judicially killed during anti-drugs drives between July and September.** One of the major areas of this operation was Teknaf Upazila under Cox's Bazar District. Representatives of the local government of this Upazila and local people said many apparently innocent people were harassed during the anti-drug operations. Some law enforcement officers were involved in taking money by threatening people of death in 'crossfire' or implication in criminal cases. Members of law enforcement agencies were killing people in the name of 'gunfire'. An analysis of the cases of the 'gunfight' shows that each description of the incident is almost identical. In these cases, the police file three to four cases, including murder, under the Drug and Arms Act, and state attacks on them or obstruction on government duty. In every case, more than one person is accused either by name or anonymously. There were also allegations that the police later took money from the accused.¹⁷
18. Two brothers, Kashem and Mohammad Hossain, were killed in an alleged 'gunfight' with police on 11 April and 20 July 2019 respectively in Satghoriapara under Teknaf Upazila of Cox's Bazar District. Hossain's wife, Sanjida Begum said that her husband was a farmer. In the afternoon on 20 July, he was having lunch after work when plainclothes police arrested him. The next day they learned that Hossain was killed in 'crossfire' with the police. It is to be mentioned that on 31 March 2019, police filed four cases against 28 persons, when the drug dealer Mahmudur Rahman, arrested on suspicion, was killed in a 'gunfight' with police. Kashem, Hossain's brother, had been accused in one of the cases and he was also killed in a 'crossfire'. Relatives and locals of the deceased men said that brothers' family had a dispute over land with Mohammed Alam alias Babul and his brother, Awami Olama League leader Maulvi Badiul Alam of the area.¹⁸
19. Another form of extrajudicial killing is the killing in the name of 'gunfire' or 'crossfire' of accused persons who were allegedly involved in important criminal incidents. These extrajudicial killings are alleged to have taken place to cover up the main culprits actually involved in the incidents. The detainees were killed in a 'gunfight' even after the surrender. As a result, the opportunity to know the truth is lost. In these cases, members of the law enforcement agencies are enjoying extensive impunity. One example is as follows:

¹⁷ The daily Prothom Alo, 28 August 2019; <https://www.prothomalo.com/bangladesh/article/1611486/>

¹⁸ The daily Prothom Alo, 28 August 2019; <https://www.prothomalo.com/bangladesh/article/1611486/>

20. Sabbir Hossain alias Nayan, the main accused in the murder of a young man named Rifat Sharif, was shot dead by police on 2 July 2019 on the bank of Paira River in Purakata under Borguna Sadar Upazila. Earlier, police had arrested Nayan.¹⁹ Sunam Debnath, Science and Technology Affairs Secretary of the district unit Awami League and son of Dharendra Debnath Shambhu, a member of the ruling Awami League Borguna Constituency-1, was the sponsor or 'protector' of Nayan. Nayan carried out various criminal activities in the city with the help of police.²⁰ Nayan's mother Shaheeda Begum said, "Nayan was killed in a conspiracy to stop him from giving out all information about the misdeeds of the influential people". She alleged that Nayan was tortured to death and said there were marks of injuries all over Nayan's body and that finger nails were missing and his ears were cut off.²¹
21. Furthermore, members of law enforcement agencies allegedly kill the main accused of some of the more sensitive cases in 'gunfights'. For instance, on 2 July 2019, Ramjan, a prime accused in the murder of Badda Union unit Awami League General Secretary Farhad Ali, was killed in a gunfight with the Detective Branch of Police at Satarkul area in Dhaka City.²² On 8 July, Saiful Islam, a main accused in an incident of gang-rape, was killed in 'gunfight' with police in Bhaluka of Mymensingh.²³ On 1 September, a Rohingya named Nur Mohammad (38) was killed in a 'crossfire' with police in Teknaf of Cox's Bazar District. Police claimed that the deceased Nur Mohammad was the main accused in the murder of Jubo League leader Omar Farooq.²⁴ On 4 September, a person named Mohammad Belal (43) surrendered at Khulshi Police Station in Chittagong City. Belal was killed in a 'gunfight' with the police on Jalalabad Hill at 1:00 am that same day.²⁵
22. In some cases, law enforcement agencies claim that when they receive news of 'gunfights' between two groups of drug dealers, they rush to the spot, and drug dealers engage in 'gunfight' with them and get killed. However, the relatives of the deceased victims alleged that after taking the victims away, they are not found anymore and are later killed in 'crossfire'.
23. On 20 July 2019, a transport worker named Rafiqul (37) was killed in 'crossfire' with police in Kushtia. The Officer-in-Charge of Kushtia Model Police Station, Nasir Uddin said that when a police patrol team arrived at the Horra field at 2:00 am, hearing information about a 'gunfight' between two groups of drug peddlers, the drug peddlers opened fire at police. Police fired back in retaliation and Rafiqul was taken to the hospital after being shot-where he died. However, the victim's wife, Mita Begum, alleged that on 18 July 2019, the Detective Branch of Police arrested Rafiqul from her father-in-law's house at Kumarakhali Upazila. Since then she had not been able to find her husband although she looked for him in police stations and police lines.

¹⁹ The daily Jugantor, 2 July 2019; <https://www.jugantor.com/country-news/194498/>

²⁰ The daily Prothom Alo, 28 July 2019; <https://www.prothomalo.com/bangladesh/article/1606530/>

²¹ Bangladesh Pratidin, 24 July 2019; <https://www.bd-pratidin.com/first-page/2019/07/24/442632>

²² The daily Jugantor, 3 July 2019; <https://www.jugantor.com/capital/194883/>

²³ "Drug dealer, rape accused killed in Dhaka, Mymensingh 'gunfights'", The Daily Star, 9 July 2019; <https://www.thedailystar.net/country/news/drug-dealer-rape-accused-killed-gunfights-1768831>

²⁴ The daily Jugantor, 1 September 2019; <https://www.jugantor.com/country-news/216002/>

²⁵ The daily Jugantor, 5 September 2019; <https://www.jugantor.com/country-news/217491/>

She later learnt of his death in 'gunfight'.²⁶ On 23 August, a body of a man named Mansoor Sheikh (45) was found at Bakal Islampur Char under Satkhira Sadar Upazila. Police claimed that Mansur was a drug dealer. He died in a 'gunfight' between two groups over drug peddling. On the other hand, Mansur's wife Shahnaz Khatun claimed that police took her husband away from their house on 22 August at noon. Some of her relatives even met Mansoor at the police outpost.²⁷

24. **A total of 107 persons were reportedly killed extra-judicially between July and September 2019. Of them, 57 persons were killed by police, 25 by RAB, 15 by BGB, nine by DB Police and one by Army. Among the 107 persons extra judicially killed, 104 were killed in 'crossfire/ encounters/ gunfights'. Furthermore, among the deceased, three persons were allegedly tortured to death by police.**

Torture and lack of accountability of law enforcement agencies

25. From July to September 2019, numerous allegations of harassment, arbitrary detention, seeking bribes, extortion and torture were found and reported against members of law enforcement agencies. It is firmly established that the police extract confessional statements from an accused by torture and inhumane treatment during remand.²⁸ In these cases, members of law enforcement agencies enjoy impunity. For example, on 15 April 2014, Mohammad Azam filed a case accusing unknown persons at Hazaribagh Police Station in Dhaka, of abducting his minor son Abu Sayed. Later the case was handed over to the Detective Branch (DB) of Police. Sub Inspector of DB Police Ruhul Amin, arrested Afzal, Saiful, Sonia and Shahin Raji of Mehendiganj under Barishal District. The DB Police allegedly tortured them and forced them to confess to the court. Saiful alleged that the DB Police blindfolded and beat them and kicked them after throwing them to the ground. Later, they told the court, as per instructions of the DB Police, that they had killed Abu Sayed by throwing him in the river from a launch traveling to Barishal. In this case, they were imprisoned for several years and subsequently released on bail. However, on 29 August 2019, Afzal came to Senior Assistant Commissioner SM Shamim of the Pallabi Zone of Dhaka Metropolitan Police and told him that Abu Sayeed was alive and he was staying with his parents.²⁹ On 30 August, Sonia filed a case accusing seven persons for the alleged kidnapping and plotting of a false murder. Police

²⁶ New Age, 21 July 2019; <http://www.newagebd.net/article/79078/man-killed-in-kushtia-gunfight>

²⁷ The daily Jugantor, 24 August 2019; <https://www.jugantor.com/todays-paper/news/212773/>

²⁸ Shamim Reza Rubel, a student of Independent University of Bangladesh was arrested under section 54 of the Code of Criminal Procedure (Cr.PC) on 23 July 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 10 November 2016 the Court gave a 19-point instruction guideline.

²⁹ The daily Jugantor, 31 August 2019; <https://www.jugantor.com/todays-paper/first-page/215370/>

arrested four persons, including Abu Sayeed and his father Mohammad Azam and mother Moinur Begum.³⁰

26. Due to the use of law enforcement agencies to suppress political opponents, the members of these forces have become reckless and are enjoying impunity. In 2013, the Torture and Custody Death (Prevention) Act was passed, but due to fear and threats of reprisals, a majority of torture victims or families of the victims could not file cases under this law. The few that have been filed are still 'under investigation'. The UN Committee Against Torture (CAT) reviewed the situation on the issue of torture in Bangladesh on 30 and 31 July, when Bangladesh submitted its preliminary report on 23 July 2019, after 20 years of ratification of the UN Convention against Torture.³¹ In the concluding observation of the Committee, it stated that the allegations of torture in Bangladesh are not being investigated properly or adequately and the police often refuse to accept the complaints of the victim's families. It observed that the families of the complainants are later subjected to threats, harassment and retaliation. The Committee noted that there were credible allegations of torture, arbitrary arrest, unacknowledged detention, disappearance and extrajudicial killings while in police custody.³²
27. On 16 July 2019, police arrested Ayesha Siddiqua Minni, the main witness of the murder of her husband Rifat Sharif, who was hacked to death in broad day light on the streets of Barguna District on 26 June; and she was allegedly forced to give a confessional statement through physical torture. When Minni's mother Jinat Jahan, met her at Barguna District Jail, Minni said that she was physically tortured by a few police personnel led by Assistant Sub Inspector (ASI) Rita in a room at the police lines. When she wanted water to drink, she was not given any. Police repeatedly pressurised her into memorizing a written statement prepared by them.³³
28. On 18 July 2019, Assistant Sub Inspector of Police (ASI) Mohammad Forkan detained a businessman named Morshedul from the Kornophuli Bridge area in Chittagong suspecting him of stealing a cell phone; and took forty thousand taka from him. Later Morshedul was locked-up at Bayazid Bostami Police Station and Taka 30,000 more was taken from his family members by intimidating them.³⁴
29. On 25 August 2019, the police of Nasirnagar Police Station arrested a man named Babul Mia (54) in a robbery case from Nasirnagar Upazila under Brahmanbaria District. Babul Mia's family alleged that a group of plainclothes men arrested Babul Mia without any arrest warrant. Later police tortured him to death.³⁵

³⁰ The daily Jugantor, 1 September 2019; <https://www.jugantor.com/todays-paper/last-page/215746/>

³¹ Bangladesh ratified the UN Convention against Torture on 5 October 1998.

³² The daily Prothom Alo, 10 August 2019; <https://www.prothomalo.com/bangladesh/article/1608889/> Concluding observations on the initial report of Bangladesh, CAT/ C/BGD/CO/1

³³ Bangladesh Pratidin, 5 August 2019; <https://www.bd-pratidin.com/last-page/2019/08/05/446221>

³⁴ The daily Jugantor, 19 July 2019; <https://www.jugantor.com/country-news/201090>

³⁵ "Man dies hours after arrest", The Daily Star, 26 August 2019; <https://www.thedailystar.net/backpage/news/man-dies-hours-after-arrest-1790728>

Enforced disappearances

30. Allegations of enforced disappearances in Bangladesh continued to come regularly after the Awami League-led Alliance government came to power in 2009. It became widespread and alarming, before and after the controversial Parliamentary elections on 5 January 2014. Reports of disappearances continue to date. There is evidence of the involvement of state security forces in the incidents of enforced disappearance.³⁶ Various investigation reports have proved the disappearance, however, the cases of disappearances are being constantly denied by the government at both the national and international arena. The government denied issues relating to disappearance when the UN Committee Against Torture was reviewing the report on Bangladesh. In their concluding observation, the CAT Committee expressed concern over the failure of the government to disclose information on unacknowledged detentions and disappearances.³⁷
31. On the occasion of the International Day of the Victims of Enforced Disappearances on 30 August, Human Rights Defenders Network of Odhikar and Mayer Daak, a platform of the families of the disappeared, jointly organised rallies, discussion meetings and also formed human chains with members of the victim-families in 10 districts of Bangladesh. At that time, families of the disappeared demanded their immediate return.



Human Rights Defenders' Network of Odhikar and Mayer Daak organised a rally in Khulna to mark the International Day of the Victims of Enforced Disappearances. Photo: Odhikar

³⁶ On 2 March 2017, disappeared victim Mokhlesur Rahman Jony's wife Jasmine Nahar Reshma filed a writ petition (No. 2833/2017) before the High Court Division of the Supreme Court. Based on this petition, on 16 May 2017 a High Court Division Bench 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 3 July 2017 regarding the disappearance of homeopathy physician Mokhlesur Rahman Jony. A Senior Judicial Magistrate of Satkhira, Habibullah Mahmud, submitted an inquiry report to the High Court Division on 4 July 2017 that found the Superintendent of Police Mohammad Altaf Hossain and former Satkhira Sadar Police Station officer-in-charge Emdadul Huq Sheikh, former Sub-Inspector Himel Hossain, were involved in the arrest of Sheikh Mokhlesur Rahman Jony and his subsequent disappearance. It was mentioned in the probe report that the OC Emdadul Huq Sheikh, SI Himel Hossain, were directly involved. (<http://www.newagebd.net/article/19321/>) In another case, Narayanganj District and Sessions Judge Syed Enayet Hossain on 16 January 2017 gave a verdict on the killing of seven persons subsequent their disappearance. 26 accused, including 16 RAB officers and commanding officer RAB-11, Lt. Col. (Retrd) Tareq Sayeed were sentenced to death. (<https://www.jugantor.com/news-archive/first-page/2017/01/17/93821/>)

³⁷ The daily Prothom Alo, 10 August 2019; <https://www.prothomalo.com/bangladesh/article/1608889/>/CAT observation



To commemorate the International Day of the Victims of Enforced Disappearances, Human Rights Defenders' Network of Odhikar and Mayer Daak formed a human chain in Barishal. Photo: Odhikar.

32. Nasrin Jahan Smriti, wife of Ismail Hossain Baten, a timber trader in Mirpur, Dhaka, said her husband Ismail had gone missing when he was returning home from his workplace 'Dada Sawmill' for lunch at around 2:30 pm on 19 June 2019. A General Diary has been lodged with Shahali Police Station in this regard. However, the police have not yet found any trace of him. Ismail's wife organized a press conference at Dhaka reporter's unity on 20 July 2019 in this regard. She alleged that her husband Ismail Hossain had been picked up by Rasel Ahmed Kabir, Director (Communications and Signal) of RAB over a previous enmity.³⁸
33. A total of five persons were allegedly disappeared³⁹ after being picked up by members of law enforcement agencies, between July and September 2019. Among them, three bodies were found and one surfaced alive and one was shown arrested after a few days of disappearance.

Irregularities, Corruption and Human Rights Abuses in Prisons

34. Various types of irregularities and corruption, including physical and mental torture of inmates, trade with prisoners' food, receiving money for allowing visitors and for hospitalization of inmates without being ill so that they can stay in relatively better conditions, were found against the prison officials and employees of almost all jails.⁴⁰ In addition, many prisoners had become ill and died as a result of the humanitarian catastrophe created due to overcrowding in prisons. The total capacity of jails across the country is 36,614. However, to date there are 90,638 inmates in the prisons around the country.⁴¹ It is

³⁸ Information gathered by Odhikar

³⁹ 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.

⁴⁰ The daily Manabzamin, 8 July 2019; <http://mzamin.com/article.php?mzamin=180233&cat=3>

⁴¹ The Daily Star, 17 September 2019; <https://www.thedailystar.net/frontpage/9-prison-doctors-for-90000-inmates-in-bangladesh-1801108>

reported that on average, at least 23 inmates die every month due to lack of doctors, nurses, ambulances and inadequate medical facilities in all the 68 jails of the country. There are only nine doctors for a total of 90,638 inmates. That means, there is only one doctor for about ten thousand prisoners. There are no doctors in 60 jails and the eight that have a doctor are Narayanganj, Cumilla, Barishal, Gazipur, Brahmanbaria, Chittagong, Sylhet and Dhaka Central Jails.⁴² Furthermore, many inmates have died due to the negligence of the jail authorities at various times.

35. An inquiry committee headed by Joint Secretary Syed Belal Hossain, submitted an investigation report on the irregularities and corruption in Brahmanbaria District Jail. The investigation report mentions issues relating to corruption and torture and ill-treatment in the prison. Three thousand taka required to be paid for the allotment of one and half feet square of space in every prison ward, and five thousand taka has to be paid for extra blankets. The food provided to the inmates in jail is of very low quality. Apart from Brahmanbaria District Jail, the inquiry committee also visited Chittagong Central Jail and Jhenaidah District Jail and found the same situation.⁴³ Similar allegations were found in Keraniganj Central Jail.⁴⁴
36. Although the widespread irregularities and corruption in the prison has been common knowledge for quite some time, the prisons monitors are ignoring these issues. Local level leaders of the ruling party are allegedly associated with this inspection board at the district level as non-governmental monitors. For example, in Brahmanbaria, the Deputy Commissioner is the President of the board by designation and Municipality Mayor Nayar Kabir and Brahmanbaria District unit Awami League General Secretary Al Mamun Sarkar are the members of the Board of Inspectors in Brahmanbaria.⁴⁵
37. **From July and September 2019, 11 inmates died in jail due to ‘illnesses’.**

Political Repression and Hindrance to Freedom of Assembly

38. Even before the farcical and unacceptable Parliamentary elections⁴⁶ on 30 December 2018, the Awami League government started widespread suppression against members of opposition and dissidents. During that period, members of the law enforcement agencies filed fictitious cases⁴⁷ against thousands of leaders and activists of the opposition alliance and

⁴² The Daily Star, 17 September 2019;

⁴³ The daily Manabzamin, 6 July 2019; <https://mzamin.com/article.php?mzamin=179930>

⁴⁴ The daily Manabzamin, 17 July 2019; <http://mzamin.com/beta/article.php?mzamin=181178&cat=2/>

⁴⁵ The daily Manabzamin, 15 July 2019; <http://mzamin.com/article.php?mzamin=181295&cat=3>

⁴⁶ Even though all the parties participated in this election held under the ruling Awami League, there were reported incidents of ballot stuffing on the previous night, casting fake votes, forcing voters to stamping the ruling party electoral symbol ‘boat’ openly, capturing polling centers, and ousting and detaining opposition party nominated candidates’ polling agents and various other irregularities, including voters intimidation, by the ruling Awami League nominated candidates and their supporters, which were unprecedented. The Election Commission, the law enforcement agencies and the administration assisted the ruling Awami League in this vote rigging. As a result of this kind of election, the ruling party achieved absolute victory and its alliance partner Jatiya Party and other parties won a number of seats. <https://www.ti-bangladesh.org/beta3/index.php/en/highlights/5749-2019-01-15-07-24-53>

⁴⁷ The daily Naya Diganta, 12 November 2018; <http://www.dailynayadiganta.com/first-page/364023/>

arrested them under fabricated charges.⁴⁸ Many leaders and activists have been arrested again at the jail gate when they were released from jail on bail.⁴⁹ Moreover, at the time of filing cases, the police accuse a large number of 'unknown persons' thus creating the opportunity to tag any person in the case. In such a situation, many leaders and activists left their homes to hide and many are seeking political asylum abroad. According to the UNHCR, 160,737 Bangladeshi nationals have applied for political asylum in different countries in the last five years, which is more than double than the previous five years together. They have shown various reasons, including arrest, torture and prosecution because of their involvement in opposition politics.⁵⁰

39. From the beginning of 2019, the right to freedom of peaceful assembly and holding meetings of the opposition parties and dissidents started to be curtailed. The processions and rallies of the opposition political party (BNP) and the organizations protesting with various demands to the government, were attacked and stopped by the police and Awami League-backed Chhatra League and Jubo League activists. The police even stopped a human chain programme organised by school students.
40. A personal video of a female tenth grade student of Bogra YMCA School and College went viral when a National Security Intelligence (NSI) officer Tohidul Islam's son Abir Ahmed posted it on facebook. To protest the incident and for demanding the arrest and punishment of Abir Ahmed, the girl's family members and the students of her school formed a human chain in front of the school on 9 July 2019, but the police broke and dispersed it.⁵¹
41. On 1 September 2019, police stopped the processions and rallies of BNP on the occasion of its anniversary, in different areas of the country and the Awami League-backed Chhatra League and Jubo League attacked BNP leaders and activists. Some of the incidents include the police interception of a rally at Gouripur in Mymensingh District where 10 people were injured in a baton charge; police barring the BNP procession in Kishoreganj and taking away the banner; police locking the venue door even after BNP arranged a discussion meeting at a community center with permission of the Brahmanbaria district administration; police, Chhatra League and Jubo League activists stopping rallies in Bogura and Noakhali and attacking BNP leaders and activists.⁵² Awami League and Chhatra League also attacked the BNP office in Gangni under Meherpur District during a discussion and prayer meeting.⁵³
42. On 18 September 2019, leaders of the left wing student organisation and the Bangladesh General Student Rights Protection Council brought out a procession and went to the Dean's Office at the Faculty of Business with a three-point demand, including the resignation of the Vice-Chancellor and Dean of the Faculty of Business of Dhaka University. At that time, five

⁴⁸ The daily Naya Diganta, 13 November 2018; <http://www.dailynayadiganta.com/first-page/364250/>

⁴⁹ The daily Naya Diganta, 21 November 2018; <http://www.dailynayadiganta.com/more-news/366386/>

⁵⁰ The daily Manabzamin, 10 July 2019; <https://www.mzamin.com/article.php?mzamin=180571>

⁵¹ The daily Jugantor, 10 July 2019; <https://www.jugantor.com/todays-paper/city/197417/>

⁵² The daily Naya Diganta, 2 September 2019; <http://www.dailynayadiganta.com/first-page/436886/>

⁵³ The daily Jugantor, 3 September 2019; <https://www.jugantor.com/todays-paper/news/216549/>

students were injured when Awami League-backed Chhatra League activists attacked them.⁵⁴



Chhatra League activists attacked the procession brought out by Bangladesh General Student Rights Protection Council. Photo: Jugantor, 19 September 2019.



Asif Mahmud , a second year student of Dhaka University was injured when Chhatra League activists attacked the procession. Photo: Prothom Alo, 18 September 2019

43. On 21 September 2019, at least 20 students were injured when some criminals with sticks and sharp weapons attacked the protesting students who were demanding the resignation of Dr. Khondakar Md. Nasiruddin, Vice-Chancellor of Gopalganj Bangabandhu Sheikh Mujibur Rahman Science and Technology University.⁵⁵ Nine of the injured were admitted to Gopalganj Sadar Hospital. According to various sources of the University, the attackers

⁵⁴ The daily Jugantor, 19 September 2019; <https://www.jugantor.com/todays-paper/first-page/222171/>

⁵⁵ The daily Prothom Alo, 22 September 2019

were the ruling party leaders and activists of Gopalganj town and the victims did not dare to file complaints due to fear.⁵⁶



Protesting students injured by criminals attacks. Photo: Jugantor, 21 September 2019

Criminalisation of Ruling Party

44. From July and September 2019, eight persons were killed and 637 persons were injured in political violence. Furthermore, 41 incidents of internal violence in the Awami League and two incidents of internal violence in the BNP were recorded during this period. Six persons were killed and 500 were injured in internal conflicts within the Awami League. On the other hand, one was killed and 24 persons were injured in internal conflicts within the BNP.
45. Leaders and activists of the Awami League who grabbed power through controversial and farcical elections on 5 January 2014 and 30 December 2018, are involved in various acts of violence, including suppression on opposition party leaders-activists, extortion, land grabbing and violence against women. Furthermore, they are also engaged in internal conflicts over vested interest among themselves and they were even seen using various lethal weapons, including guns, in public.
46. Supporters of Borguna District unit Awami League President and Member of Parliament Dhirendra Debnath Shambhu have been accused of taking tender bids for Shambhu, by force or intimidation from all contractors' offices in Borguna, including the Roads and Highways Department, Water Development Board and Local Government Engineering Department. Shambhu has also been accused of publicly beating and assaulting government officials for disobeying him and for not paying the price of land after buying it from the Rakhine ethnic minority community people.⁵⁷
47. On 10 August 2019, a clash broke out between supporters of Kaichail Union unit Awami League General Secretary Thandu Mia and supporters of the

⁵⁶ The daily Prothom Alo, 23 September 2019

⁵⁷ The daily Jugantor, 2 August 2019; <https://www.jugantor.com/todays-paper/last-page/205893/>

Central Jubo League member Hanif Mia, over establishing supremacy in Nagarkanda under Faridpur District. Two men named Rowshan Mia (52) and Tuhin Mia (22) were killed and eight were injured in the clash.⁵⁸

48. On 23 September 2019, Chhatra League leaders and activists, led by Dhaka University unit Chhatra League President Sanjit Chandra Das, attacked the leaders and activists of Jatiya Chhatra Dal (JCD) when they went to the Teacher-Student Centre TSC of Dhaka University, led by newly elected Central Committee JCD President Fazlur Rahman and General Secretary Iqbal Hossain. During the attack, at least 30 leaders and activists of Chhatra Dal, and three journalists, were injured.⁵⁹

Corruption and Lack of Accountability

49. Due to the absence of an elected parliament by the direct vote of the people; and lack of a democratic system, extreme misrule and corruption are taking place in the country. Corruption has taken a serious turn in every sector of the country and disparity between the rich and the poor is on the rise. In most cases, leaders and activists of the ruling Awami League and its affiliated organisations and various pro-government professionals have been accused of illegal trade, acquiring tender bids, extortion, stock market vandalism and widespread looting in the banking sector.⁶⁰ It is alleged that all the money illegally earned has been laundered abroad. 7,500 billion taka (approximately USD 886.03 million) is being laundered abroad every year from the country.⁶¹ Most of the media, especially electronic media, are supportive of the government, but some print media are daring to spread the news of corruption, although the rate of such reported news is very low compared to the widespread corruption.
50. On 17 September 2019, the daily Prothom Alo published a report on the updates of the incident of the stealing of reserves from Bangladesh Bank in 2016. According to the report, in the night of 4 February 2016, the largest cyber heists in the history of the central bank of the world took place in Bangladesh Bank. A total of US \$ 81 million (which is 8.1 billion taka in Bangladeshi currency) was stolen after acquiring the bank's password. The government of Bangladesh has not yet been able to recover the money. The then Governor of Bangladesh Bank, Atiur Rahman, hid the incident from public for 24 days. He was forced to make it public when the news of the theft was published in 'Daily Inquirer' newspaper in the Philippines on 29

⁵⁸ The daily Jugantor, 11 August 2019; <https://www.jugantor.com/todays-paper/news/209257/>

⁵⁹ The daily Prothom Alo, 24 September 2019; <https://www.prothomalo.com/bangladesh/article/1615749>

⁶⁰ The government gave licenses to the ruling party leaders and activist and also engaged them to govern/manage boards in different banks after the Awami League led government re-assumed power through a farcical election in 2014. As a result, a private company named Hallmark reportedly took several thousand crores (billions) of Taka through corruption from Sonali Bank. Furthermore, billions of taka were allegedly embezzled through corruption and loan scams from BASIC Bank (ACC did not investigation or file any case against the Chairman of the Managing Committee of the bank, Sheikh Abdul Hye Bachchu, due to his strong ties to the high command of the ruling party), Farmers Bank, which is currently known as Padma Bank (former Chhatra League leaders and the ruling Awami League supported intellectuals were in the Managing Board) owned by the then Home Minister Mohiuddin Khan Alamgir between 2012 and 2013 and Janata Bank.

⁶¹ The daily Jugantor, 8 September 2019; <https://www.jugantor.com/todays-paper/first-page/218415/>

February 2016. The inquiry committee, led by former Bangladesh Bank Governor Mohammad Farashuddin, had recommended the sacking of Mukhlesur Rahman, Jubair Bin Huda, Mizanur Rahman Bhuiyan, Sheikh Riazuddin, Rafiq Ahmed Majumdar, Moinul Islam from the Accounting and Budgeting Department and the Deputy General Manager of the IT Department Rahat Uddin, for irregularities, negligence in duty and inefficiency. However, such recommendation was not implemented; instead, Jubair bin Huda has been promoted. Moreover, the Inquiry Committee also raised serious doubts about the activities of SWIFT's expert representatives, Reddy, Athoresh and Nilavannan. The Criminal Investigation Department (CID) has not yet filed a charge sheet after investigating the matter. No legal action has been taken in Bangladesh.⁶² However, in early January of this year, a Philippine Court sentenced Maia Deguito, a former Branch Manager at Manila-based Rizal Commercial Banking Corp (RCBC), to a jail term of 32 to 56 years, with a total fine of about US \$ 109 million in connection with the incident.⁶³

51. Corruption prevails in public universities of the country. For example, news about receiving a huge amount of money as commission from 'development' work at Jahangirnagar University, in connection with Chhatra League leaders, was reported in the media. As a result, President and General Secretary of the Chhatra League Central Committee were expelled from the party. The University's Vice-Chancellor is alleged to have been involved in corruption.
52. On 18 September 2019, Khaled Mahmud Bhuiyan, Organizing Secretary of Dhaka South unit Jubo League was arrested on charges of running a casino illegally. It was reported that police and the ruling party leaders regularly receive money earned illegally from the casinos. There were allegations that Khaled Mahmud Bhuiyan laundered billions of Taka abroad.⁶⁴ After Khaled's arrest, G K Shamim, Cooperative Affairs Secretary of the Jubo League Central Committee, was arrested on 20 September with his seven bodyguards, from his office and Tk 18 million, foreign currency of various countries, including fixed deposits of Tk. 1.65 billion were recovered. G K Shamim also reportedly bribed high-ranking political leaders and bureaucrats with his illicit money.⁶⁵
53. The Anti-Corruption Commission (ACC) has not been able to take any effective action regarding allegation of corruption against the people involved with the present government, who are allegedly also involved in the embezzlement of huge amounts of money from banks. Some ACC officials have even been accused of corruption. However, ordinary people have been harassed by the ACC and there are instances of innocent people being kept in jail for a long time.⁶⁶

⁶² The daily Prothom Alo, 17 September 2019; <https://www.prothomalo.com/economy/article/1614720>

⁶³ "Philippine court orders jail for former bank manager over Bangladesh central bank heist", Reuters, 10 January 2019; <https://www.reuters.com/article/us-cyber-heist-philippines/philippine-court-orders-jail-for-former-bank-manager-over-bangladesh-central-bank-heist-idUSKCN1P40AG>

⁶⁴ The daily Jugantor, 20 September 2019; <https://www.jugantor.com/todays-paper/first-page/222532/>

⁶⁵ The daily Jugantor, 21 September 2019; <https://www.jugantor.com/todays-paper/first-page/222916/>

⁶⁶ The daily Manabzamin, 4 February 2019; <http://www.mzamin.com/article.php?mzamin=157885&cat=3>

Public Lynching

54. Since the beginning of July 2019, incidents of public lynching have dramatically increased across the country. Men and women had become victim's of mob beating in different areas on suspicion of being child kidnappers, when rumours spread on social media of "human heads and blood required to build the Padma Bridge". Angry people swooped on these people suspecting that they were collecting children for such sacrifice in the name of the successful completion of the Padma Bridge.⁶⁷ As a result, several innocent people were killed. This culture of injustice is prevailing because of an ineffective criminal justice system. Members of the law enforcement agencies are enjoying impunity and people have lost their confidence and faith in these institutions because of widespread corruption.
55. On 20 July 2019, a housewife named Taslima Begum was killed due to public lynching after she was suspected of being a child kidnapper, when she went to North Badda Primary School in Dhaka to inquire about admission for her child. Siraj, who was killed in public lynching on the same day at Siddhirganj in Narayanganj, had a speech and hearing disability.⁶⁸
56. **At least 20 persons were killed in public acts of lynching between July and September 2019.**

The Death Penalty

57. The provision of the death penalty remains in force in various criminal laws of Bangladesh. The police force the accused to make confessional statements through torture in remand and based on such statement, the court awards maximum punishment to the accused. Every year, a large number of accused persons are being sentenced to death in the lower courts. These accused are kept in condemned cells (in solitary confinement) for years and as a result, they become mentally and physically unwell. As of 30 June 2019, there were 1,467 Death Reference cases pending in the High Court Division of the Supreme Court and 237 cases pending in the Appellate Division of the Supreme Court.⁶⁹
58. On 3 July 2019, Rostam Ali, judge of an Additional District and Sessions Judge Court in Pabna, sentenced nine people to death in connection with the incident of bombing and shooting on a train carrying the current Prime Minister Sheikh Hasina, in Ishwardi under Pabna District. All those awarded the death penalty were leaders and activists of the opposition BNP and its affiliated organisations Jubo Dal⁷⁰ and its Chhatra Dal.⁷¹ Condemning the verdict, BNP Secretary General Mirza Fakhrul Islam Alamgir claimed that the

⁶⁷ The Guardian, 24 July 2019; <https://www.theguardian.com/world/2019/jul/25/bangladesh-eight-lynched-over-false-rumours-of-child-sacrifices>

⁶⁸ The daily Prothom Alo, 22 July 2019; <https://www.prothomalo.com/bangladesh/article/1605476>

⁶⁹ The daily Prothom Alo, 12 July 2019; <https://www.prothomalo.com/bangladesh/article/1603790/>

⁷⁰ Youth wing of Bangladesh Nationalist Party (BNP)

⁷¹ The daily Jugantor, 4 July 2019; <https://www.jugantor.com/todays-paper/first-page/194999/>

incident of attack on the PM was “fake and fabricated”. He alleged that the attack was staged by Awami League men to create a political issue.⁷²

59. The death sentence of a man named Chand Mia alias Chandu was executed in Kashimpur Central Jail in Gazipur on 24 July 2019, for the murder of two persons - Amir Abdullah Hasan and Sentu Mia in Keraniganj under Dhaka District in 2002.⁷³
60. **As per Odhikar record, 82 persons have been sentenced to death during the period from July to September 2019. One person's death penalty was carried out.**

Freedom of Expression and Repressive Laws

61. The government is controlling almost all the media, especially the electronic media⁷⁴ and putting pressure on the media in various ways, to disrupt the promotion of objective and neutral reporting. The government is harassing and arresting journalists, ordinary citizens who criticise the government, opposition political leaders and dissidents by filing defamatory and fabricated lawsuits under repressive laws, including the Digital Security Act, 2018.
62. The Awami League-backed Chhatra League activists attacked and vandalized the house of BNP Chairperson's Advisor Shamsuzzaman Dudu in Chuadanga on 18 September 2019, for allegedly making anti-government statements in a talk show on DBC TV channel. Meanwhile, two Awami League leaders have filed two sedition cases against Dudu in Dhaka and Chittagong courts.⁷⁵

Imposition of the repressive Digital Security Act, 2018

63. **Five persons were arrested under the Digital Security Act, 2018 from July to September 2019.**
64. Police arrested a man named Alauddin from Bhaberachar area under Gazaria Police Station in Munshiganj District, for allegedly sharing distorted pictures of Prime Minister Sheikh Hasina and her son Sajib Wazed Joy on Facebook. A case has been filed against him under the Digital Security Act.⁷⁶
65. On 5 September 2019, a man named Maulana Harun-or-Rashid made a comment regarding Moinuddin Khan Badal, Member of Parliament from the Jatiya Somajtantrik Dal (part of the ruling Awami League-led Alliance), in Boalkhali under Chittagong District. On 13 September 2019, police arrested Harun-or-Rashid when a man named Kamal Uddin Mukul filed a case against him under the Digital Security Act.⁷⁷

⁷² The Daily Star, 4 July 2019; <https://www.thedailystar.net/frontpage/news/attack-hasinas-trainnine-die-25-serve-life-term-1766503>

⁷³ The daily Jugantor, 25 July 2019; <https://www.jugantor.com/national/203019/>

⁷⁴ The government closed down the pro-opposition electronic and print media, Diganta TV, Islamic TV and Amar Desh since 2013.

⁷⁵ The daily Jugantor, 20 September 2019; <https://www.jugantor.com/todays-paper/last-page/222546>

⁷⁶ The daily Jugantor, 19 September 2019; <https://www.jugantor.com/country-news/201059/>

⁷⁷ The daily Jugantor, 15 September 2019; <https://www.jugantor.com/todays-paper/bangla-face/220731>

Freedom of the media

66. From July to September 2019, seven journalists were injured, two were assaulted and four were threatened.
67. On 20 July 2019, a group of criminals led by Upazila Awami unit Chhatra League President Sheikh Hafizur Rahman beat Sujon Majumder, Rampal Upazila correspondent of the daily Jugantor and threatened him to leave the area, while he was performing professional duties in Rampal under Bagerhat District.⁷⁸

Violence against Women

68. In the last three months, between July and September 2019, women have been subjected to various forms of violence, including rape, sexual harassment dowry related and domestic violence. Incidents of child rape are currently on the rise. Although various forms of oppression and violence are committed on women and children, the number of trials and punishment of the perpetrators is very low.⁷⁹ Section 19⁸⁰ of the 'Child Marriage Restraint Act, 2017' creates the opportunity for child marriage.

Rape

69. In the last three months, from July to September 2019, a total of 274 females had been raped. Among them, 88 were women, 185 were minors (below the age of 18 years) and one person's age could not be determined. Of the women, 41 were victims of gang rape and four were killed after being raped. Out of the 185 minors, 28 were victims of gang rape and eight were killed after being raped. Furthermore, 38 females were also victims of attempted rape.
70. Incidents of rape are widely occurring in the country as rapists are being freed or avoid arrest due to lack of implementation of laws and impunity. Non-cooperation of the police is one of the main reasons behind the lack of justice. There are allegations that the police intend to word the FIR in such a way that it weakens the case.⁸¹ The police get involved with the rapists to compromise cases through exchange of money.⁸² In addition, women and children are being harassed in the police stations while filing complaints. Even after a case is recorded in a police station, the police are reluctant to arrest the accused. Police alleged the political leaders, public representatives, local miscreants

⁷⁸ The daily Jugantor, 22 September 2019; <https://www.jugantor.com/todays-paper/bangla-face/201945>

⁷⁹ The daily Prothom Alo gathered primary information of 7,864 cases of rape, gang rape, attempt to rape, killings and provocation to suicide in dowry violence and sexual harassment filed under five Tribunals of Dhaka District between 2002 to October 2016. Among them, 4,277 cases were resolved but punishment is given in only 110 cases. Only in 3% of the cases were perpetrators punished. On the other hand, in 97% cases, accused either withdrew before the trial or were acquitted after the trial.

⁸⁰ Section 19. Special provision.- Notwithstanding anything contained in any other provision of this Act, if a marriage is solemnized in such manner and under such special circumstances as may be prescribed by rules in the best interests of the minor, at the directions of the court and with consent of the parents or the guardian of the minor, as the case may be, it shall not be deemed to be an offence under this Act.

⁸¹ The daily Jugantor, 16 July 2019; <https://www.jugantor.com/todays-paper/features/protimoncho/199726>

⁸² The daily Jugantor, 16 July 2019; <https://www.jugantor.com/todays-paper/features/protimoncho/199726>

and senior police officials are responsible for not arresting the accused.⁸³ Moreover, the police, ruling party leaders and activists are also involved in the incidents of rape.

71. On 23 December 2018, a man named Sabuj Ali Mondol raped a second-grade Madrassa student in Trishal under Mymensingh District. A case was registered at Trishal Police Station but the police did not arrest the accused. On 24 July 2019, the child, with her elder brother, stood in front of the National Press Club, Dhaka to demand justice.⁸⁴
72. Allegations of the gang rape of a housewife after detaining her at police station, were found against five police personnel, including the Officer-in-Charge of Khulna Railway Police Station, Usman Ghani Pathan. Shahabuddin Matubbar, the brother-in-law of the rape victim, informed Odhikar that his sister-in-law came to Khulna from Jessore on 2 August 2019. After getting off the train at around 7:30 pm, members of the GRP Police at Khulna Railway Station arrested her as a suspect in the matter of the theft. Later, the OC Usman Gani called him (Shahabuddin) to the police station and demanded one hundred thousand taka. The OC threatened him that his sister-in-law would be sent to court with a strong criminal case, including the carrying of Phensidyl against her. He was unable to pay and returned home at midnight. In the meantime, the GRP Police Station (OC) Usman Ghani Pathan raped the woman first. Later, four other policemen, SI Gautam Kumar Pal, ASI Nazmul Haque, Constable Mizan and Harun raped her. The next day, she was shown as arrested in a case involving five bottles of Phensidyl and sent to Khulna Senior Judicial Magistrate Court.⁸⁵ On 5 August, two probe committees were formed by Railway Police Headquarters and Pakshey Railway Police to investigate the allegations. The officer-in-charge and the sub-inspector, were withdrawn to Pakshey Police Lines.⁸⁶ On 9 August 2019, the victim filed a case against the five policemen.⁸⁷ The victim's family alleged that plainclothes men were threatening them to withdraw the rape case against the five police officers.⁸⁸
73. Allegations of the rape of a woman were found against three people, including Sub Inspector (SI) Khairul of Gorpara Police Camp and police informers Kamrul and Latif in Sharsha Upazila under Jashore District. The woman said that on 25 August 2019, SI Khairul arrested her husband and produced him in the court with 50 bottles of Phensidyl. Later on 3 September at around 2:30 am, SI Khairul and police informants Kamrul and Latif went to her house and demanded a bribe of 50 thousand taka. When she refused to pay the money, SI Khairul and Kamrul and Latif raped her.⁸⁹ On 3 September, a case was filed against four people at Sharsha Police Station. Police arrested

⁸³ The daily Prothom Alo, 3 March 2019; <https://www.prothomalo.com/bangladesh/article/1581667/>

⁸⁴ The daily Jugantor, 25 July 2019; <https://www.jugantor.com/todays-paper/news/202957/>

⁸⁵ Information sent by local human rights defender associated with Odhikar from Khulna.

⁸⁶ The Daily Star, 29 August 2019; <https://www.thedailystar.net/backpage/news/gang-rape-five-cops-khulna-victim-gets-bail-drug-case-1792390>

⁸⁷ The Daily Star, 19 August 2019; <https://www.thedailystar.net/city/news/woman-denied-bail-again-1787116>

⁸⁸ The Daily Star, 29 August 2019; <https://www.thedailystar.net/backpage/news/gang-rape-five-cops-khulna-victim-gets-bail-drug-case-1792390>

⁸⁹ New Age, 4 September 2019; <http://www.newagebd.net/article/83526/housewife-raped-by-policeman>

three persons. However, SI Khairul, who was identified as the main accused in the rape case, has not been included in the case.⁹⁰

Acid violence

74. **Between July and September 2019, it was reported that six persons became victims of acid violence. Of them, three were women, one was male and two were boys.**
75. Acid violence continues because of the lack of proper implementation of the Acid Control Act 2002 and the Acid Crime Prevention Act 2002.
76. Nasir, the husband of a woman who was gang-raped⁹¹ at Subarnachar under Noakhali District, was threatened by some criminals, including the persons accused of the rape Joynal, Rashel, Zakir, Farukh and Mannan, on 26 August 2019 when he was returning home after participating in a human chain programme demanding justice for his wife in front of Noakhali Press Club. At around 3:00 am, criminals threw acid on Nasir when he went out of his room to go to the outside toilet. As a result, 40 percent of his body was burnt. Critically injured, Nasir was admitted to Noakhali General Hospital.⁹²

Sexual harassment

77. **A reported total of 61 women and minors were victims of sexual harassment between July and September 2019. Among them, three committed suicide, three were killed, seven were injured, three were assaulted, one was abducted and 44 were harassed in various ways.**
78. On 30 August 2019, a school girl named Rukaiya Akhter Rupa (15), committed suicide in Bhandaria Upazila under Pirojpur District due to constant stalking by a youth named Tamim Khan who was later arrested by the police.⁹³
79. In 2010, the High Court Division of the Supreme Court of Bangladesh gave a landmark judgement in a Writ Petition filed by the Bangladesh National Women Lawyers Association. The BNWLA challenged relevant organs of the government for not being able to control sexual harassment and stalking. In its judgement, the High Court laid down a detailed definition of sexual harassment, including stalking, and ordered that the law (Women and Children Repression Prevention Act 2003) be amended to include this definition, as the said law had none. To date, no amendment has been made to the Act. As a result it is extremely difficult to sue for sexual harassment or stalking – which thus only encourages more of such acts.

⁹⁰ The daily Jugantor, 5 September 2019; <https://www.jugantor.com/todays-paper/last-page/217279>

⁹¹ A housewife was gang-raped by the ruling party leaders and activists for voting sheaf of paddy (election symbol of BNP) in Subornachar under Noakhali District during the 11th Parliamentary elections on 30 December 2018.

⁹² The daily Naya Diganta, 27 August 2019;

⁹³ The Daily Star, 1 September 2019; <https://www.thedailystar.net/frontpage/sexual-harassment-stalked-schoolgirl-takes-her-own-life-1793722>

Dowry related violence

80. From July to September 2019, a reported total of 16 women were subjected to dowry violence. Among them, seven were allegedly killed and nine were physically abused due to dowry demands.
81. On 1 July 2019, Mohammad Amir Hossain (28) hacked to death his wife Sharmin Begum after failing to get a dowry of 50 thousand taka, at Mohammadpur area in Dhaka. Police arrested Amir Hossain when Sabed Ali, the father of the victim filed a murder case.⁹⁴

Labour Rights

Condition of RMG factory workers

82. From July to September 2019, 20 readymade garment (RMG) factory workers were injured by the police and 32 were injured by the garments authority's goons when they were demonstrating and protesting various issues, including overdue wages and allowances. Furthermore, 142 workers were terminated.
83. Incidents of closing down of factories without notice; termination of workers; and not paying wages on time, in the readymade garment industry result in labour unrest in the RMG sector. Moreover, in many factories, workers are deprived from the right to form trade unions.
84. On 25 July 2019, a worker named Delwar Hossain was beaten by the factory owner's men over allegation of stealing, in Easy Garment factory at West Hajipara area of Dhaka. He succumbed to his injuries during treatment at Dhaka Medical College Hospital on the same day. When the news spread, the factory workers blocked road in Rampura area and started their protest. A clash broke out when the police sought to remove the protesting workers from the road.⁹⁵ Delwar's uncle, Advocate Abu Taher Bhuiyan, alleged that the police told the family to settle the matter with the factory. However, they were determined to file a case, which they did even after facing police harassment.⁹⁶
85. On 8 August 2019, workers of a garment factory named Judge Apparel, at Bhuigarh area under Fatulla Upazila in Narayanganj District, demanded their five months of overtime and two months' of arrears. When they were demonstrating, the owner's men called two workers to the office room and beat them. In protest of this, workers blocked the roads and started an agitation. Police baton charged the workers and 20 workers were injured in the incident.⁹⁷
86. In August, at least 773 workers were terminated from a garment factory named SF Denim Apparel at Tejgaon, Dhaka in two terms. Workers complained that the factory owner opted to cut workers as trade unions began to form.⁹⁸

⁹⁴ The daily Naya Dignata, 10 July 2019; <http://www.dailynayadiganta.com/city/424050>

⁹⁵ The daily Jugantor, 26 July 2019; <https://www.jugantor.com/todays-paper/news/203309>

⁹⁶ The daily Jugantor, 27 July 2019; <https://www.jugantor.com/todays-paper/city/203694>

⁹⁷ The daily Naya Dignata, 9 August 2019; <http://www.dailynayadiganta.com/more-news/431693>

⁹⁸ The daily Prothom Alo, 2 September 2019

Workers in the informal sectors

87. Construction workers have been recruited to do dangerous work without any proper protection. As a result, various types of accidents occur and workers are killed. In the last five years, an average of more than 100 construction workers died in the country. About one hundred were injured.⁹⁹
88. **From July to September 2019, 19 workers were killed in the informal sectors.**

Fire at auto spinning mill

89. On 2 July 2019, a fire broke out in a factory named Auto Spinning Ltd. at Nayanpur area under Sreepur Upazila in Gazipur District. The factory's Textile Engineer Selim Kabir (42), a worker of the production unit Shahjalal (26), AC plant workers Anwar Hossain (27), Sujon Sardar (30) and Mohammed Abu Raihan (35) and the factory's security guard Mohammad Rashel Mia were killed. Relatives of the victims said that if the factory had an adequate water supply and the opportunity to get out quickly, no one would have died in the fire.¹⁰⁰

Condition of women migrant workers

90. 109 women¹⁰¹, who went to Saudi Arabia as domestic workers, returned to Bangladesh on 26 August and 17 women¹⁰² returned on 12 September after being subjected to various forms of violence, including physical and mental abuse. Dalia, a migrant worker, who returned to the country said that they were around 400 women in a safe home at the Bangladesh Embassy in Saudi Arabia. Everyone was sheltered there after being victims of various types of violence. Many were beaten and sexually assaulted while at work.¹⁰³ In addition, 331 women workers reportedly died in the last three years while working abroad. Among them, 44 women committed suicide because of sexual assault at the workplace.¹⁰⁴ From January to June 2019, the bodies of 60 women migrant workers have returned to the country, of which 17 women committed suicide.¹⁰⁵ There have been various forms of oppression, including sexual harassment of women workers in the Middle East. Earlier, many women workers returned to the country and expressed incidents of suppression on them. However, the government had not taken any effective action in this regard. As a result, migrant women workers are suffering various forms of oppression and returning home almost empty-handed every year.

⁹⁹ The daily Prothom Alo, 28 July 2019; <https://www.prothomalo.com/bangladesh/article/1606586/>

¹⁰⁰ The daily Manabzamin and the Daily Star, 4 July 2019; <http://www.mzamin.com/article.php?mzamin=179679&cat=2>

¹⁰¹ The daily Prothom Alo, 28 August 2019; <https://www.prothomalo.com/bangladesh/article/1611515/>

¹⁰² The daily Jugantor, 13 September 2019; <https://www.jugantor.com/todays-paper/last-page/219870>

¹⁰³ The daily Prothom Alo, 28 August 2019; <https://www.prothomalo.com/bangladesh/article/1611515/>

¹⁰⁴ The daily Manabzamin, 31 August 2019, <http://mzamin.com/article.php?mzamin=188217&cat=2>

¹⁰⁵ The daily Manabzamin, 31 August 2019; <http://mzamin.com/article.php?mzamin=188217&cat=2>

Neighbouring States: India and Myanmar

Human rights violations by Indian BSF along the border

91. Between July and September 2019, 10 Bangladeshis were killed by the Indian Border Security Force (BSF). Among them, eight were gunned down and two were tortured to death. Furthermore, 18 Bangladeshis were shot and injured. Eight Bangladeshis were also abducted by the BSF. It is to be noted that, not a single incident of BSF killing or torture has been prosecuted to date.¹⁰⁶
92. On 11 July 2019, two Bangladeshi nationals, Royal and Saddam, were shot dead by BSF members of Nurpur camp at Wahedpur border of Shibganj upazila under Chapinawabganj District when they were crossed the border with cattle.¹⁰⁷
93. On 2 September 2019, 10 Bangladeshi farmers were injured in BSF firing at Char Khanpur border in Rajshahi District. The farmers said that while they were working on their land within the borders of Bangladesh, BSF members came in a truck and opened fire on them and seized their equipment. The BSF members grabbed the injured Rabiul and hit him on the head with a gun.¹⁰⁸
94. On 3 September 2019, BSF members shot and killed a young Bangladeshi man named Bablu Mia near the 772 main pillars of the border in Dimla Upazila under Nilphamari District, when he was grazing cattle and cutting grass. BSF members also shot and injured a 14-year child Saiful Islam. BSF took injured Saiful and Bablu's body to India.¹⁰⁹
95. On 13 September 2019, BSF members of Amit Camp under Shitalkuchi Police Station entered Bangladesh and stopped the construction work of the two-storied Keramotia Boro Mosjid (mosque) at Borokhata Dolapara border under Hatibandha Upazila in Lalmonirhat District.¹¹⁰

India's interference in Bangladesh

96. Indian interference in and various activities of India's supremacy over Bangladesh continue to occur. India is depriving Bangladesh from its right to water during the dry season and for this reason, most of the rivers of Bangladesh are dead. The obtaining of Bangladesh's water rights through the Teesta Agreement was very significant, but the Indian government did not sign the Teesta agreement. Instead, India is taking water from the Feni River of Bangladesh, violating international law by installing pipes at the zero line of the border, without the consent of Bangladesh. It is to be noted that the Feni River originates in Bangladesh.¹¹¹

¹⁰⁶ Odhikar, Annual Human Rights Report 2017; http://odhikar.org/wp-content/uploads/2018/01/Annual-HR-Report-2017_English.pdf

¹⁰⁷ The daily Manabzamin and The DailyStar, 12 July 2019; <https://www.thedailystar.net/frontpage/2-bangladeshi-killed-bsf-firing-1770229>

¹⁰⁸ The daily Prothom Alo, 3 September 2019; <https://www.prothomalo.com/bangladesh/article/1612393>

¹⁰⁹ The daily jugantor, 10 September 2019; <https://www.jugantor.com/todays-paper/bangla-face/219113>

¹¹⁰ The daily Manabzamin, 15 September 2019; <https://www.mzamin.com/article.php?mzamin=190309&cat=3>

¹¹¹ The daily Naya Diganta, 4 September 2019; <https://www.dailynayadiganta.com/more-news/437404/>

97. The final list of the National Registration for Citizenship (NRC) prepared for identifying illegal immigrants in the Assam State of India, was released on 31 August 2019. More than 1.9 million people have been excluded from the list. It is to be mentioned that since the commencement of the NRC work in Assam, India has been publicizing that the people who have been excluded are Bangladeshi citizens.¹¹² If a citizen of a country enters or resides in another country without valid documents, there are internationally recognized laws to take action against this. However, India is not using them. As a result, it is feared that India will try to push the people who were excluded from the NRC, into Bangladesh.

Rohingya population in Bangladesh

98. On 22 August 2019, the Myanmar government gave clearance certificates to 3,540 Rohingyas for repatriation to Myanmar for the second term. Rohingyas refused to return to Myanmar, as the Myanmar government did not fulfill any of their core demands¹¹³. As a result, the second repatriation initiative failed.¹¹⁴
99. 61 national and international NGOs in Bangladesh and Myanmar, including Save the Children, issued a joint statement on the escalation of the Rohingya crisis and the repatriation process and said that the current situation in Myanmar does not guarantee the security and ensure the rights of the Rohingya.¹¹⁵
100. On 7 September 2019, Bangladesh Telecommunication Regulatory Commission (BTRC) ordered all mobile operators to stop 3G and 4G services from evening to morning in the Rohingya refugee camp areas. As per instruction of the government, selling of new SIM cards has been stopped at Ukhiya and Teknaf areas in Cox's Bazar.¹¹⁶
101. Rahima Akhter Khushi (25), who took shelter in the Rohingya camp has been temporarily expelled from Cox's Bazar International University (CBIU) after a video by German state-owned public international broadcaster Deutsche Welle was released. The video mentioned that Khushi's family fled to Bangladesh from Myanmar in 1992. She has been living as a legitimate refugee with other Rohingya people in the UN-supervised refugee camp in Kutupalong of Cox's Bazar. The University authority decided to suspend Khushi's studentship at an urgent meeting of the Academic Council of the University on 4 September 2019, over allegations of fake nationality and citizenship of Rahima Akhter Khushi, which were published in local newspapers in Cox's Bazar and social media. Khushi was studying Law at Cox's Bazar International University. She passed the Secondary School

¹¹² The daily Manabzamin, 3 September 2019; <http://mzamin.com/article.php?mzamin=188659&cat=2>

¹¹³ The main demands include restoration their citizenship, recognition of Rohingya ethnicity, protecting their security and fundamental rights in Rakhine.

¹¹⁴ "Distrust holds them back", The Daily Star, 23 August 2019; <https://www.thedailystar.net/frontpage/rohingya-repatriation-distrust-holds-them-back-1789192>

¹¹⁵ The daily Manabzamin, 22 August 2019; <http://mzamin.com/article.php?mzamin=186760&cat=6>

¹¹⁶ "All SIMs in Rohingya camps to be verified in 7 days", The Daily Star, 8 September 2019; <https://www.thedailystar.net/rohingya-crisis/no-mobile-phone-services-for-rohingya-refugees-1794367>

Certificate (SSC) from Cox's Bazar Baitush Sharof Jobbaria Academy and Higher Secondary Certificate (HSC) from Cox's Bazar Government Women's College.¹¹⁷



Rahima Akhter Khushi, Photo; Al-Jazeera, 17 September 2019

102. Rahima Akhter Khushi's deprivation from the right to education due to her Rohingya identity is a violation of international human rights laws, including Article 26¹¹⁸ of the Universal Declaration of Human Rights and Article 13¹¹⁹ of the International Covenant on Economic, Social and Cultural Rights, which Bangladesh ratified.¹²⁰
103. On 29 September 2019 at around 7:30 pm, a Rohingya girl (12) was allegedly raped by three members of Army at the residence of Nayapara Rohingya Camp in Teknaf under Cox's Bazar District. Dr. Shahin Abdur Rahman, Residential Medical Officer of Cox's Bazar Sadar Hospital, said that the girl was admitted to the One Stop Crisis Center on 30 September for examination and was released from the hospital on 1 October. Inter-Services Public Relations (ISPR) said that a probe committee was formed to investigate this matter.¹²¹ A senior officer of the security force in Cox's Bazar said the patrol team had been withdrawn after being accused of being involved in the incident.¹²²

Human Rights Violations to Ethnic Minority Community

104. On 6 November 2016, three Santal people were killed during a clash between Santals on one side and Rangpur Sugar Mill's workers and employees, activists of Awami League-backed Chhatra League and Jubo League and the police on the other, in Gobindganj under Gaibandha District. However, name of the police personnel and former Member of Parliament (Awami League) Abul Kalam Azad were not included in charge sheet although they had all

¹¹⁷ Information sent by local human rights defender associated with Odhikar/ Bangla Tribune, 8 September 2019; <https://bangla.dhakatribune.com/bangladesh/2019/09/08/14719>

¹¹⁸ <https://www.un.org/en/universal-declaration-human-rights/>

¹¹⁹ <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

¹²⁰ Bangladesh: Demand Education for Rahima Akter Khushi, <https://www.amnesty.ie/bangladesh-demand-education-for-rohima-akter-khushi/>

¹²¹ Dhaka Tribune, 3 October 2019; <https://bangla.dhakatribune.com/bangladesh/2019/10/03/15558>

¹²² New Age, 2 October 2019; <http://www.newagebd.net/article/86362/rohingya-girl-sexually-assaulted-in-camp>

been involved.¹²³ On 28 July 2019, the Police Bureau of Investigation (PBI) submitted a charge sheet to the court. It is to be noted that a judicial inquiry report filed to the High Court Division on 9 March 2017, also showed evidence of the involvement of three policemen in the burning of Santal's house.¹²⁴

National Human Right Commission

105. On 22 September 2019, the Law Ministry issued a notification whereby it had appointed five members to the National Human Rights Commission (NHRC), including former senior secretary Nasima Begum, as Chairman and former secretary Dr. Kamal Uddin Ahmed as permanent member of the NHRC.¹²⁵ The National Human Rights Commission was formed on 9 December 2007 through an Ordinance promulgated during the State of Emergency under the military-backed caretaker government. Its activities commenced on 1 December 2008, and the National Human Rights Commission Bill was passed on 9 July 2009 in the Parliament. According to the Paris Principals, an independent Human Rights Commission is to be formed and it is supposed to ensure representation of various stakeholders/professionals in the Commission, but this was not followed. According to the National Human Rights Commission Act 2009, there is a scope for the government to intervene fully in the appointment of members of the NHRC. As a result, the Awami League government has turned this Commission into a government-controlled and subservient institution. A Selection Committee comprising of the Speaker of the Parliament, Minister, Chairman of the Law Commission, the Cabinet Secretary and one Member of Parliament from the Government and the Opposition each, are responsible to select the Chairman and other members of the National Human Rights Commission. However, the Speakers, Ministers and Member of Parliament are all members belong to the ruling party, and the Chairman of the Law Commission is a person appointed politically by the government; and the Cabinet Secretary is a loyal government bureaucrat. In addition, the Jatiya Party, which is now recognised as the Opposition after the fraudulent elections of 30 December 2018, is loyal to the ruling party. As a result, Chairman and all members selected by this Committee are loyal to the government. It must be noted that the National Human Rights Commission Act does not have the opportunity to directly investigate and take action against law enforcement agencies. The Commission can only make recommendations to the government to take action against the accused. As a result, there is no benefit or contributions to improving human rights coming out of the huge amount of funding, that the donor agencies are giving to the National Human Rights Commission.

¹²³ The daily Prothom Alo, 29 July 2019; <https://www.prothomalo.com/bangladesh/article/1606642>, wbd GR, 29 RyjvB 2019; <http://www.newagebd.net/article/79948> and New Age, 29 July 2019; <http://www.newagebd.net/article/79948>

¹²⁴ New Age, 10 March 2017; <http://www.newagebd.net/article/10828/si-constable-set-fire-to-santal-houses-police>

¹²⁵ The daily Manabzamin, 23 September 2019; <https://www.mzamin.com/article.php?mzamin=191493>

Hindrance to Human Rights Activities

106. In the continuation of the government's repression on Odhikar, that started in 2013, harassment against Odhikar took place before the farcical Parliamentary elections of 30 December 2018.¹²⁶ In 2014, Odhikar applied to the NGO Affairs Bureau under the Prime Minister's Office for the renewal of its registration, but registration has not been renewed till the writing of this report. Furthermore, the NGO Affairs Bureau has stopped fund clearance for all projects for more than five years and completely barred any approval of new projects, in order to stop human rights activities of Odhikar. The Standard Chartered Bank also blocked Odhikar's Bank Accounts as part of the government persecution. Human rights defenders associated with Odhikar, who were working independently with courage, despite this repressive situation, were being constantly harassed and kept under surveillance by intelligence agencies.

¹²⁶ During this reporting period, surveillance and questioning of Odhikar by the intelligence agencies increased. Furthermore, the pro-government media published false and ill-motivated reports against Odhikar. The Election Commission abruptly cancelled the registration of Odhikar as an 'election observer' without any notice, on 6 November 2018.

Recommendations

1. Democracy must be ensured by establishing an accountable government through free, fair and acceptable elections, under a neutral caretaker government or under the direct supervision of the United Nations.
2. The Election Commission must be reconstructed by removing from it people subservient to the regime. It must be made independent and neutral.
3. The government must stop extrajudicial killings in the name of war on drugs or any other pretext. Members of law enforcement agencies who are involved in incidents of extrajudicial killings and torture must be brought to justice.
4. 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. Bangladesh should also implement the recommendations given by the UN Committee Against Torture during the review on Bangladesh at its 67th session.
5. Members of the state security forces and other law enforcement agencies who are involved in enforced disappearances must be brought to justice. The government must accede to the International Convention for the Protection of All Persons from Enforced Disappearance. Persons who are disappeared must be recovered and returned to their families.
6. The government should refrain from repressive, unconstitutional and undemocratic activities. The government must allow the opposition political parties and people who have alternative beliefs to hold peaceful rallies and meetings by respecting the right to freedom of assembly and association guaranteed in the Constitution. The government must stop harassment against the opposition and dissenters. Freedoms of speech, expression and the media must be ensured and protected. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel 1 must be removed.
7. All repressive and abusive laws, including the Special Powers Act, 1974, the Information and Communication Technology Act, 2006 (amendment 2009 and 2013) and the Digital Security Act, 2018 must be repealed.
8. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions. An enabling environment will have to be created for workers in all formal and informal sectors, including the construction industry, by preventing discrimination and to create effective policies for their work.
9. Migrant women workers should be protected and people involved in human trafficking must be brought to justice. For migrant workers who are suffering from financial, physical and psychological abuses, the Bangladeshi Missions abroad should take adequate measures to monitor the safety and security of the workers.
10. The government must ensure proper implementation of laws to stop violence against women and children and the offenders must be effectively punished under prevalent laws. Criminals affiliated with the ruling party should not be

given immunity and the government should also execute mass awareness programmes in the print and electronic media, in order to eliminate all forms of violence against women and children.

11. The definition of sexual harassment and stalking, as given in the 2010 judgement of BNWLA vs. Bangladesh must be included in the Prevention of Women and Children Repression Act 2003.
12. The Indian Border Security Force (BSF) must stop human rights violations, including killing and torturing Bangladeshi citizens along the border areas; and the Bangladesh government must put pressure on the Indian government to compensate the victims of violence. The construction and operation of the hazardous Rampal Power Plant must be stopped to save Bangladesh's environment and ecology and a balance has to be maintained in unequal trade between the two countries.
13. The government should arrange voluntary and dignified repatriation of the Rohingyas to Myanmar, by ensuring their full civil and political rights from the Myanmar government. 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. Odhikar urges the UN Member States to assist the International Criminal Court to prosecute all perpetrators, including the Myanmar military and Buddhist extremists, for committing genocide against the Rohingya population.
14. The on-going state of repression on Odhikar must be stopped. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. The NGO Affairs Bureau must renew Odhikar's registration, which is pending with it. The government must release the funds of Odhikar to enable it to continue its human rights activities.

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

Twitter: [odhikar_bd](https://twitter.com/odhikar_bd)

Notes:

1. Odhikar seeks to uphold the civil, political, economic, social and cultural rights of the people.
2. Odhikar documents and records violations of human rights and receives information from its network of human rights defenders and monitors media reports.
3. Odhikar conducts detailed fact-finding investigations into some of the most significant violations, with assistance from trained local human rights defenders.
4. Odhikar is consistent in its human rights reporting and is committed to remain.