



# **THREE-MONTH HUMAN RIGHTS MONITORING REPORT ON BANGLADESH**

**Reporting Period: July – September 2022**

**Prepared by Odhikar**  
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## Foreword

Since 2013, Odhikar has been facing severe obstacles to conducting its human rights activities due to extreme state repression, harassment and interference with freedom of expression. In continuation of this, government surveillance and harassment on Odhikar continued even when the report for the three months of July-September 2022 was being published. During this period, the Prime Minister's Office rejected the appeal that Odhikar filed challenging the decision of the NGO Affairs Bureau not to renew Odhikar's registration. Despite all these adversities, Odhikar continued its human rights work and publishing reports. Based on the reports sent by human rights defenders associated with Odhikar and data published in various media, Odhikar has prepared this three-month human rights report of 2022.

In this report, Odhikar highlighted the violations to civil and political rights, including the systematic suppression of freedom of speech, destruction of democratic systems, the narrowing down of justice through politicization of the Judiciary, and the deprivation of people's right to life.

To see the previous human rights reports of Odhikar, please visit [www.odhikar.org](http://www.odhikar.org); Facebook: [Odhikar.HumanRights](https://www.facebook.com/Odhikar.HumanRights); Twitter: @odhikar\_bd

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## Statistics: Human Rights violations

Statistics: January - September 2022*											
Type of Human Rights Violation		January	February	March	April	May	June	July	August	September	Total
Extrajudicial killings	Crossfire	0	0	0	2	0	0	1	0	1	4
	Tortured to death	2	1	2	2	0	0	1	1	1	10
	Shot to death	4	0	0	1	0	0	2	1	2	10
	Other	0	0	0	0	0	0	0	0	1	1
	<b>Total</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>25</b>
Enforced Disappearances		0	0	3	5	0	0	0	5	3	16
Death in Jail		3	14	9	6	6	7	2	3	11	61
Death Penalty	Sentenced to death	19	30	42	18	36	35	22	31	31	264
	Execution of death sentence	0	0	2	0	0	0	0	0	0	2
Human rights violations by Indian BSF	Bangladeshis Killed	1	1	2	0	0	0	1	1	3	9
	Bangladeshis Injured	6	2	2	1	1	0	1	2	1	16
	<b>Total</b>	<b>7</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>25</b>
Attacks on journalists	Killed	0	0	0	1	0	1	0	0	0	2
	Injured	17	25	4	11	18	1	0	10	7	93
	Assaulted	7	1	1	2	3	1	3	2	9	29
	Attacked	0	0	0	2	2	1	0	7	0	12
	Arrested	1	2	0	0	0	2	0	0	0	5
	Threatened	0	1	5	1	4	2	3	5	0	21
	<b>Total</b>	<b>25</b>	<b>29</b>	<b>10</b>	<b>17</b>	<b>27</b>	<b>8</b>	<b>6</b>	<b>24</b>	<b>16</b>	<b>162</b>
Public lynching		5	3	5	0	5	4	2	2	3	29
Arrests under the Digital Security Act, 2018	For allegedly posting critical post against Prime Minister, high-ranking officials of the government, their family members, anti-government and the Indian Prime Minister's visit to Bangladesh in social media	7	4	6	4	6	9	2	11	4	53
	For allegedly making derogatory remarks on religion or religious people	0	0	0	0	0	4	2	1	1	8
	<b>Total</b>	<b>7</b>	<b>4</b>	<b>6</b>	<b>4</b>	<b>6</b>	<b>13</b>	<b>4</b>	<b>12</b>	<b>5</b>	<b>61</b>

\* Odhikar documentation

## **Introduction**

Bangladesh is a party to eight key international instruments/treaties, including the International Covenant on Civil and Political Rights and the Convention against Torture. Bangladesh has also ratified the Rome Statute of the International Criminal Court. Nevertheless, violations of human rights are rampant in Bangladesh due to the ongoing repression by the current government on opposition party leaders and activists, dissidents and ordinary citizens, as the government does not comply with the international Conventions it has ratified. During this reporting period, citizens have been subjected to enforced disappearances, extrajudicial killings and torture. There have also been a number of other human rights violations, including the deprivation of freedoms of expression, assembly and association.

## Suppression of Opposition Leaders and Activists by the Authoritarian Government

1. The authoritarian Awami League government, which came to power through farcical elections has destroyed the democratic system. Opposition party leaders-activists and dissidents have become the main targets of this repressive government. During this reporting period, the party leaders and activists of the government attacked a peaceful assembly organised by the main opposition party, BNP. The police also joined them in the attacks. The police and the leaders of the ruling party also filed false cases against the leaders and activists of the opposition party and unknown persons<sup>1</sup>. Leaders and activists of the ruling party stopped peaceful meetings and assemblies of the opposition and attacked houses of the opposition party leaders and activists.<sup>2</sup> During this period, police also arrested BNP leaders and activists from a *Milad Mahafil*<sup>3</sup> and stopped an Eid reunion and prayer programme.<sup>4</sup> Awami League leaders and activists also attacked flood relief distribution programmes.<sup>5</sup>



*Police stopped a BNP Eid reunion and prayer ceremony in Bagmara. Photo: Prothom Alo, 14 July 2022*

2. On 17 September 2022, BNP Vice-Chairman Barkatullah Bulu and his wife Shamima Barkat, who were drinking tea at a road stop at Manohorganj under Cumilla district, were attacked by Awami League leaders and activists on their way to Dhaka from Begumganj in Noakhali. They were seriously

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<sup>1</sup> The daily Prothom Alo, 13 September 2022; <https://www.prothomalo.com/politics/241r55z6uu>

<sup>2</sup> The daily Prothom Alo, 23 August 2022;

<sup>3</sup> A milad is a gathering to seek blessings and pray. The daily Jugantor, 1 September 2022; <https://www.jugantor.com/todays-paper/second-edition/590264/>

<sup>4</sup> The daily Prothom Alo, 14 July 2022; <https://www.prothomalo.com/bangladesh/district/v13umcfqgp>

<sup>5</sup> The daily Manabzamin, 2 July 2022; <https://mzamin.com/news.php?news=10117>

injured. Instead of arresting the criminals involved in this incident, the police attacked the BNP protest rally in Begumganj and arrested three BNP activists from the spot.<sup>6</sup>



*BNP Vice Chairman Barkatullah Bulu was attacked in Manoharganj of Cumilla. Photo: Prothom Alo, 18 September 2022*



*Awami League leaders and activists chase BNP activists at Banani in Dhaka. Photo: Prothom Alo, 18 September 2022*

### ***Hindrance to and Attacks on Freedom of Assembly***

3. The government has brutally suppressed the opposition's right to freedom of peaceful assembly even during this reporting period. Police permission has been made mandatory for holding meetings and rallies. During this reporting period, the police and leaders-activists of the ruling Awami League and its affiliated organisations attacked various programmes organised by opposition parties. It has been alleged that members of law enforcement agencies have opened fire on peaceful assemblies, killing and seriously

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<sup>6</sup> The daily Prothom Alo, 18 September 2022; <https://www.prothomalo.com/politics/usmtcusp7v>



injuring opposition leaders and activists, in violation of international norms, including the Basic Principles on the use of Force and Firearms by Law Enforcement officials and the UN Code of Conduct for Law Enforcement officials on the use of firearms.<sup>7</sup> Four BNP leaders and activists were killed and many leaders and activists were injured in police firing during a rally.<sup>8</sup>

4. During this reporting period, BNP leaders and activists were attacked on their way to a rally. The leaders and activists of the ruling party brutally attacked a candlelight vigil organised by the out-of-parliament opposition, BNP, and seriously injured many of its leaders and activists.<sup>9</sup> The local Awami League leaders also announced their programme at the very same venue, on the same day and same time, and stopped the meeting through the issuance of section 144<sup>10</sup> of the Code of Criminal Procedure, by using the subservient local administration.<sup>11</sup> The administration issued section 144 in 17 places.<sup>12</sup> Dhaka Metropolitan Police (DMP) prepared a list of important leaders and activists in the opposition political parties, including BNP, who are in the Capital. It is alleged that the list is being prepared before the elections to suppress the opposition parties, arrest opposition leaders and implicate them in criminal cases.<sup>13</sup> Not only were BNP leaders and activists killed and injured in all these attacks, police filed cases against BNP leaders and activists and arrested many of them and detained them in jail.<sup>14</sup> From 22 August to 13 September 2022, there were incidents of attacks on 48 programmes of the BNP in 18 districts. 46 cases have been filed in total. Of these cases, 29 plaintiffs are police and 17 plaintiffs are leaders of the ruling Awami League and its affiliated organisations. The total number of accused is 21,709. The names of only 2,777 people have been mentioned in the FIR. The rest were 'anonymous'.<sup>15</sup> Two separate cases were filed in connection with a clash between police and BNP leaders and activists in Munshiganj on 21 September. 1,365 people have been accused in these two cases.<sup>16</sup> Most of the accused in all these cases filed by the government are leaders of BNP and its affiliated organisations. This includes an elderly, sick person who cannot walk, the physically challenged, and persons living abroad. Furthermore, because of the 'anonymous' number, ordinary people have been taken advantage of and also been accused in these cases due to land related and other disputes they

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<sup>7</sup> The daily Jugantor, 9 September 2022; <https://www.jugantor.com/todays-paper/news/593084/>

<sup>8</sup> Odhikar's documentation

<sup>9</sup> The daily Prothom Alo, 17 September 2022; <https://www.prothomalo.com/politics/usmtcusp7v>

<sup>10</sup> <http://bdlaws.minlaw.gov.bd/act-75/section-20789.html>

<sup>11</sup> The daily Prothom Alo, 23 August 2022; <https://www.prothomalo.com/politics/b5bxbp7tfg4>

<sup>12</sup> The daily Prothom Alo, 13 September 2022; <https://www.prothomalo.com/politics/fuz6am6zsd>

<sup>13</sup> The daily Prothom Alo, 3 September 2022; <https://www.prothomalo.com/politics/ik6rrl5a9k>

<sup>14</sup> The daily Prothom Alo, 22 September 2022; <https://www.prothomalo.com/bangladesh/district/eac0zspscu>

<sup>15</sup> The daily Prothom Alo, 14 September 2022; <https://www.prothomalo.com/politics/fuz6am6zsd>

<sup>16</sup> The daily Prothom Alo, 22 September 2022; <https://www.prothomalo.com/bangladesh/district/eac0zspscu>



may have with the leaders of the Awami League in the area.<sup>17</sup> Police filed cases while Chhatra League<sup>18</sup> and Jubo League<sup>19</sup> leaders and activists threatened the families of BNP leaders and activists at their houses.<sup>20</sup> Accusing large numbers of anonymous persons, has thus created the possibility of harassment of ordinary people and leaders and activists of the opposition political parties in future. This has become a common practice. It is also common for arrestees to be tortured by the police after taken into remand and bail is not easily obtained from the courts. For this reason, BNP leaders and activists are in hiding to avoid arrest. Many are not able to return to their localities even after receiving anticipatory bail from the higher courts. If bail is granted in one case, a person is then arrested in another case.<sup>21</sup> Some examples are given below:

5. On 31 July 2022, police attacked and opened fire at the BNP in Bhola town when the party brought out a procession after a meeting in protest of load shedding and mismanagement in the energy sector. Swechchasebak Dal<sup>22</sup> leader Abdur Rahim Matbbar (32) was killed on the spot by police firing and Bhola District unit Chhatra Dal<sup>23</sup> President Mohammad Noore Alam died on 3 August while under treatment at the hospital after being shot in the head.<sup>24</sup> At least 24 leaders and activists of the BNP were shot dead in this incident.<sup>25</sup> The police also filed two cases accusing 675 leaders and activists of the BNP and also accused 250-300 unknown people in this case. Police arrested 10 people.<sup>26</sup>



*Deceased Chhatra Dal leader Mohammad Noore Alam. Photo: Prothom Alo, 4 August 2022*

<sup>17</sup> The daily Prothom Alo, 13 September 2022; <https://www.prothomalo.com/politics/fuz6am6zsd>

<sup>18</sup> Student wing of Bangladesh Awami League

<sup>19</sup> Youth wing of Awami League

<sup>20</sup> The daily Prothom Alo, 22 September 2022;

<https://www.prothomalo.com/bangladesh/district/wno8slipie>

<sup>21</sup> The daily Prothom Alo, 5 September 2022; <https://www.prothomalo.com/politics/b7qc61n7rt>

<sup>22</sup> Volunteer wing of Bangladesh Nationalist Party (BNP)

<sup>23</sup> Student wing of BNP

<sup>24</sup> The daily Jugantor, 2022; <https://www.jugantor.com/todays-paper/first-page/580171/>

<sup>25</sup> The daily Prothom Alo, 3 August 2022; <https://www.prothomalo.com/opinion/politics/cxiu9rmm29>

<sup>26</sup> The daily Jugantor, 2 August 2022; <https://www.jugantor.com/todays-paper/last-page/579430/>

6. On 1 September 2022, police stopped a procession brought out by BNP leaders and activists on the occasion of the founding anniversary of the party, in Narayanganj town. As a result, BNP leaders and activists began to protest. Police baton charged the BNP leaders-activists and fired tear gas shells and rubber bullets. Juba Dal<sup>27</sup> activist Shaon Pradhan was shot dead by the police<sup>28</sup>. A murder case was registered with Narayanganj Sadar Model Police Station in connection with Shaon's death. Shaon's brother Milan was named as the plaintiff in the case and five thousand anonymous persons have been made the accused.<sup>29</sup> In the FIR it is mentioned that Shaon was a pedestrian and was killed by BNP leaders and activists. In reality, Shaon was an active Juba Dal activist and he participated in BNP's founding anniversary rally. According to Shaon's relatives, police took several signatures on blank sheets of paper from them at the police station where Shaon's body was. Shaon's other brother Farhad said that they did not know anything about this case filed by police, till the media reports came out. Shaon's relatives also alleged that Shaon's family has been intimidated and threatened in various ways by the police and local Awami League.<sup>30</sup>



*DB Police Sub-Inspector Mahfuzur Rahman firing a rifle during a clash between BNP leaders-activists and the police, before the procession in Narayanganj on the occasion of the founding anniversary of BNP. Photo: Prothom Alo, 4 September 2022*

<sup>27</sup> Youth wing of BNP

<sup>28</sup> Report sent by human rights defender associated with Odhikar from Narayanganj; The daily Manabzamin, 1 September 2022; <https://mzamin.com/news.php?news=18813>

<sup>29</sup> The daily Prothom Alo, 4 September 2022; <https://www.prothomalo.com/politics/49fguieo0t>

<sup>30</sup> The daily Prothom Alo, 3 September 2022; <https://www.prothomalo.com/bangladesh/crime/মামলার-কথা-বাদী-ই-জানেন-না>



*Police attacked and stopped the procession brought out by Narayanganj City and District unit BNP on the occasion of the party's founding anniversary. Photo: Prothom Alo, 4 September 2022*



*Deceased Juba Dal activist Shaon Pradhan. Photo: Prothom Alo, 2 September 2022*

7. The leaders and activists of Awami League's affiliated organisations<sup>31</sup> and the police attacked the Communist Party of Bangladesh (CPB) leaders and activists in a rally organised by the CPB in Kalmakanda Upazila of Netrokona District on 9 September 2022, to protest the increase in prices of daily commodities, including fertilizers and fuel. As a result, 20 leaders and activists, including Ruhin Hossain Prince, General Secretary of the Central Committee of CPB and Executive Committee member Dibalok Singh, were injured.<sup>32</sup>
8. BNP called a rally in Muktarpur area of Munshiganj Sadar on 21 September to protest against the price-hike of daily commodities and the killing of its leaders and activists. Leaders and activists of BNP from different places

<sup>31</sup> Chhatra League, Swetchasebak League, Krishak League, Olama League and Sramik League

<sup>32</sup> The daily Prothom Alo, 9 September 2022; <https://www.prothomalo.com/bangladesh/district/tugtb04zph>

started coming to the rally in a procession. Additional Superintendent of Police Minhaj-ul-Islam got down from his car, grabbed a procession banner and ordered a baton charge at protestors. As a result, a clash occurred between the police and the BNP.<sup>33</sup> The police fired tear gas shells, bullets and rubber bullets at the BNP leaders and activists. The angry BNP activists threw stones at the police. Over a hundred people, including BNP leaders and activists, journalists and police were injured in this incident. Among the injured, three Jubo Dal leaders, including Shahidul Islam Shawon who was shot in his head by police, were sent to Dhaka Medical College Hospital.<sup>34</sup> Shawon's brother Sohanur Rahman alleged that when Shawon was taken to Munshiganj Sadar Hospital with serious injuries, Chhatra League leaders-activists prevented Shawon from getting treatment there. When the ambulance with Shawon left for Dhaka from Munshiganj Sadar Hospital, Chhatra League leaders and activists and the police surrounded and stopped the ambulance for a while.<sup>35</sup> Shawon, who was shot in the head, died in Dhaka Medical College Hospital on 22 September.<sup>36</sup> On 28 September, Superintendent of Police of Munshiganj, Mohammad Mahfuzur Rahman Al Mamun, claimed at a press conference that Shawon was killed by a brick and not in the firing. However, when Shawon died, the death certificate at Dhaka Medical College Hospital mentions the cause of death as "severe brain injury due to being bullet-hit".<sup>37</sup>



*BNP activists clash with the police over a programme in Muktarpur of Munshiganj. A member of the police is seen firing. Photo: Prothom Alo, 22 September 2022*

<sup>33</sup> The daily Samakal, 23 September 2022; <https://samakal.com/whole-country/article/2209133342>

<sup>34</sup> The daily Jugantor, 22 September 2022; <https://www.jugantor.com/todays-paper/first-page/597970/> The daily Manabzamin, 22 September 2022; <https://mzamin.com/news.php?news=21891>

<sup>35</sup> The daily Manabzamin, 23 September 2022; <https://mzamin.com/news.php?news=22019>

<sup>36</sup> The daily Jugantor, 23 September 2022; <https://www.jugantor.com/todays-paper/first-page/598326/>

<sup>37</sup> The daily Prothom Alo, 28 September 2022; <https://www.prothomalo.com/bangladesh/w4t9elcs76>





*Deceased Jubo Dal leaders Shahidul Islam Shawon. Photo: Jugantor, 23 September 2022*

## **Violence and Criminal Acts Perpetrated by the Ruling Party**

9. In addition to acts of suppression on the leaders and activists of the opposition party, the brutality and violence of the leaders and activists of the Awami League and its affiliated organisations have reached an extreme level. The leaders and activists of the Awami League supported Chhatra League, have established a reign of terror across the country.<sup>38</sup> It has been alleged that accused persons in murder cases are the leaders of various units of the Chhatra League.<sup>39</sup> Women leaders of Chhatra League have also been accused of extortion, 'seat-trading' in student residential halls and forcing female students to do immoral activities.<sup>40</sup>
10. In the three months from July to September 2022, leaders and activists of the ruling party attacked peaceful processions of the opposition, the office of the opposition party<sup>41</sup> and vandalized the houses of opposition leaders<sup>42</sup>. During this period, President of Rangunia Upazila unit Jubo League, Samshuddoha Sikdar, threatened to send men posing as police, to carry out raids in houses to suppress the BNP leaders and activists.<sup>43</sup> Allegations of various types of violence, including extortion<sup>44</sup>, rape<sup>45</sup>, the killing of a woman<sup>46</sup>, the beating of a college principal<sup>47</sup>, vandalizing a university vice-chancellor's office<sup>48</sup>, beating and detaining a madrasa teacher<sup>49</sup>, beating and physically abusing

<sup>38</sup> The daily Naya Diganta, 20 August 2022; <https://www.dailynayadiganta.com/raishahi/685212/>

<sup>39</sup> The daily Manabzamin, 2 July 2022; <https://mzamin.com/news.php?news=10084>

<sup>40</sup> The daily Prothom Alo, 26 September 2022; <https://www.prothomalo.com/bangladesh/crime/bgeqzrghzm>

<sup>41</sup> The daily Inqilab, 23 August 2022; <https://www.dailyinqilab.com/article/511310/>

<sup>42</sup> The daily Jugantor, 23 August 2022; <https://www.jugantor.com/country-news/586699/>, Manabzamin, 27 August 2022; <https://mzamin.com/news.php?news=18075>

<sup>43</sup> The daily Prothom Alo, 18 September 2022; <https://www.prothomalo.com/politics/eebcskto0v>

<sup>44</sup> The daily Prothom Alo, 23 August 2022; <https://www.prothomalo.com/bangladesh/7fauzn30yz>

<sup>45</sup> The daily Jugantor, 7 August 2022; <https://www.jugantor.com/todays-paper/last-page/581255/>

<sup>46</sup> The daily Manabzamin 30 September 2022; <https://mzamin.com/news.php?news=23055>

<sup>47</sup> The daily Jugantor, 13 July 2022; <https://www.jugantor.com/todays-paper/first-page/571901/>

<sup>48</sup> The daily Prothom Alo, 17 September 2022; <https://www.prothomalo.com/bangladesh/district/43yyu2dnng>

<sup>49</sup> The daily Jugantor, 4 August 2022; <https://www.jugantor.com/todays-paper/news/580278/>

university students in hall rooms<sup>50</sup> and acts of violence against women<sup>51</sup>, were found against the ruling party leaders and activists. Apart from this, leaders and activists of the ruling party have also been accused of encroaching a lake<sup>52</sup>, encroaching school grounds<sup>53</sup>, acquiring wealth through illegal business<sup>54</sup> and money laundering<sup>55</sup>, patronizing drug dealers<sup>56</sup>, illegally stocking fertilizers<sup>57</sup>, and misappropriating rice meant for the poor<sup>58</sup>. During this reporting period, leaders and activists of the ruling party clashed with each other over conflicts of interest and openly used weapons, including firearms. Many civilians were killed and injured in such violence.

11. On 15 July 2022, a college girl belonging to an ethnic minority community, was gang-raped by the president of Bongaltoli Union unit Awami League-backed Chhatra League, Jisu Chowdhury and General Secretary Biplob Borua, in Baghaiachari under Rangamati District.<sup>59</sup>
12. On 11 July 2022, a farmer named Alauddin Sheikh (53) was killed in a clash between two factions of the Awami League in Shreepur under Magura District.<sup>60</sup>
13. The local leaders and activists of Awami League's affiliated organisations attacked the house of Masudur Rahman, vice-president of the district unit Chhatra Dal with local weapons and firearms, for carry out a protest rally in Rupganj of Narayanganj. The attackers exploded crude bombs and ransacked and looted Masudur Rahman's house. In addition to that, criminals allegedly attacked and looted the businesses of five other leaders and activists of Juba Dal and Chhatra Dal.<sup>61</sup>

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<sup>50</sup> The daily Naya Diganta, 20 August 2022; <https://www.dailynayadiganta.com/rajshahi/685212/>

<sup>51</sup> The daily Prothom Alo, 24 July 2022; <https://www.prothomalo.com/bangladesh/n93ai9a0b5>

<sup>52</sup> The daily Prothom Alo, 16 September 2022; <https://www.prothomalo.com/bangladesh/crime/jve8iq3yba>

<sup>53</sup> The daily Prothom Alo, 19 August 2022; <https://www.prothomalo.com/bangladesh/district/l2fy3yd1nj>

<sup>54</sup> The daily Manabzamin, 25 July 2022; <https://mzamin.com/news.php?news=13238>

<sup>55</sup> The daily Prothom Alo, 5 August 2022

<sup>56</sup> The daily Jugantor, 27 July 2022; <https://www.jugantor.com/todays-paper/last-page/577186/>

<sup>57</sup> The daily Jugantor, 23 August 2022; <https://www.jugantor.com/todays-paper/second-edition/586900/>

<sup>58</sup> The daily Prothom Alo, 30 July 2022; <https://www.prothomalo.com/bangladesh/fk7bfd7pta>

<sup>59</sup> The daily Jugantor, 7 August 2022; <https://www.jugantor.com/todays-paper/last-page/581255/>

<sup>60</sup> The daily Prothom Alo, 12 July 2022; <https://www.prothomalo.com/bangladesh/district/মাগুরায়-আলীগের-দুই-পক্ষের-সংঘর্ষে-কৃষক-নিহত>

<sup>61</sup> The daily Prothom Alo, 18 September 2022; <https://www.prothomalo.com/bangladesh/district/pqd1616iwp>



*Ruling party activists vandalized Chhatra Dal leader Masudur Rahman's house in Rupganj. Photo: Prothom Alo, 18 September 2022*

14. On 27 September 2022, when the Jatiyatabadi Chhatra Dal's new Dhaka University committee went to meet Mohammad Aktaruzzaman, the Vice-Chancellor of the University, leaders and activists of the Chhatra League attacked them with sticks. Several leaders and activists of Chhatra Dal were injured in this incident.<sup>62</sup>



*Chhatra League leaders and activists attacked Chhatra Dal leaders and activists when they entered the Dhaka University campus. Prothom Alo, 27 September 2022*

## Partisan State Institutions

15. The government is using various important state and independent institutions like the Election Commission, the Anti-Corruption Commission and the National Human Rights Commission, to implement its political agenda. Despite being employees of the republic, the people working in the executive organs of the state are making political statements<sup>63</sup> in favor of the ruling party and taking part in its rallies.<sup>64</sup> Absence of effective institutions to prevent political intolerance, undemocratic state behaviour and human rights abuses are common, because of the dysfunctionality of the state institutions.

<sup>62</sup> The daily Prothom Alo, 27 September 2022; <https://www.prothomalo.com/bangladesh/yb8kppxsev>

<sup>63</sup> The daily Prothom Alo, 17 September 2022; <https://www.prothomalo.com/politics/fqzg8vaosg>

<sup>64</sup> The daily Prothom Alo, 30 September 2022; <https://www.prothomalo.com/bangladesh/b718v6ci3g>



There are allegations that the authoritarian government is also controlling the Judiciary. During this reporting period, allegations were received against a High Court judge who spoke at a ruling party meeting.<sup>65</sup>



*Chittagong Deputy Commissioner Mohammad Mominur Rahman seeking divine assistance for Prime Minister Sheikh Hasina to come back to power. Photo: Prothom Alo, 17 September 2022*



*On the occasion of Prime Minister Sheikh Hasina's birthday, top officials of the local administration and police are seen in the pick-up van at an Awami League procession in Patia of Chittagong. Photo: Prothom Alo, 30 September 2022*

## ***Election Commission and Elections***

16. Kazi Habibul Awal, a privileged bureaucrat of the government, has been appointed as the Chief Election Commissioner in the current Election Commission (EC) of Bangladesh. The Awami League government wants to

<sup>65</sup> The daily Prothom Alo, 30 September 2022;

hold the next parliamentary elections under this Commission. Most of the political parties have lost confidence in the EC as a result of the national and local level farcical elections under the previous Election Commissions and the continuation of various controversial activities by the current Election Commission.

17. Dialogues between registered political parties and the new EC were held at various times. Nine political parties, including the main opposition BNP, refrained from participating. In the dialogues, most of the political parties, including the Opposition in Parliament, Jatiya Party, opposed the use of Electronic Voting Machines (EVMs) in the next general elections. Other political parties, including BNP, (which did not participate in the dialogues) are also opposing the use of EVMs in elections. The ruling Awami League and some of its followers, which participated in the dialogues, were in favour of using EVM. The Opposition parties feel that there is an ill-motive behind the ruling party's interest in elections through EVMs. There are allegations that by manipulating the EVMs, results could be garnered in favor of the ruling party candidates. Even if the voters voted for the symbol of their choice, it would go to the symbol of the ruling party.<sup>66</sup> Badiul Alam Majumdar, an election expert, said that the EVM is a 'fraud machine' and that the people's opinion will not be reflected by it. In the Chittagong City Corporation elections, the ruling party nominated candidate was declared the winner. Polls were held with EVMs.<sup>67</sup>
18. After the dialogue on 22 August 2022, Chief Election Commissioner Kazi Habibul Awal said that the Commission has not yet come to a firm decision on the overall issue of EVMs. The Commission will give more information on the use of EVMs in the upcoming 12<sup>th</sup> National Parliament Elections, in due course after conducting experiments and analysis.<sup>68</sup> On 14 September 2022, the Election Commission announced the action plan for the upcoming Parliamentary elections. It has been stated in the action plan that a decision has been taken to use EVMs in a maximum of 150 seats. It was reported that of the 29 political parties that participated in the dialogues, 17 were in favour of EVMs and 12 were against it as per the EC. It was later learnt that of the 17 political parties that had voted in favour of EVM, at least five political parties among them had voted against EVM.<sup>69</sup> Therefore, the Election Commission is serving the ruling party and deciding their future action plan by giving priority to their wishes.

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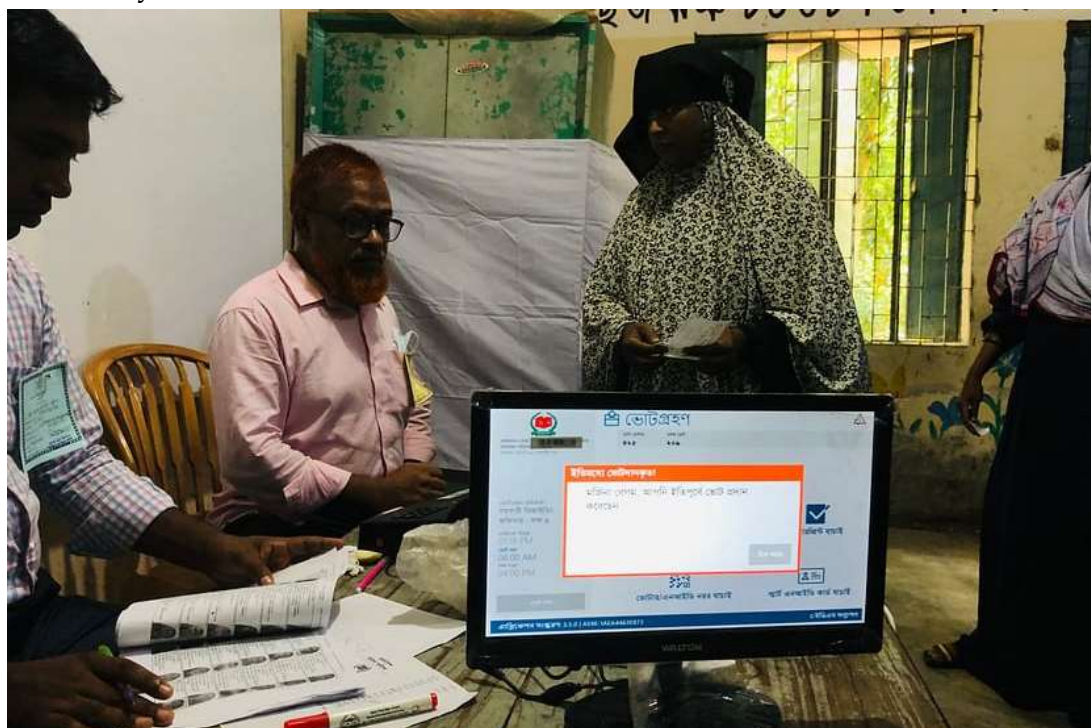
<sup>66</sup> The daily Prothom Alo, 2 June 2022; <https://www.prothomalo.com/opinion/column/ইভিএম-স্বতন্ত্র-রোগ-ও-ডাকাত-প্রসঙ্গ>

<sup>67</sup> The daily Jugantor, 22 August 2022; <https://www.jugantor.com/todays-paper/first-page/586354/>

<sup>68</sup> The daily Jugantor, 23 August 2022; <https://www.jugantor.com/todays-paper/last-page/586722/>

<sup>69</sup> The daily Jugantor, 15 September 2022; <https://www.jugantor.com/todays-paper/first-page/595254/>

19. Violence and irregularities continue in the elections held under this Election Commission. The Election Commission has used EVMs in some local government elections ahead of the upcoming national elections. Many cases of rigging/fraud have been observed. On 27 July 2022, the results were announced after the counting of votes at the Bhangbari polling center in Bachor Union Parishad elections under Ranishankoil Upazila of Thakurgaon District. After the announcement of the results, supporters of the defeated candidate for general membership attacked the police and the police opened fire in retaliation. Sumaiya, a seven-month-old child in her mother's arms, was shot dead.<sup>70</sup> On 27 July 2022, when a woman named Morjina Begum came to vote in the Sannyasirchar Union Parishad by-election under Shibchar Upazila of Madaripur District, the Assistant Presiding Officer told her that she could not vote, since the EVM was showing that Morjina Begum had already cast her vote.<sup>71</sup>



*"Morjina Begum, you have already cast your vote"- appeared on the EVM at the Rajarcharchar Mollakandi Government Primary School polling station in Sannyasirchar under Shibchar Upazila in Madaripur District. Photo: Prothom Alo, 27 July 2022*

### ***Prevalence of Corruption and the Anti-Corruption Commission***

20. The Anti-Corruption Commission (ACC) is supposed to work as an independent and neutral body.<sup>72</sup> However, the ACC has become a

<sup>70</sup> The daily Jugantor, 27 July 2022; <https://www.jugantor.com/country-news/577521/>

<sup>71</sup> The daily Prothom Alo, 27 July 2022; <https://www.prothomalo.com/bangladesh/district/7s1zmcc0vo>

<sup>72</sup> According to Article 3(2) of the Anti-Corruption Commission Act, 2004 (Amended in 2016), this commission shall be an independent and neutral institution.



subservient body of the incumbent government.<sup>73</sup> The life and livelihood of the ordinary people of the country is seriously affected by corruption in every sector in Bangladesh. The current government has been in power for 14 years. During this period, allegations of widespread looting, illegal business, tender bidding, extortion, money laundering were found against the leaders and activists of the ruling party and partisan professionals, government officials and employees. Apart from this, there has been chaos in the banking and financial sector as a whole. It has been reported that there is massive corruption and money laundering in project implementation.<sup>74</sup> On 26 July 2022, Bangladesh Bank closed the foreign loan operations of the three main branches of the state-owned Janata Bank due to allegations of irregularities and corruption. These three branches of Janata Bank hold half of the bank's loan of 77,000 crore taka, and thus account for half of the bank's 77,000 crore loans. Janata Bank was well positioned among the state-owned banks, but the condition of the bank worsened as the country's top defaulters and influential people became their customers. For this reason, Bangladesh Bank issued this Order. However, Bangladesh Bank was forced to reopen the loan programme on 27 July, under pressure from influential people.<sup>75</sup>

## State Repression

21. Citizens have been subjected to various forms of human rights violations at the hands of law enforcement agencies during these three months, due to lack of government accountability, no rule of law, a dysfunctional justice administration system and impunity of the perpetrators. UN High Commissioner for Human Rights, Michelle Bachelet gave a briefing to local journalists after a four-day visit to Bangladesh from 14-17 August. During this press briefing she said that various UN human rights mechanisms – including the UN Committee Against Torture, have been raising concerns for several years about allegations of enforced disappearances, extrajudicial killing, and torture – many of which have been attributed to the Rapid Action Battalion. She also raised the issue of the lack of accountability for such violations.<sup>76</sup>

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<sup>73</sup> The daily Jugantor, 28 July 2022; <https://www.jugantor.com/todays-paper/first-page/577589/>

<sup>74</sup> The daily Jugantor, 25 July 2022; <https://www.jugantor.com/todays-paper/first-page/576389/>

<sup>75</sup> The daily Prothom Alo, 28 July 2022; <https://www.prothomalo.com/business/bank/qrh1qa0w6w>

<sup>76</sup> Statement of the UN High Commissioner for Human Rights, 17 August 2022, <https://www.ohchr.org/en/statements/2022/08/un-high-commissioner-human-rights-michelle-bachelet-concludes-her-official-visit>

## ***Enforced Disappearances***

22. Acts of enforced disappearance<sup>77</sup> became widespread after the Awami League government came to power in 2009 and such crimes continue. Members of the law enforcement agencies deny the arrest of many people after picking them up and then their whereabouts remain traceless. Most of the victims of enforced disappearance are opposition activists and dissidents. It is alleged that when the family members of the disappeared go to the police station to file complaints, police refuse to take it and harass the victims' families in various ways. Disappeared persons also become victims of extrajudicial killings and their bodies are later found. After disappearance, many people were shown as arrested in criminal cases and handed over to the police station or produced in the court. The disappeared persons who subsequently returned and their family members, do not speak due to fear of reprisals and threats.
23. **From July to September 2022, a total of eight persons were allegedly disappeared<sup>78</sup> after being picked up by men claiming to be members of law enforcement agencies. Among them, one was disappeared by RAB, six by the Detective Branch of Police, and one by the Criminal Investigation Department of Police. All eight disappeared victims were later surfaced alive.**
24. Imam Mehdi Hasan Dollar, a fish trader of Mymensingh, was allegedly picked up on 6 November 2021 by a group of plainclothes RAB members. Dollar's wife Mamata Hena said that Dollar used to use an iPhone. As per his iCloud, his last location was near the RAB-1 office in Uttara, Dhaka. A year earlier, on 28 November 2020, RAB members had picked up her husband from their home late at night and handed him over to Phulbaria Police Station two days later.<sup>79</sup> Dollar's wife said that after nine months of disappearance, her husband returned home on 29 August 2022. Dollar is now mentally traumatized. He is not talking to anyone.<sup>80</sup>
25. Dr. AKM Wali Ullah alleged that four men in plainclothes, claiming to be members of the Criminal Investigation Department (CID) of the police, took away his son Dr. Shakir Bin Wali on 11 September 2022 at approximately 3:00

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<sup>77</sup> According to Article 2 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. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>

<sup>78</sup> *Odhikar* only documents allegations 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.

<sup>79</sup> Report sent by human rights defender associated with *Odhikar* from Mymensingh; New Age, 19 December 2021, <https://epaper.newagebd.net/19-12-2021/1>

<sup>80</sup> The daily Manabzamin, 30 August 2022; <https://mzamin.com/news.php?news=18514>

pm, from his residence at Rampura in Dhaka. On the same day at around 10:00 pm, another group of five persons searched their house and took away a cell phone. Dr. Wali Ullah said that when he went to the CID office at Malibagh, Dhaka on 12 September, the CID expressed their inability to give him any information about his son. He then went to Rampura Police Station and met Inspector (Investigation) Golam Mawla and wanted to file a General Diary (GD) regarding the arrest of his son. The police officer said he was sure that the state intelligence agency has taken his son away, so it was not possible to register the GD.<sup>81</sup> On 13 September, Dhaka Metropolitan Police's Counter Terrorism and Transnational Crime (CTTC) unit showed Shakir bin Wali as arrested as a member of the banned organization Ansar Al Islam. On 14 September, Shakir's father told a press conference that his son was framed in a false case.<sup>82</sup>

26. On 19 September 2022 at around 9:00 am, Dilowar Hossain, an employee of a private company, was picked up by eight men in plainclothes claiming to be members of the Detective Branch (DB) of Police, from his rented house in Basila Garden City of Dhaka's Mohammadpur area. This was alleged by Dilowar's sister Amina Khatun. As he was being taken away, Dilwar's family members were informed that he would be returned within an hour after questioning. Since there was no trace of him after that, the family went to Mohammadpur Police Station to file a complaint, but the police did not take the General Diary. Instead, the police asked them to contact the DB office. When they contacted the DB office at Mintu Road, the DB denied arresting Dilowar and asked them to contact the local police station. They were sent from one place to another.<sup>83</sup> On 28 September, after being disappeared for nine days, the DB Police brought Dilowar Hossain to court showing that he was arrested as a terrorist under the Anti-Terrorism Act.<sup>84</sup>
27. On 22 September 2022, Nurul Afsar Howladar, a Marketing Officer of a real estate company, was taken away from his office by 10 RAB members in plainclothes. Deputy Managing Director of the company Khairul Khan said that a person met him as a client and wanted to know about flats in Mirpur. Nurul Afsar Howladar was present at that time and the man asked him his name. When Nurul Afsar Howladar said his name, the man introduced himself as a member of a law enforcement agency and said that he had come to arrest him as there was a case against him in Banskali, Chittagong. The man did not show his identity card. Another man arrived, wearing a black shirt and had RAB written on his ID card. They took Nurul Afsar from his

<sup>81</sup> Bangla Tribune, 12 September 2022; <https://www.banglatribune.com/others/762881/>

<sup>82</sup> The daily Prothom Alo, 15 September 2022; <https://www.prothomalo.com/bangladesh/crime/onito88990>

<sup>83</sup> New Age, 26 September 2022; <https://www.newagebd.net/article/182079/youth-taken-by-db-goes-missing>

<sup>84</sup> Information gathered by Odhikar

office at 2:55 pm. On the same day at around 8.00 pm, another team of RAB came to the office and showed an ID card with RAB written on it. All the office CCTV camera footage and devices were taken by them. When Nurul Afsar's family members went to Turag Police Station to file a case on 26 September, the police told them that they could not accept the case, because Nurul Afsar Howladar had been picked up by men identified as members of a law enforcement agency. The duty officer of the police station said that Nurul Afsar must have been taken away for investigation and he will be returned once it is over. RAB Media Wing Director Khandaker Al Moin said that there is no person named Nurul Afsar Howladar in their custody.<sup>85</sup> On 9 October, Assistant Director of RAB-15, Mohammad Billal Uddin said in a press release that Nurul Afsar Howladar was arrested on 7 October from Cox's Bazar due to his involvement with militant organisations.<sup>86</sup>

28. August 30 was the International Day of the Victims of Enforced Disappearances. On this day, Maayer Daak, a platform of the families of the disappeared and a member of the Human Rights Defenders Network of Odhikar, jointly organised rallies, human chains and discussion meetings in different parts of the country along with the families of the victims of enforced disappearance. To mark the day, the Asian Federation Against Involuntary Disappearances (AFAD), International Federation for Human Rights (FIDH), Maayer Daak and Odhikar issued a [joint statement](#) and demanded the return of disappeared persons to their families.
29. At the 51<sup>st</sup> session of the United Nations Human Rights Council in Geneva on 12 September 2022, Acting High Commissioner for Human Rights Nada Al Nashif gave an update on the global human rights situation and said that the newly departed High Commissioner Michelle Bachelet urged the Bangladesh government to create an independent, specialised mechanism that works closely with victims, families and civil society, to investigate allegations of gross human rights violations, including enforced disappearances and extrajudicial killings against law enforcement agencies, especially the Rapid Action Battalion (RAB) and offered to help in the process to create such a body in line with international standards.<sup>87</sup> However, the Bangladesh government has denied allegations of human rights abuses, including enforced disappearances, and pro-government people and media outlets have been spreading propaganda against family members of the disappeared.

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<sup>85</sup> The Daily Star, 7 September 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/no-trace-man-taken-away-14-days-ago-3137006>

<sup>86</sup> The daily Kaler Kantha, 10 October 2022; <https://www.kalerkantho.com/online/country-news/2022/10/10/1191681>

<sup>87</sup> <https://www.ohchr.org/en/statements/2022/09/global-update-statement-nada-al-nashif-un-acting-high-commissioner-human-rights>



30. Maayer Daak expressed anger and grievances in a statement saying that criminals associated with the ruling party Awami League are publishing various fabricated and ugly pictures and statements on social media against the women and children of the family members of the victims of enforced disappearance. It mentioned in the statement that in April 2022, an organization called People's Activist Coalition (PAC) met the women and children of some families of the disappeared, had iftar with them and took pictures. One picture was published on 30 May 2022 on the Facebook of Ratul Mohammad, a member of PAC. On 8 September, some ruling party men named Arif Rabbani, Milu H Rahman and a group called Crab Soldiers photoshopped the picture of the women and girls of the disappeared families and launched a hateful campaign against them on various social media including Facebook.<sup>88</sup>

### ***Extrajudicial Killings***

31. Acts of 'crossfire', 'gunfight', 'shootout' committed by law enforcement and security agencies, were temporarily suspended after the United States Treasury Department imposed sanctions against RAB and seven of its former and current officials on 10 December 2021, for gross human rights violations. However, these have started again. Extrajudicial killings also occurred in the country during this reporting period.
32. **From July to September 2022, a total of 11 persons were killed extrajudicially, as reported. Of the 11 persons killed, eight persons were killed by police, one by RAB, one by DB Police and one by another security force. Of them, two were killed in "crossfire /encounters/gunfight" by RAB and another security force, three were tortured to death by police and five person was shot dead by police, and one was killed in a 'clash' with DB Police.**

### ***Torture and Custodial Death***

33. A farmer named Abdus Salam was arrested by Sub Inspector Mohammad Jamal in charge of Nakol Police Outpost under Sreepur Upazila in Magura District on 16 July 2022, in relation to an altercation. SI Mohammad Jamal then openly kicked Abdus Salam in his chest and beat him. He was later taken to the Outpost and tortured. When he was taken to Magura Sadar Hospital for treatment, doctors declared him dead. Aliar Rahman, who witnessed the incident, said that in front of many people, SI Jamal kicked Abdus Salam in

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<sup>88</sup> Information gathered from Maayer Daak

the chest and threw him to the ground. Then he was taken to the Outpost and tortured.<sup>89</sup>

34. On 11 August 2022, a person named Anwar Hossain (35) died while incarcerated in Cumilla Central Jail. The prison authority said Anwar died of a heart attack. However, Anwar's family members claim that the police arrested Anwar as a suspect in a CNG theft case and took him to the police station and tortured him. According to them, he died in jail due to that torture.<sup>90</sup>

35. On 27 September 2022, a person named Lebu Mia died in the custody of Mirzapur Police Station in Tangail. The police claimed that Lebu Mia was arrested in a murder case and he committed suicide by hanging himself. However, Lebu Mia's wife Aleya Begum alleged that the police tortured and killed her husband while in police custody.<sup>91</sup>



*Deceased Lebu Mia, Photo: The Daily Star, 27 September 2022*

### ***Allegations of Human Rights violations against Members of Law Enforcement Agencies***

36. The government is using members of law enforcement agencies to suppress political opponents, government critics and dissidents. As a result, they are enjoying impunity. During this reporting period, various types of allegations, including arresting opposition leaders with fabricated cases, and demanding money under the threat of crossfire<sup>92</sup>, torture to death<sup>93</sup>, filing false cases and submitting charge sheets<sup>94</sup>, torture on children<sup>95</sup>, degrading treatment and

<sup>89</sup> The daily Manabzamin, 18 July 2022; <https://mzamin.com/news.php?news=12073>

<sup>90</sup> The daily Jugantor, 27 August 2022; <https://www.jugantor.com/country-news/588148/>

<sup>91</sup> The Daily Star, 27 September 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/man-dies-police-custody-after-being-detained-questioning-3129386>

<sup>92</sup> The daily Manabzamin, 13 August 2022; <https://mzamin.com/news.php?news=16028>

<sup>93</sup> The Daily Star, 27 September 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/man-dies-police-custody-after-being-detained-questioning-3129386>

<sup>94</sup> The daily Prothom Alo, 14 September 2022; <https://www.prothomalo.com/bangladesh/district/8f7ktittvt>

<sup>95</sup> The daily Prothom Alo, 22 August 2022; <https://www.prothomalo.com/bangladesh/7rhsqv61c0>

death in custody<sup>96</sup> were found against members of the law enforcement agencies. Members of the law enforcement agencies are known to be involved in criminal activities too. During this period, there were various allegations against them, including filing false charges<sup>97</sup>, extortion<sup>98</sup> and refusing to take cases<sup>99</sup>. Furthermore, members of law enforcement agencies have also been accused of acquiring illegal wealth through corruption.<sup>100</sup> Transparency International Bangladesh (TIB) released the 2021 corruption report on Bangladesh's service sector, where it said the most corrupt service sector is the law enforcement agencies.<sup>101</sup>



*After the torture of these children in Chittagong came to light, three policemen were withdrawn from duty. Photo: Prothom Alo, 22 August 2022*

37. Allegations have been found against the police for the arrest of Zakir Hossain Jasim, President of Feni District unit Jubo Dal on allegations of illegally having arms. Jasim's wife Lutfun Nahar held a press conference on 12 August 2022 and alleged that her husband Jasim was arrested by the police from Navana Tower at Kakrail intersection in Dhaka on the night of 21 July 2022. Later she came to know that the police blindfolded her husband and took him to different places after arresting him. Police also demanded 50 hundred thousand Taka from him and threatened to kill Jasim in 'crossfire' if he did not pay. Then on 22 July at around 1:00 am, police came to their house with Jasim and conducted a search and staged a drama saying that they had recovered weapons from Jasim. On 10 August, she filed a case in the court of Feni Senior Judicial Magistrate Muhammad Ashekur Rahman. Four police officials, including the Officer-in-Charge of Feni Model Police Station, Mohammad Nizam Uddin and two Chhatra League activists, and 10-12 other

<sup>96</sup> The daily Prothom Alo, 18 August 2022; <https://www.prothomalo.com/bangladesh/capital/fb28ipz0wv>

<sup>97</sup> The daily Jugantor, 16 July 2022; <https://www.jugantor.com/country-news/573268/>

<sup>98</sup> Bangladesh Protidin, 6 July 2022; <https://www.bd-pratidin.com/city/2022/07/06/786439>

<sup>99</sup> The daily Naya Dignata, 14 July 2022; <https://www.dailynayadiganta.com/more-news/676654/>

<sup>100</sup> The daily Manabzamin, 21 August 2022; <https://mzamin.com/news.php?news=17187>

<sup>101</sup> The daily Jugantor, 1 September 2022; <https://www.jugantor.com/todays-paper/first-page/590040/>

unknown persons have been accused in this case. She and her family members are now being threatened due to this case.<sup>102</sup>

### ***The Death Penalty***

38. Death reference cases are constantly coming from every district and submitted to the High Court Division of the Supreme Court for review and the person sentenced to death is kept in the condemned cell as soon as he is sentenced by the trial court. Due to the low disposal rate of death reference cases, a large number of accused have to stay in condemned cells for years. Most of the victims are poor, less educated and underprivileged people of the society.<sup>103</sup> Till 31 August 2022, the number of prisoners who were given death penalty in 2,265 cases across the country is 2,102.<sup>104</sup> Keeping death row convicts in condemned cells till the final disposal of the case is unjustified and a gross violation of human rights. Recently, the Appellate Division of the Supreme Court acquitted Ismail Hossain Babu and Sonaruddi, who were sentenced to death and were in the condemned cells for 15 years.<sup>105</sup>
39. **In the three months from July to September 2022, a total of 84 persons were sentenced to death.**

### ***Human Rights Violations in Prisons***

40. Corruption, irregularities and various forms of torture on prisoners continue in the country's prisons under the authoritarian regime. Among them, there were allegations of poor quality and inadequate food being provided to inmates in Sylhet Central Jail, sexual abuse of juvenile prisoners and beating of prisoners by tying their hands.<sup>106</sup> Prisons have a nominal inspection system by government and private inspectors. When inspectors visit prisons, inmates are too afraid of prison officials to tell them about prison irregularities, corruption, and torture.
41. One of the causes of human rights violations in prisons is overcrowding. Inadequate physicians and medical facilities, negligence by prison authorities and sometimes torture during police custody are alleged to have led to subsequent deaths of some inmates.
42. **Between July and September 2022, 16 inmates died in prisons.**
43. On 4 September 2022, Tofail Ahmed, President of Meherpur District unit Swechchasebak Dal<sup>107</sup>, who was imprisoned in Meherpur Jail, died due to the

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<sup>102</sup> The daily Manabzamin, 13 August 2022; <https://mzamin.com/news.php?news=16028>

<sup>103</sup> New Age, 30 March 2022; <https://www.newagebd.net/article/166706/>

<sup>104</sup> The daily Inqilab, 2 October 2022; <https://www.dailyinqilab.com/article/522714/>

<sup>105</sup> The daily Naya Diganta, 2 July 2022; <https://www.dailynayadiganta.com/first-page/674439/>

<sup>106</sup> The daily Prothom Alo, 29 September 2022; <https://www.prothomalo.com/bangladesh/district/140uv9eh2k>

<sup>107</sup> Voluntary wing of the BNP

negligence of the prison authorities, according to allegations by Meherpur District unit BNP president Masud Arun.<sup>108</sup>

## Public Lynching

44. Deaths as a result of public lynching continue as civilians take the law into their own hands. In many cases this is due to a dysfunctional justice system, impunity of law enforcement agencies, and corruption – all of which erodes trust in state institutions. Apart from this, the level of brutality among the ordinary people has also increased due to the increase in instability in society as a result of the authoritarian regime.
45. **In the three months between July and September 2022, seven persons were killed by public lynching.**
46. On 1 August 2022, Ariful Islam (29), a bus driver, was beaten to death by passengers and pedestrians over a dispute with bus fare at Ashulia in Savar, Dhaka.<sup>109</sup>

## Freedom of Expression

47. Bangladesh has ratified the International Covenant on Civil and Political Rights. The incumbent government is grossly violating freedoms of speech, thought, conscience and expression of the citizens by disregarding this treaty<sup>110</sup>. Due to the pressure on the media, various incidents have not been published in the mainstream media, but they have been published in social media. As a result, the government is monitoring social media too. Many Bangladeshi citizens, who are living abroad run online portals/media. Members of law enforcement agencies are harassing and arresting local relatives of individuals associated with online media outlets that publish anti-government news from abroad.<sup>111</sup> In addition to that, Awami League-backed Chhatra League leaders and activists have attacked university students and apprehended them and handed them over to the police or filed cases under the Digital Security Act, 2018. The government-supported university administrations are actively supporting all these persecutions.
48. At midnight on 18 August 2022, Meftahul Maruf, a student of Dhaka University, was apprehended and questioned by Chhatra League General Secretary Hasibul Hossain Shanto, who accused him of ‘anti-state activities and association with militant organisations’, and for criticizing the current

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<sup>108</sup> The daily Jugantor, 6 September 2022; <https://www.jugantor.com/todays-paper/news/591973/>

<sup>109</sup> The daily Manabzamin, 3 August 2022; <https://mzamin.com/news.php?news=14667>

<sup>110</sup> Article 19.2 of this Covenant provides that everyone shall have freedom of speech; this right shall include freedom to seek, receive and impart information and ideas of all kinds, whether original, in writing or in print, through the medium of art or in any medium of his choice.

<sup>111</sup> The daily Prothom Alo, 18 September 2022

government in a messenger group on Facebook. Later the Provost of Freedom Fighter Ziaur Rahman Hall, Mohammad Billal Hossain, handed Maruf over to Shahbag Police Station. After detaining Maruf at the police station for 12 hours, police released him on bail in the presence of Chhatra Odhikar Parishad leaders and Dhaka University professor Ainul Islam. On the way back to the campus with Maruf, Chhatra League leaders and activists attacked the leaders and activists of Chhatra Odhikar Parishad, leaving three people injured.<sup>112</sup>

49. On 9 September 2022, police arrested BNP leader and Union Parishad member Abdul Muktedir Manu, in Kulaura Upazila under Moulvibazar District. Members of the law enforcement agency alleged that Manu's elder brother Abdur Rob Bhutto, who lives in Britain, was using a Facebook page called 'London Bangla Channel' to spread propaganda against Prime Minister Sheikh Hasina and the state. Later, Manu was shown as arrested under Section 54<sup>113</sup> of the Code of Criminal Procedure and sent to the court, from where he was sent to jail.<sup>114</sup>

### ***The Digital Security Act, 2018***

50. The government is using the repressive Digital Security Act to infringe on freedom of expression. The law enforcement agencies and the people involved with the ruling party are carrying out various forms of oppression, including filing cases and arresting the opposition party leaders and activists, dissidents and ordinary citizens for writing or 'liking/sharing' any post on social media, criticising the Prime Minister, leaders of the ruling party or their family members, under the Digital Security Act, 2018. During this reporting period, many people were booked under the Digital Security Act and arrested for criticising, on social media, the increase in fuel prices and the price hike in daily commodities. Despite the constitutional right to get bail, it has been observed that the accused remain in jail for longer periods of time under the Digital Security Act.<sup>115</sup> The families of the accused have to go through a miserable experience. Over 1,700 cases have been filed under this Act in the last four years since its enactment. Out of this, a data analysis of 353 cases showed that the plaintiffs in 165 cases were the police and leaders-activists of the ruling party. Under this law, 36 percent of the cases were filed with allegations of propaganda and derogatory remarks against the government, Prime Minister, law enforcement agencies, ruling party and party leaders and

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<sup>112</sup> The daily Jugantor, 20 August 2022; <https://www.jugantor.com/todays-paper/last-page/585624/>

<sup>113</sup> Power to arrest without a warrant: Any police-officer may arrest any person without an order from a Magistrate and without a warrant under 'reasonable suspicion'. <http://bdlaws.minlaw.gov.bd/act-75/section-14518.html>

<sup>114</sup> New Age, 10 September 2022; <https://www.newagebd.net/article/180735/>

<sup>115</sup> The daily Prothom Alo, 19 September 2022; <https://www.prothomalo.com/bangladesh/0luicujl29>



activists.<sup>116</sup> Apart from this, it has been seen at various times that the Digital Security Act, 2018 has also been applied to allegations of hurting 'religious sentiments'.

51. **From July to September 2022, a total of 21 persons were arrested under the Digital Security Act, 2018. Among the 21 arrestees, 17 persons were arrested for posting critical comments against the Prime Minister, high-ranking officials of the government, and their family members; and four were arrested for making derogatory remarks hurting 'religious sentiments'.**
52. On 16 July 2022, Iqbal Hossain, General Secretary of Upazila unit BNP, at a meeting of Jatiyatabadi Mohila Dal<sup>117</sup> at the Magnama Union Parishad office in Pekua Upazila of Cox's Bazar district, allegedly made a 'derogatory remark' against Prime Minister Sheikh Hasina. Upazila unit Awami League General Secretary Abul Kashem filed a case under the Digital Security Act against five people over this. On 28 July, police arrested Pekua Upazila Chhatra Dal convener Farhad Hossain, one of the accused in this case.<sup>118</sup>
53. Anisuzzaman Lewis, former Chhatra League leader of Gangni, filed a case under the Digital Security Act, 2018 against a man named Abu Taleb in Meherpur who came on Facebook Live and 'insulted' the Prime Minister over the increase in oil prices. On 10 August, the Detective Branch of Police arrested Abu Taleb in Meherpur.<sup>119</sup>



*Abu Taleb. Photo: Kaler Kantha, 11 August 2022*

54. Pritam Das, a leader of the tea workers movement and the organizer of the *Rashtra Shongskar Andolon* was involved in a protest demanding a daily wage of Tk 300 for the tea workers in Srimangal, Sylhet. On 27 August 2022, Pritam Das was attacked during a solidarity rally of tea workers at Chaumohana in Srimangal. On 4 September 2022, Chhatra League activist Mahbubul Alam Bhuiyan filed a case under the Digital Security Act with Srimangal Police

<sup>116</sup> The daily Prothom Alo, 19 September 2022; <https://www.prothomalo.com/bangladesh/Oluicujl29>

<sup>117</sup> Women's wing of the BNP

<sup>118</sup> The daily Prothom Alo, 29 July 2022; <https://www.prothomalo.com/bangladesh/district/yelmhbe7jp>

<sup>119</sup> The daily Kaler Kanta, 11 August 2022; <https://www.kalerkantho.com/online/country-news/2022/08/11/1171838>



Station against Pritam Das for allegedly ‘hurting religious sentiments’. He was arrested by the police on 9 September.<sup>120</sup>



*Pritam Das. Photo: The Daily Star, 11 September 2022*

55. Zahidur Rahman, a student of Khulna University of Engineering and Technology (KUET), was arrested by the police for allegedly spreading ‘offensive’ remarks and ‘provocative’ information in a Telegram App group about Prime Minister Sheikh Hasina’s recent visit to India.<sup>121</sup> It has been alleged that the Chhatra League leaders and activists of Dr. MA Rashid Hall (students’ dormitory) beat him up during the arrest. The police admitted the seriously injured Zahidur Rahman to Khulna Medical College Hospital in the university ambulance. University Security Officer Mohammad Sadek Hossain Pramanik filed a case with Khanjahan Ali Police Station under the Digital Security Act, accusing Zahidur Rahman and two other students of BRAC University and Gopalganj University.<sup>122</sup>

### ***Freedom of the Media***

56. During this reporting period, journalists were threatened<sup>123</sup> and attacked<sup>124</sup> by leaders and activists of the ruling party while carrying out their professional duties. The Digital Security Act, 2018 continues to be imposed against journalists. According to the data published by an international organisation, Article 19, from January 2020 to September 2022, there were 514 cases filed under the Digital Security Act, 2018. Among them, 93 cases have been filed against journalists under this Act. In these cases, 947 journalists have been accused.<sup>125</sup> Due to the harassment, many journalists are forced to practice self-censorship.

<sup>120</sup> The Daily Star, 11 September 2022;

<https://www.thedailystar.net/news/bangladesh/news/govt-trying-create-unrest-3116251>

<sup>121</sup> The Prothom Alo, 13 September 2022; <https://www.prothomalo.com/bangladesh/district/byz0rskwtg>

<sup>122</sup> The daily Jugantor, 14 September 2022; <https://www.jugantor.com/todays-paper/last-page/594898/>

<sup>123</sup> Bangladesh Protidin, 5 July 2022; <https://www.bd-pratidin.com/country-village/2022/07/05/786113>

<sup>124</sup> The daily Jugantor, 1 September 2022; <https://www.jugantor.com/todays-paper/first-page/590041/>

<sup>125</sup> The daily Prothom Alo, 18 September 2022; <https://www.prothomalo.com/bangladesh/0luicujl29>

57. Journalist couple Sagar Sarwar and Mehrun Rooney were murdered in Dhaka in 2012, however RAB has yet to file a charge sheet in this case. The investigation report was scheduled to be submitted on 26 September 2022, but it was not submitted by RAB. Due to this, the date of submitting the investigation report has been delayed for the 92<sup>nd</sup> time.<sup>126</sup>
58. **Between July and September 2022, 17 journalists were injured, 14 were assaulted, and eight were threatened while carrying out their professional duty.**
59. On 31 August 2022, Awami League-backed Chhatra League leaders and activists brought a procession and tried to vandalize a BNP meeting stage at the Microbus Stand area in Pirganj under Thakurgaon District. At that time, Chhatra League leaders and activists beat Latifur Rahman Limon, Pirganj Upazila representative of the Daily Manabkanta for taking pictures of this incident. Limon was admitted to the hospital in a serious condition.<sup>127</sup>

## Violence against Women

60. Victims are deprived from justice as perpetrators of violence against women go unpunished, in most cases due to dysfunctional justice system. Cases filed against perpetrators of violence against women have been pending for years. As a result, women and children seeking justice, and their relatives, are being harassed. According to data from the High Court Division of the Supreme Court, 43,114 cases have been pending in the country's 99 Women and Children Repression Tribunals for more than five years.<sup>128</sup> In the three months of July-September 2022, women and female children have been subjected to various forms of violence. There are allegations of various types of oppression and violence perpetrated by the ruling party leaders and activists.

## Rape

61. Incidents of rape continue to increase due to lack of proper implementation of law, weak and protracted judicial process and non-prosecution of the culprits. Incidents of gang rape have increased drastically. During this reporting period, females – from children<sup>129</sup> to elderly women<sup>130</sup> – were raped and victims of rape (both women and children) were killed.<sup>131</sup> There are allegations against the police for not taking rape cases<sup>132</sup>, beating up the victim's family members instead of taking a case of attempted rape of a

<sup>126</sup> The daily Jugantor, 26 September 2022; <https://www.jugantor.com/national/599620/>

<sup>127</sup> The daily Jugantor, 1 September 2022; <https://www.jugantor.com/todays-paper/first-page/590041/>

<sup>128</sup> The daily Prothom Alo, 17 September 2022; <https://www.prothomalo.com/bangladesh/eueiqg55f8>

<sup>129</sup> The daily Jugantor, 26 August 2022; <https://www.jugantor.com/country-news/588106/>

<sup>130</sup> The daily Jugantor, 27 August 2022; <https://www.jugantor.com/country-news/588453/>

<sup>131</sup> The daily Prothom Alo, 15 July 2022; <https://www.prothomalo.com/bangladesh/district/mnl81glljg>

<sup>132</sup> The daily Jugantor, 31 August 2022; <https://www.jugantor.com/todays-paper/news/589785/>

child<sup>133</sup> and destroying evidence of rape against the officer-in-charge of a police station.<sup>134</sup> The result of such negligence is that the accused in rape cases are roaming around openly and pressurizing victims' families to drop their cases.<sup>135</sup> Furthermore, there are allegations of rape against the leaders and activists of the ruling party<sup>136</sup> and policemen<sup>137</sup>. Influential people<sup>138</sup> in the area and leaders of the ruling party<sup>139</sup> have also covered up incidents rape and attempted rape through informal mediation.

62. On 30 August 2022, Ripon Roy, Assistant General Secretary of Bogura District unit Chhatra League, raped a woman after tricking her into injecting some form of drug in Sherpur under Bogura District. Police arrested Ripon Roy.<sup>140</sup>

### ***Stalking/Sexual Harassment***

63. Incidents of sexual harassment have increased massively. Under the shelter of the ruling party, youth gangs have grown in different places across the country. They are perpetrating widespread acts of sexual harassment. Apart from this, there are allegations of sexual harassment against the leaders and activists of the Chhatra League in colleges and universities. Relatives of victims are being attacked if they protest against the sexual harassment.<sup>141</sup>
64. In the night of 17 July 2022, a female student was sexually assaulted by five activists of the Awami League-supported Chhatra League in Chittagong University campus. The accused five Chhatra League activists were arrested by the police.<sup>142</sup>

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<sup>133</sup> Bangladesh Protidin, 22 August 2022; <https://www.bd-pratidin.com/first-page/2022/08/22/800837>

<sup>134</sup> The daily Prothom Alo, 29 August 2022; <https://www.prothomalo.com/bangladesh/district/zxqk95f0bz>

<sup>135</sup> The daily Jugantor, 15 September 2022; <https://www.jugantor.com/todays-paper/city/595299/>

<sup>136</sup> The daily Jugantor, 2 October 2022; <https://www.jugantor.com/todays-paper/news/601422/>

<sup>137</sup> The Daily Star, 19 September 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/police-take-no-action-against-cop-accused-rape-3122571>, Jugantor, 29 August 2022; <https://www.jugantor.com/country-news/589138/>

<sup>138</sup> Bangladesh Protidin, 15 July 2022; <https://www.bd-pratidin.com/last-page/2022/07/15/788438>

<sup>139</sup> The daily Naya Diganta, 16 July 2022; <https://www.dailynayadiganta.com/raishahi/677190/>

<sup>140</sup> The daily Jugantor, 19 September 2022; <https://www.jugantor.com/todays-paper/last-page/596824/>

<sup>141</sup> Bangladesh Protidin, 6 July 2022; <https://www.bd-pratidin.com/last-page/2022/07/06/786391>

<sup>142</sup> The daily Jugantor, 24 July 2022; <https://www.jugantor.com/todays-paper/first-page/575976/>



*Chhatra League activists arrested in a case of sexual harassment of a Chittagong University student.  
Photo: Jugantar, 24 July 2022*

### ***Dowry-related Violence***

65. Despite the fact that giving and taking dowry is a punishable offense under the law, violence against women for non-compliance with dowry demands was widespread during this reporting period. Due to non-payment of dowry, various inhuman incidents have occurred, including murder.
66. In the night of 30 July 2022, a housewife named Halima Khatun was beaten and strangled to death by her husband Liton Hossain Dhali in Chanka Village under Satkhira Sadar Upazila, for not paying the one hundred thousand Taka demanded as dowry.<sup>143</sup>

### ***Acid Violence***

67. It has been reported that most of the accused in acid violence cases are getting acquitted as the prosecution cannot prove the charges. In addition, in many cases the victims remain in limbo and are deprived of justice as the law enforcement agencies do not arrest the accused.<sup>144</sup>
68. In the night of 1 August 2022, a person named Shafiqul Islam threw acid on a mother of one child, Ratna Akhtar, as she did not agree to his marriage proposal in Joynagar Village of Danga Union under Polash Upazila in Narshindi District. Police arrested Shafiqul Islam.<sup>145</sup>

<sup>143</sup> The daily Naya Diganta, 2 August 2022; <https://www.dailynayadiganta.com/bangla-diganta/681034/>

<sup>144</sup> Bangladesh Protidin, 25 August 2022; <https://www.bd-pratidin.com/last-page/2022/08/25/801898>

<sup>145</sup> The daily Jugantor, 3 August 2022; <https://www.jugantor.com/country-news/580153/>

## Human Rights of Religious and Ethnic Minority Groups

69. During this reporting period, there have been incidents of attacks, vandalism, looting and setting fire to temples, houses and businesses of the Hindu community in different parts of the country.<sup>146</sup> There have been allegations of attacks on religious minorities as well as ethnic minorities and land grabbing. It is alleged that the leaders and activists of the ruling Awami League are involved in all these incidents. In the past, due to the politicization of such incidents, the real accused could not be brought to justice. As a result, such incidents continue to occur. In 2012, there was an attack on the Buddhist monastery and houses in Ramu under Cox's Bazar District. Although ten years have passed, the trial of this incident has not yet commenced. Shilpriyo Ther, Director of Ramu Central Mahaseema Vihar (Buddhist Monastery), said that those who carried out the attacks that day were not even charged in the case. As a result, none of them were punished.<sup>147</sup>
70. On 15 July 2022, a college student named Aakash Saha in Lohagara Digholia area of Narail District was accused of posting a derogative remark 'insulting' the Prophet Muhammad (PBUH) on Facebook. The incident caused widespread tension in the area and some miscreants attacked and set fire to houses and shops belonging to the minority Hindu community in Digholia Bazar.<sup>148</sup>
71. On 13 July 2022, about 25-30 miscreants led by Awami League General Secretary Abul Khair Bakshi of Ward No. 2 of Banail Union under Mirzapur Upazila of Tangail District, reportedly attacked Rathkhola Temple in Bhushandi Village of the same union and vandalized three effigies. Jagadish Chandra Pramanik, Chief Advisor of the temple committee, lodged a complaint with the police station.<sup>149</sup>
72. On 19 August 2022, a group of miscreants attacked the families of an ethnic minority community at Mundapara over a land dispute in Dhumghat Antokhali Mundapalli of Shyamnagar in Satkhira. At least four people were injured in the attack. Among the injured, Narendranath Munda died on 20 August.<sup>150</sup>
73. Awami League Member of Parliament Shibli Sadiq of Dinajpur-6 Constituency and his uncle, former Member of Parliament Delwar Hossain, have been accused of grabbing the land of ethnic minority Santals. In a press conference on 30 July 2022, Santal community members said that MP Shibli

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<sup>146</sup> The daily Prothom Alo, 30 September 2022

<sup>147</sup> The daily Prothom Alo, 29 September 2022; <https://www.prothomalo.com/bangladesh/district/ypabisdcoe>

<sup>148</sup> The daily Manabzamin, 17 July 2022; <https://mzamin.com/news.php?news=11979>

<sup>149</sup> The daily Kaler Kanta, 14 July 2022; <https://www.kalerkantho.com/online/country-news/2022/07/14/1163643>

<sup>150</sup> The Daily Star, 21 August 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/one-dead-after-attack-munda-community-3099436>



Sadiq and his uncle, former MP Delwar Hossain, have encroached on the land of many ethnic minority groups living in Kushdah Union under Nawabganj Upazila in Dinajpur for several decades. They have, in particular, become completely helpless due to suppression by Delwar Hossain's criminal gang. Being landless, they have lost their culture, they said.<sup>151</sup>

## **Hegemony of the Indian Regime and Human Rights Violations along the Bangladesh-India Border**

74. Due to the Awami League government's weak foreign policy on various issues with India, the Indian government continues to dominate Bangladesh and implement plans related to its interests. As a result, the interests of Bangladesh are being severely damaged.
75. During a visit of Bangladesh Prime Minister Sheikh Hasina to India in September 2022, the Kushiara Water Withdrawal Agreement was executed with India. The agreement was executed to obtain India's permission to withdraw 153 cusecs of water from Kushiara River which is within Bangladesh. Bangladeshi experts said that due to this agreement, India can intervene if Bangladesh wants to lift water from the joint rivers of Bangladesh and India from now on. They consider this agreement a mistake and a bad precedent.<sup>152</sup>
76. The Indian regime continues to violate human rights along the border areas. During this reporting period, Bangladesh has suffered casualties due to BSF firing and torture at the India-Bangladesh border. Bangladeshi nationals who were detained by the BSF members are missing and two children aged 4 and 8 years drowned when they were chased by the BSF while returning to Bangladesh with their parents.<sup>153</sup>
77. On 17 July 2022, a Border Guard Bangladesh (BGB) – Border Security Force of India (BSF) Director General level border conference was held at the BGB Headquarters in Pilkhana, Dhaka. After this conference, at a joint press conference on 21 July, Director General of BSF Pankaj Kumar Singh told reporters that all the Bangladeshis killed by BSF at the border were "criminals". He claimed that all the dead people were involved in various crimes, including drug dealing. BGB Director General Major General Sakil Ahmed was present at the press conference. However, he did not protest at this statement.<sup>154</sup> It is to be noted that among the Bangladeshis killed by the BSF were innocent farmers, fishermen, women and children. If anybody is involved in criminal acts, he/she cannot be killed by BSF using lethal

<sup>151</sup> The daily Prothom Alo, 30 July 2022; <https://www.prothomalo.com/bangladesh/district/51l9gftjix>

<sup>152</sup> The daily Prothom Alo, 18 September 2022; <https://www.prothomalo.com/bangladesh/j700wgfz17>

<sup>153</sup> The daily Jugantor, 3 July 2022; <https://www.jugantor.com/country-news/569377/>

<sup>154</sup> The daily Prothom Alo, 22 July 2022; <https://www.prothomalo.com/bangladesh/o97jzdgteg>

weapon, as per national and international laws. There has been no trial for the killing of Bangladeshi citizens at the border.

78. During Prime Minister Sheikh Hasina's visit to India, on 7 September, the Prime Minister of Bangladesh discussed the killing of Bangladeshi citizens along the Bangladesh-India border with Indian Prime Minister Narendra Modi. The two Prime Ministers expressed satisfaction over the reduction in border killings and agreed to reduce such killings to zero.<sup>155</sup> A Bangladeshi schoolboy Minarul Islam (16) was shot dead by the BSF at Dainur border under Dinajpur Sadar Upazila on the night of the meeting between the Prime Ministers of the two countries. Due to the aggressive role of the Indian government on Bangladesh for decades, many Bangladeshi people, including innocent children and adolescents, have been killed and/or were victims of torture by the BSF.
79. **From July to September 2022, five Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Among them, three were shot dead and two were tortured to death. Furthermore, four Bangladeshis were injured. Of them, three were injured by BSF firing and one was injured due to torture by the BSF.**
80. On 30 August 2022, a Bangladeshi citizen named Mohammad Bhadu (30) was shot dead by the Indian Border Security Force (BSF) at Shingnagar border under Shibganj Upazila of Chapainawabganj District.<sup>156</sup>
81. A Bangladeshi citizen named Tushar Khan, from the border area of Cumilla's Brahmanpara, was arrested by BSF members and taken to the camp and tortured. When Tushar was seriously injured, he was stripped and left unconscious 10 feet inside India from Narayanpur Dakshinpara of Bangladesh. Border Guard Bangladesh (BGB) members rescued Tushar on 8 September. BGB Commander Naib Subedar Abdul Khalek said that the BSF was supposed to ensure his medical care according to international law, but they did not take any action. After learning of his identity, BGB members took him to the local upazila health complex, where the doctors declared Tushar dead.<sup>157</sup>
82. On 7 September 2022, a Bangladeshi teenager named Minarul Islam (16) was shot dead by the Indian BSF at the Dainur border of Dinajpur Sadar Upazila.<sup>158</sup>

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<sup>155</sup> The daily Prothom Alo, 7 September 2022; <https://www.prothomalo.com/politics/p9v16bibcc>

<sup>156</sup> The daily Manabzamin, 1 September 2022; <https://mzamin.com/news.php?news=18737>

<sup>157</sup> The daily Jugantor, 10 September 2022; <https://www.jugantor.com/todays-paper/city/593423/>

<sup>158</sup> The daily Prothom Alo, 9 September 2022; <https://www.prothomalo.com/bangladesh/district/briog2fnccs>





*Deceased Minarul Islam (16). Photo: Prothom Alo, 9 September 2022*

83. On 19 September 2022, a teenager named Abdur Rahim Masood (18) was captured and tortured to death by BSF members while working on the land at the Char Ashariadah border of Godagari in Rajshahi.<sup>159</sup>

## **Human Rights of the Rohingya Population**

84. On 22 July 2022, the International Court of Justice (ICJ) dismissed Myanmar's initial objection to Gambia's case filed against Myanmar military for committing genocide and war crimes against the Rohingya community in Rakhine state of Myanmar. Thus, there is no bar to proceed in Gambia's case against the Rohingya genocide. Gambia filed a genocide case against Myanmar in November 2019. In the case, it is said that more than 750,000 Rohingyas have been brutally tortured in Myanmar.<sup>160</sup> In addition, some army personnel who escaped from the Myanmar army said in an interview with the BBC, that they were ordered by senior military officers to do everything necessary against Rohingyas, including killing, rape and looting. During the 51<sup>st</sup> session of the United Nations Human Rights Council in Geneva, on 12 September, it was announced in a statement that about three million pieces of information and evidence of the Myanmar army's massacre of the Rohingya population have been collected, which will be submitted to the international court.<sup>161</sup>

## **State Repression on Odhikar**

85. The current government, after assumed power through farcical elections, is perpetrating human rights violations, including enforced disappearances, extrajudicial killings, arbitrary detentions, violations to freedom of expression

<sup>159</sup> The daily Jugantor, 24 September 2022; <https://www.jugantor.com/todays-paper/news/598738/>

<sup>160</sup> The daily Jugantor, 23 July 2022; <https://www.jugantor.com/todays-paper/first-page/575609/>

<sup>161</sup> The daily Samakal, 14 September 2022; <https://samakal.com/bangladesh/article/2209131667/>

and torture in custody; and due to being vocal against such violations, Odhikar is being subjected to various forms of oppression. The government has used law enforcement agencies, the NGO Affairs Bureau, the Anti-Corruption Commission, the Election Commission, and media outlets owned by government supporters, to stifle the voice of Odhikar. Odhikar and human rights defenders associated with it are subject to intelligence surveillance and harassment, for speaking out against human rights abuses in Bangladesh and also for Odhikar's engagement with the United Nations Human Rights Mechanisms. The government has been spreading propaganda against Odhikar, terming Odhikar's human rights activities as 'anti-state' and 'anti-government'.

86. The government's crackdown on Odhikar mainly began in 2013 due to publishing a fact-finding report on extrajudicial killings. Odhikar's Secretary Adilur Rahman Khan and Director ASM Nasiruddin Elan were charged under the Information and Communication Technology Act 2006 (amended 2009) and they were sent to jail. They are both currently under trial at the Cyber Tribunal, Dhaka.<sup>162</sup> On 5 June 2022, the NGO Affairs Bureau under the Prime Minister's Office, refused to renew Odhikar's registration after keeping the application pending for 8 years. On 28 June, Odhikar filed an appeal to the Prime Minister's Office against the government's decision, in accordance with NGO related law. After a hearing both sides on 3 August, the Prime Minister's Office, on 1 September, upheld the original decision of the NGO Affairs Bureau not to renew Odhikar's registration.

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<sup>162</sup> On 14 February 2021, the Appellate Division of the Supreme Court dismissed the application for dismissal of the case filed against the Secretary and Director of Odhikar and directed that the case be referred to the Cyber Tribunal for hearing. Subsequently, a review application was filed with the Appellate Division seeking reconsideration of the application for dismissal of the case. The first hearing of the case was held on 12 September 2021 at the Dhaka Cyber Tribunal. On this day, when Odhikar's Secretary and Director appeared before the Tribunal, their lawyer informed the Tribunal of the application for review (Review Petition No. 8/2021, dated 04/04/2011) pending in the Appellate Division and appealed to the Tribunal to take necessary steps after the review hearing. But the Tribunal did not grant the prayer and fixed 5 October 2021 as the date for taking evidence and examining witnesses for the Prosecution (PW) in case No. 1/2013. The Tribunal then proceeded to take evidence and examined witnesses for the Prosecution on 9 November and 24 November 2021. On 15 December the PW was not present, so the next date for examination was set for 20 January 2022. On 20 February, the next date, the PW to be examined was absent as well, and the same thing occurred on the next given date, on 28 March. On 8 May a PW was examined but on the next given date, 9 June 2022, it was learnt at the Tribunal, that the PW who was to be examined that day, had passed away several months ago. The Tribunal fixed 13 July 2022 as the next date. The PW was not examined on 13 July as the witness did not come. The PW who was to be examined on 3 August could not be witnessed on that day as he died. Similarly, PW was not examined on 22 August due to the death of witness. The PW was examined on 5 and 26 September respectively. The Tribunal fixed 17 October 2022 as the next date.

## Recommendations

1. Immediate steps must be taken to establish democracy in Bangladesh by forming an accountable government through free, fair and participatory elections under a neutral interim government and initiatives should be taken to prevent and put a check on human rights violations by reconstructing the dysfunctional institutions into effective, independent ones.
2. The UN Human Rights Council must adopt a new mandate on Bangladesh to collect evidence of human rights violations. An independent and impartial investigative mechanism should be created under the supervision of the Office of the High Commissioner for Human Rights (OHCHR) to investigate cases of gross human rights violations.
3. The Government's interference with constitutional and state institutions should be stopped. Criminal activities of the ruling party and political violence must cease. Rule of law must be restored under an independent judiciary and Justice delivery system.
4. Members of law enforcement agencies and security forces who are involved in extrajudicial killings, enforced disappearances, torture and other human rights violations must be brought to justice under the country's criminal laws.
5. Disappeared persons must be returned to their families. The government must accede to the International Convention for the Protection of All Persons from Enforced Disappearance and a domestic law must be enacted criminalising enforced disappearance.
6. The Torture and Custodial Death (Prevention) Act, 2013 should be implemented properly and the directions of the High Court and the Appellate Division of the Supreme Court, in the case of [BLAST and Others vs. Bangladesh and Others \(2003\)](#) should be followed to stop torture in remand. The government must ratify the Optional Protocol to the UN Convention against Torture.
7. Punishment of members of the law enforcement agency must not be limited to departmental measures such as suspension, demotion, or closure, when they are found to have committed an offense or violation. Members of law enforcement agencies involved in criminal offenses must be prosecuted under the criminal law of the land.
8. Allegations of irregularities, negligence and corruption against prison officials should be investigated and legal action must be taken and all human rights violations, including torture and ill-treatment of prisoners should cease.
9. The government must refrain from repressive and unconstitutional activities. The right to freedom of peaceful assembly and of association must be ensured. The government should stop filing cases against 'unidentified

- persons'. Harassment and arrest of opposition leaders-activists and dissidents must stop. All political prisoners must be released immediately.
10. The government must stop interference with the media and respect freedom of expression. All cases filed against human rights defenders, including journalists, should be withdrawn and the violators must be brought to justice subject to a proper investigation.
  11. All repressive and abusive laws, including the Special Powers Act, 1974, the Information and Communication Technology Act, 2006, Anti-Terrorism Act, 2009 and the Digital Security Act, 2018 should be repealed immediately.
  12. In order to stop violence against women and children, the perpetrators must be brought to justice under prevalent laws. Informal mediations and arbitrations of perpetrators of violence against women, should be stopped and the police should properly investigate and arrest the accused and bring them to justice. Section 10 of the Suppression of Repression against Women and Children Act 2000 (amended 2003, 2021) must be amended to include the full and proper definition of 'sexual harassment' and 'stalking' as provided by the High Court Division in the decision of BNWLA and Others Vs. Bangladesh (2010).
  13. The lives and property of citizens who are ethnic, linguistic and religious or other minorities should be protected. The state and government should take special measures to ensure their full rights in the practice of their language, religion and culture. Those responsible for attacks on religious and ethnic minorities must be brought to justice.
  14. The Indian Border Security Force (BSF) must stop the perpetration of all human rights violations, including the killing and torturing of Bangladeshi citizens along the border areas, and compensate the victims/victim-families. India must abide by the border-related Agreements and Memorandum of Understanding signed between the two countries. India's domination and aggressive behaviour towards Bangladesh must cease.
  15. Arrangements must be made for the repatriation of the Rohingya population by establishing their full civil and political rights in Myanmar. The Myanmar military and others responsible for the genocide against the Rohingya population must be brought to justice by expediting the ongoing trial at the International Court of Justice.
  16. The ongoing state repression, intelligence surveillance and harassment on human rights organisations and human rights defenders must cease. The case filed against Odhikar's Secretary Adilur Rahman Khan and its Director ASM Nasiruddin Elan under the Information and Communication Technology Act, 2006 (amended in 2009) must be withdrawn.

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Email: [Odhikar.bd@gmail.com](mailto:Odhikar.bd@gmail.com), [Odhikar.documentation@gmail.com](mailto:Odhikar.documentation@gmail.com)

Website: [www.Odhikar.org](http://www.Odhikar.org)

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

Twitter: @odhikar\_bd

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**Notes:**

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