



# *Three-Month Human Rights Monitoring Report on Bangladesh*

**Reporting Period: July – September 2023**



**Prepared by Odhikar**

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## Foreword

The human rights situation in Bangladesh has taken a dire shape due to the authoritarian regime, which has been in power for almost 15 years – including 10 years without peoples’ mandate; and involved in gross human rights violations, targeting political opponents, dissidents and human rights defenders and gagging freedoms of expression. Odhikar, as a human rights organisation, has been raising public awareness of human rights violations committed by the state since its inception on 10 October 1994. The Organisation has been facing extreme state repression and persecution since 2013 due to its activities. Despite continued surveillance, harassment and obstruction by the state machineries, Odhikar is monitoring human rights violations in accordance with international human rights laws and standards.

In addition to the persecution faced by Odhikar, the organisation is also facing public smear campaigns by the government, its party members, its supporters and beneficiaries, at both organisational and personal levels, using pro-government media outlets. Odhikar and human rights defenders associated with it have never stepped back from the movement to protect human rights, despite such adversities.

Odhikar has prepared the human rights report for the months of July-September 2023 based on the reports sent by the human rights defenders associated with the Organisation from different parts of the country, and reports published in various media. Due to the conviction of Odhikar leadership for human rights reporting and the constant surveillance and harassment by the government, Odhikar is forced to practice some level of self-censorship even in the publication of its reports.

Odhikar publishes this report today (10 October 2023) on its 29<sup>th</sup> founding anniversary. Odhikar expresses sincere gratitude to all human rights defenders and well-wishers, at home and abroad, who stood beside Odhikar in its struggle for the establishment of human rights for the last 29 years. It also thanks those who stood in solidarity with Odhikar and are vocal against the government’s persecution on it.

Odhikar believes that the people of Bangladesh will continue their struggle against repression as well as the struggle for the establishment of human rights, rule of law and justice.

The Odhikar Team

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## Contents

Statistics: Human Rights violations .....	4
Introduction.....	5
Persecution of Human Rights Defenders and Violation of Freedom of Association.....	7
State Repression on Political Opposition and Violations of Right to Freedom of Peaceful Assembly .....	10
<i>Crackdown on political opposition</i> .....	10
<i>Violation of freedom of peaceful assembly</i> .....	13
Criminal Activities and Acts of Violence by the Ruling Party .....	16
Politicisation of State Institutions .....	17
Right to Life and Personal Liberty.....	20
<i>Enforced disappearances</i> .....	20
<i>Extrajudicial killings</i> .....	21
<i>Torture, ill treatment, lack of accountability and custodial death by law enforcement agencies</i> .....	22
<i>Human rights violations in prisons</i> .....	22
<i>The death penalty</i> .....	23
Public Lynching.....	24
Freedom of Expression.....	24
<i>The Digital Security Act, 2018 and Cyber Security Act, 2023</i> .....	25
<i>Freedom of the media</i> .....	27
Condition of RMG workers .....	29
Violence against Women.....	30
<i>Rape</i> .....	30
<i>Stalking/Sexual harassment</i> .....	31
<i>Dowry related violence</i> .....	31
<i>Acid violence</i> .....	31
Cross Border Issues with India and Myanmar .....	32
<i>Human Rights Violations by BSF</i> .....	32
<i>Human Rights abuses on the Rohingya Population</i> .....	32
Recommendations.....	34

## Statistics: Human Rights violations

Statistics: January - September 2023*											
Type of Human Rights Violation		January	February	March	April	May	June	July	August	September	Total
Extrajudicial killings	Crossfire	0	0	3	0	0	0	0	1	0	4
	Tortured to death	1	0	1	0	0	2	0	0	0	4
	Shot to death	0	0	1	0	0	0	1	2	0	4
	<b>Total</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>12</b>
Enforced Disappearances		2	5	1	4	2	2	0	14	2	32
Death in Jail		15	6	5	10	9	13	12	16	8	94
Political Violence	Killed	8	4	10	13	8	6	6	6	9	70
	Injured	375	1144	521	349	784	440	1044	800	874	6331
Death Penalty	Sentenced to death	25	18	50	28	50	41	54	40	18	324
	Execution of death sentence	2	1	0	0	0	0	2	0	0	5
Human rights violations by Indian BSF	Bangladeshis Killed	2	3	0	0	2	2	1	1	4	15
	Bangladeshis Injured	3	2	0	0	4	4	2	1	2	18
	<b>Total</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>6</b>	<b>33</b>
Attack on journalists	Killed	0	0	0	0	0	1	0	0	0	1
	Injured	21	17	16	20	10	6	31	11	6	138
	Assaulted	4	10	3	1	7	5	2	8	0	40
	Attacked	0	0	1	4	6	0	2	14	6	33
	Arrested	1	0	1	0	0	1	1	2	1	7
	Threatened	3	1	4	3	4	3	3	2	1	24
	Sued	14	5	6	10	1	4	6	19	1	66
	<b>Total</b>	<b>43</b>	<b>33</b>	<b>31</b>	<b>38</b>	<b>28</b>	<b>20</b>	<b>45</b>	<b>56</b>	<b>15</b>	<b>309</b>
Public lynching		6	5	4	2	6	2	6	7	6	44
Arrest 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	9	10	5	4	15	2	2	1	0	48
	For allegedly making derogatory remarks on religion or religious people	3	0	0	0	0	0	0	0	0	3
	<b>Total</b>	<b>12</b>	<b>10</b>	<b>5</b>	<b>4</b>	<b>15</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>51</b>

\* Odhikar documentation

## Introduction

The human rights situation of Bangladesh remains repressive and retaliatory, as the incumbent government seized power using state institutions and security forces. This report highlights the country's human rights situation during the period of July – September 2023. The Awami League government's usurpation of power through farcical elections<sup>1</sup> has created a huge vacuum in democracy, accountability and rule of law in the country and created moral and legal crises. The government has chosen the predictable paths of aggression and arrogance to stay in power.

Odhikar has been monitoring human rights abuses in Bangladesh since its inception in 1994. It has earned credibility and is part of the huge international human rights network. Due to its relentless reporting and campaigns against violations of human rights and repression by the state, Odhikar came under the ire of this authoritarian government. Odhikar and human rights defenders associated with it face persecution, harassment and smear campaigns by state institutions and pro-government media. The Organisation has also been arbitrarily deregistered by the government. In the most recent blow, the Cyber Tribunal of Dhaka on 14 September 2023, [sentenced](#) to two years imprisonment and fine Odhikar's Secretary Adilur Rahman Khan and Director ASM Nasiruddin Elan under Section 57 of the repressive Information and Communication Technology Act 2006, after a trial that took over ten years from arrest to sentencing. It is interesting to note that Odhikar also monitors the human rights situation prior to, during and after elections. Odhikar's Secretary and Director were arrested prior to the 2014 elections, Odhikar was denied permission to be an election monitor at the controversial and farcical 2014 and 2018 national elections and the Secretary and Director have been sentenced and imprisoned prior to the January 2024 national elections.

Freedom of expression is restricted using draconian laws, arrests, harassment and threats and dissenting voices are gagged by the authoritarian regime. Odhikar has also been monitoring how the incumbent government is cracking down on human rights defenders, journalists and critics to silence dissent. Many have been charged under the draconian Digital Security Act (DSA) 2018. Journalists have faced reprisals including arrests, prosecution, torture and by the intimidation of their families, due to their work.

Gross human rights violations, including enforced disappearances, torture and extrajudicial killings by members of law enforcement agencies continue to take place with complete impunity, despite a [reduction](#) in numbers due to international pressure and [sanctions](#) imposed by the USA on Rapid Action Battalion.

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<sup>1</sup>Awami League unilaterally participated in the 10<sup>th</sup> National Parliament elections on 5 January 2014 despite the boycott of almost all political parties. The people were disenfranchised and 153 Members of Parliament were elected unopposed before the polling even commenced. On 30 December 2018, at the 11<sup>th</sup> Parliamentary elections, there were incidents of stamping ballot papers in favour of the ruling Awami League nominated candidates and stuffing them in boxes the night before polls, the casting of fake votes, coercing voters to vote for the ruling party candidates, occupying polling centres, and apprehending and forcibly ousting polling agents of opposition candidates, voter intimidation and other irregularities.

The government is using law enforcement agencies and its party members to crackdown on political opposition and dissenting voices. Attacks on peaceful rallies of the opposition political parties and dissenters, violating right to freedom of peaceful assembly, and making arbitrary arrests and detentions followed by enforced disappearances, torture and extrajudicial killings have become cause for grave concern. During this reporting period, state security forces and ruling party members attacked opposition parties' rallies and filed false and fabricated cases against opposition party members and carried out mass arrests.

Acts of political repression centring around anti-government movements have been widely reported during this period. Due to the farcical elections held in 2014 and 2018, concerns have been raised recently by several governments, [United Nations](#), and visits by the delegation of the [EU Election Exploratory Mission](#), [US Under Secretary](#), delegation of [United Kingdom](#), and [US ambassador's meetings](#) with different stakeholders, and a [US new visa policy](#) to promote democratic elections suggest that the scope of the focus on a fair election has been widened. However, the government's aggressive attitude and violent attacks on political opponents show that they are not conducive to holding free, fair, peaceful and participatory elections. Meanwhile, it has been reported that the EU will not deploy a [full-fledged election observer team](#) to Bangladesh, citing a lack of "necessary conditions" as it considers the environment in Bangladesh is not conducive to [observe elections](#) amid concerns over whether a [free and fair election](#) will actually be held. On 20 September 2023, the EU sent a letter to the Election Commission, informing it of the assessment of the EU exploratory mission that visited Bangladesh in July this year. The US Department of State has already initiated taking steps to [impose visa restrictions](#) on Bangladeshi individuals responsible for, or complicit in, undermining the democratic election process in the country.



## Persecution of Human Rights Defenders and Violation of Freedom of Association

1. Human rights defenders (HRDs) in Bangladesh often face persecution, judicial harassment, intimidation, physical attacks, threats to family members and slapping of legal cases under this authoritarian regime. They also face reprisals from the government for their legitimate work and reporting issues to the UN human rights mechanisms and other international organisations. A [survey](#) conducted by Centre for Government Studies (CGS) found that at least 65 percent of 50 grassroots human rights defenders across 36 districts have faced obstructions in their work from the state and members of the ruling party. The report also found that one in five HRDs was harassed by law enforcement agencies and one in 10 by intelligence agencies.
2. The incumbent government commenced heightened forms of repression on Odhikar and its leaders since 2013 through persecution, surveillance, harassment by the authorities and smear campaigns by pro-government media outlets. Odhikar's Secretary Adilur Rahman Khan and Director ASM Nasiruddin Elan have been [sentenced](#) to two years in prison with BDT 10,000 fine each, under the draconian Information and Communication Technology Act, 2006 for publishing an investigative report on extrajudicial killings. Following years of stalling, the government [accelerated hearings](#) in their case in 2023. After a decade of [judicial harassment](#)<sup>2</sup>, on 14 September 2023, the

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<sup>2</sup> On 14 February 2021, the Appellate Division of the Supreme Court (AD) 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 AD seeking reconsideration of Odhikar's application for dismissal of the case. While the review application was pending before the AD, the first hearing of the case commenced on 12 September 2021 at the Dhaka Cyber Tribunal. The lawyer for Odhikar's Secretary and Director informed the Tribunal of the application for review (Review Petition No. 8/2021, dated 04/04/2011), which was pending in the Appellate Division (AD), and appealed to the Tribunal to take necessary steps after the review hearing in the AD. However, the Tribunal did not grant the prayer and fixed 05 October 2021 as the date for taking evidence and examining witnesses for the Prosecution (PW) of the Cyber case No. 1/2013. The Tribunal then proceeded to take evidence and examined witnesses for the Prosecution on 09 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 January, the PW appeared before the Tribunal and made his statement regarding the seized items. On 20 February, the PW to be examined was absent, and the same thing occurred on the next given date 28 March. On 08 May, a PW was examined but on the next given date, 09 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 03 August had also passed away. The PW who was to be examined on 22 August had also passed away. However, the defendants still had to appear at the Tribunal on those days. The PW was examined on 05 and 26 September, 17 October and 27 November respectively. The Tribunal fixed 15 January 2023 as the next date. As the government witness did not appear on 15 January, the court fixed the next date on 29 January. Cyber Tribunal Judge AM Zulfiqar Hayat also ordered that the government's evidence be taken on every working day from the next hearing. On 29 January, two government witnesses testified. Since the testimony of the investigating officer of this case, Police Inspector Mohammad Ashraful Islam, had not been completed, the court fixed 1 February as the day for taking his remaining testimony. The Tribunal fixed 20 February as the next date for taking evidence. No witness appeared in court on 20 February. On that day, the evidences seized by the Intelligence and Crime Information Department (North) DMP, under General Diary No.268, dated 10/08/2013, was produced by P.W.-18, and the defendant appealed to exclude from producing the seized evidences in the said case, as they were not under the GD which was the basis of the trial. However, the court rejected the appeal. The court fixed 02 March as the day for examining the witness. Again, the witness did not appear and the court fixed 19 March as the next date of hearing. As the witness did not appear on 19 March, the court fixed 05 April for the next date of hearing. On 05 April, as no witness for the State appeared, the Tribunal declared the taking of evidence closed and fixed 30 April for the examination of the accused under Section 342 of the Code of Criminal Procedure, 1898. On 30 April, the Tribunal fixed 3 May as the next date without examining the accused under Section 342. As the Tribunal was not ready on 03 May, the next date was fixed on 10 May. On 10 May, a written objection was filed on behalf of the defendants when the

Dhaka Cyber Tribunal judge AM Zulfikar Hayat pronounced the judgement and sentenced both rights activists. This is the first time in Bangladesh's history that human rights defenders have been jailed for reporting human rights violations. The international community, including [United States of America](#), [European Union](#), [United Kingdom](#), [Canada](#), [Switzerland](#), [France and Germany](#), the [United Nations](#), [global human rights groups](#) and [international media](#) expressed serious concern over this conviction against the two HRDs on trumped-up charges and demanded immediate release of Adilur and Elan.



*Police taking Odhikar's Secretary Adilur Rahman Khan (left) and Director ASM Nasiruddin Elan (right) to jail after the verdict. 14 September 2023, Photo: Odhikar*

3. The European Parliament adopted a [resolution](#) on the human rights situation in Bangladesh, notably the case of Odhikar. MEPs specifically deplored the

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Public Prosecutor (PP) applied for further investigation on behalf of the State. The Tribunal fixed 15 May as the date of hearing on the plea for further investigation. On that day, the Tribunal granted the plea for further investigation and sent the case to the Chief Metropolitan Magistrate's Court and directed the CID, Dhaka to conduct further investigation. 1 June was fixed as the date for submission of supplementary charge sheet by CID. As the CID failed to submit the supplementary charge sheet that day, the Metropolitan Magistrate's Court fixed the next date of the case on 09 July. On 9 July was the date fixed by the Metropolitan Magistrate Court, Dhaka, for its submission of the supplementary charge sheet (from the CID) and transfer of the case to the Cyber Tribunal. On 17 July, Prosecution presented a witness who has been named in a new seizure list (a list made during the further investigation). This witness was prosecution witness (P.W.19) Shibbir Ahmed, Sub-Inspector of Police, Cyber Police Center (CPC), CID, Dhaka. On 20 July, prosecution presented a witness who has been named in a new seizure list (a list made during the further investigation). 26 July was the scheduled date for Examination of Witnesses where the Defense lawyers submitted that the Cyber Tribunal Judge should adjourn its ongoing proceedings until the hearings take place in the High Court and are disposed accordingly. The Defense Team submitted legal reference from jurisprudence in favour of its arguments for adjourning the proceedings. The Tribunal Judge A. M. Julfiker Hayet rejected the application for adjournment. On 1 August 2023 accused were examined under Section 342 of the Code of Criminal Procedure-1898 where both defendants read the transcripts and signed each page. 10 August was the scheduled date for arguments. The Tribunal judge asked the prosecution to submit its arguments. The Public Prosecutor concluded by praying to the court that the maximum punishment be given to the accused persons. 24 August was the scheduled date for arguments of the defence. Defence lawyer, Advocate Ruhul Amin Bhuiyan, summarized the whole of the proceedings till the latest status of the trial. The Defense lawyer then argued that the Prosecution's case is false and fabricated. It has miserably failed to prove the allegations and that the case is liable to be dismissed and Adil and Elan should be acquitted. After finishing the arguments, defense council sought seven days' time so that Adilur Rahman Khan could attend the Pre-UPR (Universal Periodic Review) session at the United Nations Human Rights Council, from 28 August 2023 to 1 September 2023 in Geneva. The Public Prosecutor gave his objection against the application. On 7 September 2023 the tribunal judge didn't pronounce the judgment as he was not prepared. The Tribunal fix the date of judgment on 14 September 2023 at 2:00pm.



prison sentence against the two men, and urge the government of Bangladesh to immediately and unconditionally quash the ruling.<sup>3</sup> Apart from [international organisations](#) and [regional network of human rights defenders](#), [local human rights bodies](#), [eminent citizens](#), [political and rights activists](#), [writers, academics and journalists](#) have also expressed their concern over the verdict and demanded the release of the two.

4. Adilur and Elan are struggling to accommodate in jail as they were not given division facilities by the prison authorities<sup>4</sup>, despite the court order to award division. On 25 September 2023, lawyers for Adilur and Elan filed an appeal with the High Court Division of the Supreme Court [challenging the trial court verdict](#) that sentenced them to two years imprisonment in a case filed under the ICT Act. They also sought interim bail until the disposal of their appeal.<sup>5</sup> It has since been learnt that the Attorney General's office have, on 5 October, [appealed](#) to the High Court Division to increase the two- year jail term awarded to Adilur and Elan by the Cyber Tribunal, Dhaka.  
[NOTE: Just prior to the finalization of this quarterly human rights report, on 10 October the Bench of Justice Md. Emdadul Haque Azad of the High Court Division of the Supreme Court, heard the interim bail petition submitted by Advocate A.J. Mohammad Ali on behalf of Adilur and Elan, despite strong objection from the office of the Attorney General, led by a Deputy Attorney General. The Judge granted bail to both men. It must be noted that prior to this, the petition had been filed with another judge who had refused to list it for hearing. 10 October is also the 29<sup>th</sup> founding anniversary of Odhikar.]
5. In addition to the refusal of the renewal of Odhikar's registration by the NGO Affairs Bureau, the government and pro-government activists are engaged in malicious propaganda against Odhikar in various media. UN experts on 11 July called on Bangladeshi authorities to [end all acts of harassment](#) against representatives of Odhikar and ensure respect for due process.
6. Pro-government [media](#) outlets and [pro-ruling party NGO leaders](#) (GONGOs) have mobilised a smear campaign against Hong Kong based self-exiled human rights defender Mohammad Ashrafuzzaman, for [speaking as a panellist](#) at the US Congressional [briefing](#) hosted by the Tom Lantos Human Rights Commission on 15 August 2023.
7. The court proceedings in the case<sup>6</sup> filed against internationally acclaimed photographer and rights activist [Shahidul Alam](#) under Section 57 of the Information Communication and Technology (ICT) Act, 2006 continue, despite enormous criticism at home and abroad. Shahidul Alam had a court

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<sup>3</sup> European Parliament, Press Release, 14 September 2023; <https://www.europarl.europa.eu/news/en/press-room/20230911IPR04921/human-rights-breaches-in-guatemala-azerbaijan-and-bangladesh>

<sup>4</sup> The prison authority is under the Ministry for Home Affairs and the Inspector General of Prisons sends Division Orders to the Ministry for approval. In effect, it is the Executive's control over a decision passed by the Judiciary.

<sup>5</sup> New Age, 25 September 2023; <https://www.newagebd.net/article/213329/adilur-elan-appeal-against-jail-terms-seek-interim-bail>

<sup>6</sup> Shahidul Alam was accused of 'spreading lies and provocative statements' on social media during the 2018 student movement for road safety. On 5 August 2018, Shahidul Alam was picked up from his Dhanmondi residence by a group of the Detective Branch of Police for giving a [TV interview](#) with Al Jazeera in support of the students who were demanding safety on roads where he also discussed socio-political tensions that sparked the protests. After serving 107 days of imprisonment in this case, he was released on bail on 20 November 2018.

appearance on 17 July 2023, his lawyers made a time petition on 23 August and Alam again appeared in court on 27 September. The next hearing is set for 12 November 2023. It is to be noted that Section 57 of the ICT Act, 2006 under which the case was filed against Shahidul, was repealed in 2018 and incorporated in the Digital Security Act 2018. The Criminal Investigation Department (CID) is yet to submit an [investigation report](#) despite the court order for it to be submitted by 16 March 2023.

8. Nobel Peace Prize winner and founder of Grameen Bank, Professor Muhammad Yunus, has been facing judicial harassment and intimidation for almost a decade. Currently, he is facing two trials that carry potential prison sentences - one on charges of violating 'labour laws', the second for 'corruption'.<sup>7</sup> On 31 August 2023, in an open letter, more than [170 global leaders and Nobel laureates](#) urged Bangladesh's Prime Minister to suspend legal action against Yunus. The [United Nations](#) rights body, the UNHCHR, has expressed its concerns against the continued harassment and detention of human rights defenders in Bangladesh, including Nobel laureate Mohammad Yunus. He is facing 174 cases filed on allegations of labour law violation, money laundering, corruption, etc, over the past decade during the Awami League rule.<sup>8</sup> On 27 September, the Anti-Corruption Commission summoned Yunus and seven directors of Grameen Telecom to appear at the ACC in connection with a case filed against them on charges of money laundering.<sup>9</sup>

## **State Repression on Political Opposition and Violations of Right to Freedom of Peaceful Assembly**

### ***Crackdown on political opposition***

9. The Awami League government has been rigorously suppressing members of the opposition political parties and dissidents, who have been in demonstrations and rallies for the restoration of the caretaker government<sup>10</sup> and for the resignation of the ruling party, ahead of the upcoming Parliamentary elections that are [scheduled to be held in January 2024](#). The ruling Awami League is using its party members and law enforcement agencies to crackdown on political opposition and dissenters across the country. During this reporting period, acts of repression and harassment by the government on the leaders and activists of Bangladesh Nationalist Party (BNP) and other opposition political parties, became prominent. The escalating state repression on political opponents and human rights abuses triggered [International rights organisations](#) to submit reports to the United

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<sup>7</sup> DW, 7 September 2023; <https://www.dw.com/en/why-is-bangladesh-cracking-down-on-nobel-laureate-yunus/a-66744299>

<sup>8</sup> New Age, 9 September 2023; <https://www.newagebd.net/article/211670/nobel-laureate-yunus-faces-174-cases-in-bangladesh>

<sup>9</sup> New Age, 3 October 2023, <https://www.newagebd.net/article/213935/acc-summons-prof-yunus-seven-others>

<sup>10</sup> The Awami League government unilaterally abolished the caretaker government system in 2011 through 15<sup>th</sup> amendment to the Constitution of Bangladesh and introduced an election system under the incumbent government. It is to be noted that in 1996, the then opposition party Awami League was the one who protested for the introduction of the caretaker government system. Awami League assumed power through controversial and farcical elections in 2014 and in 2018, due to the abolition of the caretaker system.

Nations Human Rights Council on repression of opposition political activists for a review of Bangladesh's human rights situation scheduled for November this year.

10. The Awami League government is creating a favourable environment for itself by reshuffling administration, promoting civil service officials, creating new posts in police and civil administration, before the national polls. Recently the government created 290 new posts for the rank of Additional Deputy Inspector General and Superintendent of Police, amid growing resentment in the police force over pending promotions. The Ministry of Public Administration issued an order creating 140 extra posts for Additional DIGs and 150 for SPs. Earlier the government had promoted 221 Deputy Secretaries to the rank of Joint Secretary in the administration cadre beyond their approved posts in the organogram for the civil bureaucracy.<sup>11</sup>
11. Furthermore, government officials are also being involved in political activities of the ruling Awami League party. On 12 September 2023, Deputy Commissioner of Jamalpur District, Md Imran Ahmed, made [partisan remarks](#) in a meeting in Jamalpur and sought votes for Awami League. He said, “the incumbent government of the Awami League had to be brought to power again in the next parliamentary election to continue the development spree”. His political statement went viral on social media and raised doubts among citizens about whether a free, fair, and neutral election would be possible under this administration. Earlier, on 15 August, the Officer-in-Charge of Dewanganj Model Police Station, Shyamal Chandra Dhar made partisan remarks during a discussion meeting in Dewanganj, Jamalpur where he urged everyone to work in favour of the Awami League in the upcoming national election.<sup>12</sup>
12. As part of the government’s strategy, the police have decided to take steps to ensure the conviction of potential candidates of opposition parties, in order to disqualify them from nominations for the upcoming parliamentary elections. In order to [expedite trials](#) a special emergency meeting was held on 6 July 2023 at the Police Headquarters where the police analysed the investigations into and trial of the cases filed against BNP and Jamaat leaders and activists since 2013 on charges of arson attacks and violence. The meeting decided to pick ‘selective’ cases to bring a maximum number of leaders and activists, especially possible candidates, under conviction so that they could not participate in the elections. The reported statistics shows that 137,569 ‘false cases’ were filed against 4,980,826 leaders, activists and supporters of the party and its associate bodies between January 2009 and June 2023.<sup>13</sup> Police are also [buying huge arms and ammunitions](#) ahead of the general elections, all approved by the Home Ministry.
13. Apart from filing numerous fictitious cases against opposition party leaders and activists, persons already deceased are also being included in the cases.

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<sup>11</sup> New Age, 11 September 2023; <https://www.newagebd.net/article/211948/290-addl-dig-sp-positions-created-beyond-approved-posts>

<sup>12</sup> New Age, 13 September 2023; <https://www.newagebd.net/article/212058/jamalpur-dcs-partisan-remarks-draw-criticism>

<sup>13</sup> New Age, 8 July 2023; <https://www.newagebd.net/article/206150/police-speed-up-bnp-jamaat-cases>

For example, Mirpur Government Bangla College office assistant filed a case with Darus Salam Police Station, accusing 120 named people, including deceased Sramik Dal<sup>14</sup> leader Abdul Jabbar Howladar and Chhatra Dal leader Shafiqul Islam Sumon; and 500 others unnamed in a clash with leaders and activists of the BNP in front of the college on 18 July during a road march programme of BNP and its affiliated organisations. Accused No. 2 in the case former Sramik Dal leader Jabbar died on 11 October 2021. He was suffering from cancer while accused No. 73 of the case Sumon died of cancer a year ago.<sup>15</sup>

14. The police were also harassing BNP leaders and activists in the name of house-to-house searches, across the country due to their anti-government protests in the run up to the National election. Chittagong BNP North District Convenor Golam Akbar Khondkar said in a press conference that with the help of the police, leaders and activists of the ruling party obstructed their programmes and attacked houses. Later the ruling party members filed cases against them.<sup>16</sup>
15. On 14 July 2023, a BNP convoy was attacked, vandalized and its leaders were stabbed and injured at Laksam in Cumilla on the way to a road march programme in Noakhali. More than 50 leaders and activists were injured in the attack. Of these, 11 seriously injured people were admitted to the Akhand General Hospital in Cumilla. Eight out of 11 injured people under treatment were forced out of the hospital by men claiming to be members of law enforcement agency.<sup>17</sup>
16. On 18 July 2023, on the first day of BNP's two-day road march programme centring around its one-point demand for the stepping down of the government, there were reports of attacks, clashes and shootings at different places. According to media reports, one person was killed, nearly 2000 injured and more than 1000 people were shot during an attack by Awami League and police in eight districts on BNP's road march programme that day. BNP leaders claimed that the government was carrying out planned violent attacks on their peaceful programmes.<sup>18</sup> In Lakshmipur, BNP leaders and activists are suffering from fear of arrest since four cases were registered in connection with the clashes surrounding the road march programmes. Many leaders and activists do not stay at home at night due to fear of arrest and many have left the area.<sup>19</sup> The number of cases against BNP leaders and activists is piling up following the road-march programmes held across the country on 18 and 19 July, as 1,036 named and over 12,000 unnamed leaders and activists have been prosecuted in two days in 14 districts.<sup>20</sup>

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<sup>14</sup> Labour wing of BNP

<sup>15</sup> Naya Diganta, 22 July 2023; <https://www.dailynayadiganta.com/first-page/764090/>

<sup>16</sup> Samakal, 15 July 2023; <https://samakal.com/whole-country/article/2307183507/>

<sup>17</sup> Prothom Alo, 22 July 2023; <https://www.prothomalo.com/bangladesh/district/7fzmul0zi>

<sup>18</sup> Naya Diganta, 19 July 2023; <https://www.dailynayadiganta.com/politics/763544/>

<sup>19</sup> Prothom Alo, 20 July 2023; <https://www.prothomalo.com/bangladesh/district/a1zlbw4u2n>

<sup>20</sup> New Age, 21 July 2023; <https://www.newagebd.net/article/207432/cases-against-bnp-pile-up-with-targeted-arrests>





The BNP Road march came under attack allegedly by the police and the Awami League in Lakshmipur-Ramgati Road leaving a 22-year-old youth killed and over 50 others injured. Photo: New Age, 18 July 2023.

17. At least 30 Gono Odhikar Parishad faction leaders and activists, including its President Nurul Haque Nur and General Secretary Muhammad Rashed Khan, were injured as police allegedly attacked them on 20 July 2023 at the Parishad's office in the Paltan area of Dhaka.<sup>21</sup>
18. On 4 August 2023, the [spokesperson for the UN High Commissioner for Human Rights](#) urged all political parties, their supporters and the security forces to ensure a peaceful, inclusive and safe environment enabling a free and fair election. UN Special Rapporteur on Freedom of Peaceful Assembly and of Association, Clément Nyaletsossi Voule has reminded the Bangladeshi authorities to ensure the right to freedom of peaceful assembly and refrain from using excessive force.<sup>22</sup>

### ***Violation of freedom of peaceful assembly***

19. Ever since the Awami League came to power in 2009 it has carried out extensive acts of repression. However, in recent times, due to international pressure, and the sanctions on RAB, the government has allowed opposition parties to hold meetings and rallies. Nevertheless, miscreants belonging to the ruling party and the police, have attacked such rallies and meetings and those attending them. In many cases, the police and Awami League-backed Chhatra League jointly conducted these [attacks and vandalised](#) meeting stages.<sup>23</sup> Leaders and activists of Awami League also attacked journalists who went to cover the meetings.<sup>24</sup>
20. On 28 July 2023, thousands of the main opposition Bangladesh Nationalist Party (BNP) supporters joined sit-in programmes at the entry points of Dhaka demanding the resignation of the government and for a neutral caretaker administration to oversee the upcoming parliamentary elections. The

<sup>21</sup> New Age, 21 July 2023; <https://www.newagebd.net/article/207438/nur-attacked-office-locked>

<sup>22</sup> Daily Observer, 1 August 2023; <https://www.observerbd.com/news.php?id=430692>

<sup>23</sup> The Daily Star, 26 September 2023; <https://www.thedailystar.net/news/bangladesh/politics/news/cops-al-activists-vandalise-rally-stage-3427951>

<sup>24</sup> Prothom Alo, 8 April 2023; <https://www.prothomalo.com/bangladesh/district/nmc6c5ambi>



following day, police cleared thousands of protesters and [fired rubber bullets and teargas](#) to disperse the crowds blockading the main roads in Dhaka. There were allegations of police and ruling party supporters, who were [carrying sticks and rods](#) in the presence of police, attacking protesters. According to the BNP, 600 supporters were injured by police rubber bullets and attacks by the ruling party supporters.<sup>25</sup> Police filed at least 13 cases against 628 named BNP leaders and activists and many unnamed persons, following attacks and clashes between BNP supporters and law enforcers, who teamed up with ruling party activists. However, Awami League supporters, who were seen attacking opposition members with sticks, rods and hammers, were neither arrested nor charged.<sup>26</sup>



*Awami League activists drag away a BNP protester at Gabtoli during the main opposition BNP's sit-in at different entry points of Dhaka. Photo: New Age, 30 July 2023.*



*BNP activists run for shelter towards the alleys in Matuail from the Dhaka-Chattogram highway after police fired teargas and charge with truncheons. Photo: Daily Star, 31 July 2023.*

<sup>25</sup> CIVICUS, 1 August 2023; <https://www.civicus.org/index.php/media-resources/news/6496-bangladesh-opposition-face-arbitrary-arrests-and-excessive-use-of-force-around-protests>

<sup>26</sup> The Daily Star. 31 July 2023; <https://www.thedailystar.net/news/bangladesh/politics/news/sit-violence-cops-sue-over-600-bnp-activists-spare-al-members-3382186>

21. Police attacked and detained several students, when a group of students took to the streets on 8 August 2023, demanding deferment of Higher Secondary Certificate examinations and were protesting the police attacks and detention of several protesters. When the protesting students marched towards Shahbagh, Dhaka police stopped them, baton charged and assaulted them.<sup>27</sup>



*Police attack students at Shahbagh in Dhaka as a group of examinees took to the streets demanding deferment of Higher Secondary Certificate examinations and protested police attacks and detention of several protesters.*

*Photo: New Age and Samakal, 8 August 2023.*

22. On 16 August, Awami League leaders and activists attacked a programme organised in Gournadi Upazila of Barisal to pray for the recovery of ailing former Prime Minister Khaleda Zia. At least 15 leaders and activists of BNP were injured.<sup>28</sup>
23. On 1 September 2023, police barred and attacked rallies in different places of the country organised by the BNP to mark its 45th founding anniversary. More than 100 people were injured as processions brought out by BNP were attacked by the police and ruling Awami League activists in Magura, Netrakona, and Gaibandha. Several of the injured sustained bullet injuries as police opened fire on the rallies.<sup>29</sup> BNP's rally was marred by police baton charge and firing in Rajbari where at least 20 activists were injured.<sup>30</sup> A total of 2,816 BNP leaders and activists have been sued over clashes with police during these procession marking its founding anniversary.<sup>31</sup>
24. Police stopped a protest rally on 8 September, organised by Jamaat-e-Islami and arrested 46 of its activists following a clash between the police and the Jamaat activists at Jatrabari, Dhaka. Jamaat brought out the procession demanding the next general elections be held under a neutral caretaker government.<sup>32</sup>

<sup>27</sup> New Age, 8 August 2023; <https://www.newagebd.net/article/208913/police-again-attack-detain-protesting-students>

<sup>28</sup> Manabzamin, 18 August 2023; <https://mzamin.com/news.php?news=69814>

<sup>29</sup> New Age, 2 September 2023; <https://www.newagebd.net/article/211000/100-injured-as-bnp-anniv-processions-attacked>

<sup>30</sup> Manabzamin, 3 September 2023; <https://mzamin.com/news.php?news=72237>

<sup>31</sup> The Daily Star, 4 September 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/over-2800-bnp-men-sued-over-clash-cops-3410541>

<sup>32</sup> New Age, 8 September 2023; <https://www.newagebd.net/article/211632/46-jamaat-activists-arrested-after-clash-at-jatrabari>

## Criminal Activities and Acts of Violence by the Ruling Party

25. Corruption, other criminal activities and violence by leaders and activists of the ruling Awami League and its affiliated organisations, continue to take place across the country. In most cases, the accused are not held accountable for their crimes due to impunity. During this reporting period, there were allegations of rampant corruption in the country's land acquisition sector, involving ruling party members, including the Health Minister and his family.<sup>33</sup> There were several allegations against the Awami League, Jubo League<sup>34</sup> and Chhatra League<sup>35</sup> activists, of various forms of violence and criminal activities, including [attacks on BNP road march](#), [vandalising BNP offices](#), [extortion](#), [assault on university students](#), [rape](#), attack on a [motorcade of the opposition](#), [vehicles set on fire](#), and threats to [general students](#) of being thrown out of Dhaka University students' dormitory if they did not attend their rallies. Moreover, ruling party members were also involved in violence among themselves over [establishing supremacy](#) and [business rivalry](#).
26. Intra-party clashes occurred between factions of Awami League in different places of the country. At least 50 people were injured during a clash between two factions of the Awami League in Mithapukur Upazila under Rangpur District<sup>36</sup> while 10 people were injured in a clash between two groups of Awami League in Munshiganj city on 29 September centring around a programme marking the birth anniversary of Prime Minister Sheikh Hasina.<sup>37</sup>
27. On 23 August 2023, a female teacher, Salima Akhter, was physically assaulted by a local Jubo League leader Mizanur Rahman Mizan in the classroom of Durgapur Government Primary School in Jashore. The teacher filed a case against Mizan with Manirampur Police Station for assaulting her.<sup>38</sup>
28. On 30 September 2023, Awami League activists led by Awami League leader and UP Chairman Alamgir Hossain in Kaliganj of Gazipur, vandalized the Upazila complex and assaulted Kaliganj Upazila Nirbahi Officer<sup>39</sup> (UNO) and some Ansar<sup>40</sup> members, for not allowing them to park vehicles on the Upazila Parishad premises. Five UNO officials were injured in the attack.<sup>41</sup> A case has been filed against 40 Awami League members under sections 143, 447, 332, 353, 427, 114 and 34 of the Penal Code, for assaulting government employees, and causing damage to government property.<sup>42</sup>

<sup>33</sup> The Daily Star, 6 July 2023; <https://www.thedailystar.net/news/bangladesh/news/corruption-allegation-against-health-minister-family-regrettable-3362721>

<sup>34</sup> Youth wing of Awami League

<sup>35</sup> Student wing of Awami League

<sup>36</sup> The Daily Star, 29 September 2023; <https://www.thedailystar.net/news/bangladesh/politics/news/50-hurt-in-factional-clash-rangpur-3430531>

<sup>37</sup> New Age, 30 September 2023; <https://www.newagebd.net/article/213665/10-injured-in-factional-clash>

<sup>38</sup> The Daily Star, 24 August 2023; <https://www.thedailystar.net/news/bangladesh/news/female-teacher-assaulted-jubo-league-leader-jashore-3401911>

<sup>39</sup> Upazila Executive Officer

<sup>40</sup> Auxiliary force

<sup>41</sup> Manabzamin, 30 September 2023; <https://mzamin.com/news.php?news=76456> Daily Star, 30 September 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/uno-assaulted-al-men-gazipur-3431311>

<sup>42</sup> Dhaka Tribune, 1 October 2023; <https://www.dhakatribune.com/bangladesh/326781/assault-on-uno-40-awami-league-men-sued-in>



29. From July to September 2023, at least 21 people were killed and 2718 people were injured in political violence and incidents stemming from criminalization of politics, across the country. During this reporting period, 76 incidents of internal conflict in the Awami League and 15 in the BNP, have been recorded. In the internal conflicts of Awami League, six people were killed and 746 were injured and in the internal conflicts of BNP, one person was killed and 167 people were reported to have been injured.

## Politicisation of State Institutions

30. Ever since the Awami League government came to power in 2009, various government, constitutional and autonomous institutions, including the Election Commission, the Anti-Corruption Commission and the National Human Rights Commission, have been used to implement the government's political agenda. There are allegations that the government is also controlling the Judiciary.<sup>43</sup>

### *Election Commission and electoral system of Bangladesh*

31. The incumbent Awami League government has destroyed a free and fair electoral system and introduced an extremely oppressive rule, which is contrary to the Constitution<sup>44</sup> and international law<sup>45</sup>. The Election Commissions (EC) have lost public trust and credibility, and have become dysfunctional institutions showing biasness in favour of the ruling Awami League in all elections – national and local. Meanwhile, the Parliament, on 4 July 2023, passed the 'Representation of the People (Amendment) Order Bill, 2023' (ROP) with the key amendment [reducing the EC's power](#). According to the previous RPO, if the EC felt that it would not be able to conduct a lawful election due to irregularities or existing misdeeds, it could stop the polls at any stage of the election. According to the amendment Bill, this power has been limited and the EC has been given the power to close the polls of parliamentary constituencies (due to irregularities) only on polling day. This amendment of the RPO, just prior to the 2024 elections, has raised questions and the government subservient Election Commission will be further weakened and loyal to the ruling Awami League. Some experts termed the Bill a violation of the Supreme Court's judgment. They said such amendment is contrary to the basic idea and spirit of [Article 126](#) of the Constitution and a violation of the judgment of the Appellate Division of the Supreme Court.<sup>46</sup>
32. An European Union pre-election observation delegation visited Bangladesh between 8 and 23 July 2023. The delegation had separate meetings with media

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<sup>43</sup>Manabzamin, 23 May 2023; <https://mzamin.com/news.php?news=56798>

<sup>44</sup>According to Article 11 of the Constitution, "the Republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed, and in which effective participation by the people through their elected representatives in administration at all levels shall be ensured."

<sup>45</sup>Article 25(b) states that "Every citizen shall have the right to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors." Bangladesh is a state party to the International Covenant on Civil and Political Rights (ICCPR). Such an organised and contentious electoral process is a violation of the ICCPR.

<sup>46</sup>Samakal, 6 July 2023; <https://samakal.com/bangladesh/article/2307181797>

personalities, editors, journalists, civil society members and other professionals. The EU delegation, in the meetings, asked the stakeholders about the challenges or obstacles in the way of fair elections and the law and order situation. They inquired about the role of the Judiciary, administration and the capacity of the Election Commission.<sup>47</sup>

33. The Election Commission on 15 July has refused to approve the registration of 10 political parties, including AB Party, Gono Odhikar Parishad and Nagrik Oikya. Ten parties alleged that the EC has violated all the laws and regulations related to the Election Commission by not registering known, recognized and active political parties.<sup>48</sup> On 25 July 2023, police intercepted a procession demanding the resignation of the Election Commission, at Bangla Motor crossing in Dhaka, brought out by a faction of Gono Odhikar Parishad, led by Nurul Haque Nur.<sup>49</sup>



*Police at Bangla Motor crossing in Dhaka stop a procession of the Gono Odhikar Parishad brought out demanding resignation of the Election Commission. Photo: New Age, 26 July 2023.*

34. Dhaka-17 by-election ended amid attacks on a rival candidate, low turnout, assault on polling agents, vote rigging, and violations of electoral Code. Voter turnout was significantly poor. According to the returning officer, a total of 11.51 per cent of votes were cast. There were 325,205 voters in the constituency.<sup>50</sup> On 17 July 2023, on election day, independent candidate Ashraful Hossain Alam, popularly known as Hero Alam was beaten allegedly by the ruling Awami League supporters in the presence of the police at the Banani Bidyaniketan School polling centre during Dhaka-17 by-election. Hero Alam alleged that his polling agents were not allowed to enter the polling stations. Apart from this, some Awami League supporters attacked his workers in different places.<sup>51</sup> Another independent candidate Md. Tarekul Islam Bhuiyan boycotted the election as there was no conducive environment for fair polls.<sup>52</sup>

<sup>47</sup> Manabzamin, 18 July 2023; <https://mzamin.com/news.php?news=65182>

<sup>48</sup> New Age, 17 July 2023; <https://www.newagebd.net/article/206883/10-parties-censure-ec-for-registration-denial>

<sup>49</sup> New Age, 25 July 2023; <https://www.newagebd.net/article/207817/police-intercept-gono-odhikar-parisad-march-towards-ec>

<sup>50</sup> New Age, 17 July 2023; <https://www.newagebd.net/article/206900/low-turnout-attack-mark-dhaka-by-election>

<sup>51</sup> Jugantor, 17 July 2023; <https://www.jugantor.com/capital/696963>

<sup>52</sup> The Daily Star, 17 July 2023; <https://www.thedailystar.net/news/bangladesh/elections/news/independent-candidate-tarikul-quits-dhaka-17-polls-3371176>





*Independent candidate Hero Alam came under attack allegedly by a group of Awami League supporters at Banani during Dhaka-17 parliamentary by-election. Photo: New Age and Prothom Alo, 17 July 2023.*

35. Voting in the by-election<sup>53</sup> for the Chittagong-10 constituency concluded on 30 July 2023 amid low turnout, allegations of irregularities and attack on an independent candidate. In most polling centres, polling agents from only the ruling Awami League nominee were present.<sup>54</sup> At around 11:30 am, 30-40 ruling party supporters were seen inside the Dakkhin Kattali Pranhori Government Primary School polling centre in Haliashahar and around 100 others stood right outside. Independent candidate Arman Ali boycotted the election, alleging that he was beaten up by activists of the ruling Awami League and its affiliated organisations. Arman Ali also alleged that his agents were driven out of polling centres.<sup>55</sup>

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

36. The Anti-Corruption Commission (ACC) is being used to suppress the opposition. The ACC is also being used against dissenting individuals and institutions.<sup>56</sup> Moreover, a section of dishonest officers and employees of the ACC have been involved in various irregularities. Some of the officials and employees of the ACC have risen to the top of wealth due to corruption. According to ACC sources, investigations are underway against 18 officers and employees of this institution. Cases have been filed against some of them in the court.<sup>57</sup>

37. There are several reports of corruption and charges of embezzlement of funds, and of accumulating illegal wealth, against the ruling [Awami League leaders](#), [government officials](#), [police officers](#), and [public representatives](#). ACC received several complaints against the [ruling party members](#) on various issues, including corruption, [extortion](#), [bribery](#), [land grabbing](#), seizure of government property, [abuse of power](#). However, in most cases they get clean

<sup>53</sup> By-election was held in Chittagong-10 constituency as it went vacant following the death of Awami League Parliament member Afsarul Ameen on 2 June 2023.

<sup>54</sup> New Age, 30 July 2023; <https://www.newagebd.net/article/208149/low-turnout-irregularities-mark-ctg-by-election>

<sup>55</sup> The Daily Star, 30 July 2023; <https://www.thedailystar.net/news/bangladesh/elections/news/ctg-10-polls-independent-candidate-assaulted-polling-centre-3382076>

<sup>56</sup> In 2013, the ACC commenced acts of harassment on Odhikar as part of the government's crackdown against the Organisation. After several long months of asking for files and audits that had already been submitted to it by Odhikar, answering queries already answered, and combating unrealising demands, the ACC investigation ultimately closed due to lack of findings against Odhikar.

<sup>57</sup> Samakal, 7 September 2023; <https://samakal.com/bangladesh/article/2309194511>

chit from the ACC. On the contrary, the ACC is being seen expediting the [trial against opposition](#) party leaders. It is to be noted that some current and former MPs of the ruling party are in a hurry to get the 'clean chit' from the ACC, before the elections. They are lobbying to be cleared of corruption charges before the polls to prove their 'clear image'.<sup>58</sup>

38. On 5 July 2023, the ACC filed a case against Superintendent of Police Subrata Kumar Halder and six others, accusing them of accepting bribes from job aspirants in the hope of securing police positions in Madaripur.<sup>59</sup>

## Right to Life and Personal Liberty

39. The right to life and personal liberty, including rights to fair trial, privacy, protection of law, equality and non-discrimination, and freedom from torture and other cruel, inhuman or degrading treatment or punishment, are fundamental rights enshrined in the Constitution of Bangladesh, not only the International Covenant on Civil and Political Rights (ICCPR). Article 3 of the UDHR also states that, "Everyone has the right to life, liberty and security of person". Deprivation of citizens from these rights is the violation of national and international law.

## Enforced disappearances

40. The acts of enforced disappearance occur with impunity and have become widespread and [institutionalised practice of repression](#) in Bangladesh since the Awami League came to power in 2009, in violation of Articles 9 and 16 of the ICCPR and Articles [31](#), [32](#) and [33](#) of the Bangladesh's Constitution. The incumbent government has systematically utilized law enforcement agencies and security forces to use enforced disappearance as a tool to suppress political movements and silence dissenting voices, creating a climate of fear in the country.
41. In recent times, "[short-term](#)" [disappearances](#) have occurred, where law enforcement officers have later shown the disappeared persons as arrested on various [criminal charges](#), including under the Anti-Terrorism Act, 2009; Explosive Substances Act, 1908; and Digital Security Act, 2018. Furthermore, disappeared persons are reportedly being [tortured](#) while in custody.
42. A young man named Rahmat Ullah (20) has been disappeared since he was picked up allegedly by RAB members from his home in Baranalai Village under Gangutia Union of Dhaka's Dhamrai Upazila. He was learning electrical work for three months.<sup>60</sup> Family members claimed that Rahmat Ullah was picked up by a group who said they were members of RAB, on 29 August. Since then, his whereabouts remain unknown. When the family contacted RAB and local police stations, no one acknowledged the detention of Rahmat Ullah. Police refused to record their complaint.<sup>61</sup>

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<sup>58</sup> Samakal, 10 July 2023; <https://samakal.com/bangladesh/article/2307182421>

<sup>59</sup> The Daily Star, 6 July 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/taking-tk-169cr-bribe-police-jobs-3362141>

<sup>60</sup> Prothom Alo, 14 September 2023; <https://www.prothomalo.com/bangladesh/district/1yo11kogg9>

<sup>61</sup> Information gathered by Odhikar.

43. On 18 September 2023, a mason named Jihad Hossain (24) was picked up by 10-12 plainclothes men claiming to be members of the Detective Branch (DB) of Police from Jashore. Jihad's father Asaduzzaman alleged that the men came to their house in Alamnagar Madhyapara area of Jashore Sadar Upazila at around 2:00 am and picked up his son. Asaduzzaman lodged a complaint with the police station following the incident. Since then, the whereabouts of Jihad remain unknown.<sup>62</sup>
44. The Working Group on Enforced or Involuntary Disappearances (WGEID) said the Bangladesh government has yet to reveal the status of the 70 missing persons. Instead, human rights defenders are being harassed and intimidated for reporting on disappearances.<sup>63</sup> The WGEID mentioned this in its [annual report](#) submitted to the United Nations Human Rights Council (UNHRC) on enforced disappearances in Bangladesh during 54<sup>th</sup> session of the UNHRC. Bangladesh authorities were asked to inform the WGEID about the true status of 88 disappeared people. Among them, five are detained and 10 are at large. There are still 70 cases of enforced disappearance for which Bangladesh government had no response.
45. **A total of 16 persons were allegedly disappeared after being picked up by members of law enforcement agencies, according to data gathered by Odhikar between July and September 2023. Among them, three persons allegedly were disappeared by police, two by RAB, seven by DB Police and four by the officers of Criminal Investigation Department (CID). Among the 16 disappeared persons two persons were still disappeared and 14 surfaced.**

### ***Extrajudicial killings***

46. Extrajudicial killings are common phenomenon in Bangladesh that continue to occur in the name of 'war on drugs' and eliminating 'criminals'. Members of law enforcement agencies kill people extrajudicially in the name of 'crossfire' and 'gunfights' and there are allegations of persons being tortured to death in the custody of law enforcers. Such killings are infringements to right to life, right to fair trial, right not to be tortured and equality before law as enshrined under [Articles 27, 32](#) and [35 \(5\)](#) of the Constitution of Bangladesh and Articles 6, 7, 9 and 14 of the [ICCPR](#).
47. On 2 August 2023, a Rohingya man named Mohammad Rafiq (40) was killed and seven others were injured during a 'gunfight' between Border Guard Bangladesh (BGB) and a group of suspected drug peddlers in Teknaf under Cox's Bazar District.<sup>64</sup>
48. **Between July and September 2023, a total of four persons were reportedly killed extra-judicially. Of these four people, one person was allegedly killed in gunfight by police, two were shot dead by police and one person was shot dead by Border Guard Bangladesh (BGB).**

<sup>62</sup> The Daily Star, 18 September 2023 ; <https://www.thedailystar.net/news/bangladesh/news/man-picked-plainclothes-law-enforcement-members-jashore-3421776>

<sup>63</sup> Naya Diganta, 20 September 2023; <https://www.dailynayadiganta.com/first-page/778595/>

<sup>64</sup> The Daily Star, 3 August 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/1-killed-bgb-drug-traders-clash-teknaf-3384896>

## ***Torture, ill treatment, lack of accountability and custodial death by law enforcement agencies***

49. In Bangladesh, the use of physical and psychological methods of torture and ill-treatment are a widespread institutionalised practice, routinely used by the state machineries for politically-motivated purposes as a tool to intimidate, extort, and [suppress political opponents](#), dissenting voices, vulnerable groups, and even ordinary citizens. Despite the enactment of the [Torture and Custodial Death \(Prevention\) Act](#) in 2013 and the ratification of [UN Convention against Torture](#), members of law enforcement agencies continue to use [torture](#) as a result of Bangladesh's entrenched [culture of impunity](#) maintained by successive governments. This [longstanding impunity](#) persists due to the lack of implementation of law, an absence of [independent investigation](#) mechanisms, and a [dysfunctional judicial system](#), which produces biased investigations and delayed prosecutions.
50. On 13 July 2023, Senior Judicial Magistrate of Lalpur Cognisance Court in Natore ordered the district Superintendent of Police to file a case against five police officers, including Additional Superintendent of Police (ASP) of Baraigram, Sharif Al Rajib; Officer-in-Charge (OC) Md Ujjal Hossain of Lalpur Police Station; Sub-Inspectors Md Zahid Hasan and Omar Farooq Shimul, and a constable, for torturing three men in custody. One of the torture victims, Sohagh said that he was detained on 9 July at around 8:45pm and taken to Lalpur Police Station where the OC Ujjal immediately blindfolded him and he was thrashed on the soles of his feet and kicked in the scrotum and beaten all over his body.<sup>65</sup>
51. Police file false cases accusing [people with drugs](#), by fabricating incidents of recovering drugs to establish a seizure list. For example, a Dhaka court on 8 August 2023, framed charges against a police officer and two of his informants in a case filed over the illegal possession of 100 yaba tablets. The accused men put them into an innocent man's pocket and then claimed to have caught him with the pills.<sup>66</sup>

## ***Human rights violations in prisons***

52. Bangladesh's prisons are overcrowded due to dysfunctional, slow criminal justice system and such overcrowding is one of the key contributing factors to poor prison conditions. The total official capacity of 68 prisons in the country is 42,866 while the number of inmates in the prisons was nearly twice the capacity in September 2023.<sup>67</sup> According to the World Prison Brief (WPB), eight out of every 10 prisoners in Bangladesh are in jail either as pre-trial detainees or on remand. This makes Bangladesh one of the top three countries of the world with the highest proportion of detainees.<sup>68</sup>

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<sup>65</sup> The Daily Star, 14 July 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/torture-cops-natore-court-orders-sp-sue-five-policemen-3368516>

<sup>66</sup> The Daily Star, 8 August 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/framing-man-yaba-asi-indicted-over-possessing-100-tablets-3389281>

<sup>67</sup> Daily Observer, 5 September 2023; <https://www.observerbd.com/news.php?id=435829>

<sup>68</sup> Daily Observer, 5 September 2023; <https://www.observerbd.com/news.php?id=435829>



53. There have been allegations of [torture and ill-treatment](#) of inmates in prisons across the country and allegations of widespread [corruption and irregularities](#) within the prison system. The government is not taking any action against those responsible. In addition, there are allegations that some of the prisoners are [dying](#) due to the [inadequacy of doctors](#) and [lack of medical facilities](#) and [negligence](#). Acts of committing 'suicide' have also occurred in prisons. It is to be noted that nearly a year after the death of a death row inmate, Golam Mostafa (whose body was recovered on 7 July 2022) at the Kashimpur High Security Central Jail in Gazipur, the [post-mortem report revealed](#) that he was strangled to death.
54. On 8 July 2023, Amirul Islam alias Rashed Uddin (34), a convict sentenced to death, was found hanging from the toilet of his condemned cell in Kashimpur High Security Central Jail at Gazipur. The family members of deceased alleged that he was killed inside the prison. After an autopsy, the forensic doctor said that Amirul Islam had injury marks on his neck and body.<sup>69</sup>
55. On 8 September 2023, a female inmate Kasiron (45) died after falling sick in Kashimpur Jail in Gazipur. She was accused in a murder case. Kasiron was shifted to Kashimpur Female Jail from Mymensingh District Jail on 19 August. The Jail superintendent claimed that Kasiron fell sick while she was in Mymensingh Jail. The hospital physician Mahmuda Akter said that Kasiron was already deceased when she was brought to Shaheed Tajuddin Ahmad Medical College Hospital at around 3:00pm.<sup>70</sup>
56. **In the three months between July and September 2023, it was reported that a total of 36 persons died in prisons.**

### *The death penalty*

57. The provision of the death penalty remains in force in various criminal laws of Bangladesh. The penal laws of Bangladesh provide capital punishment for 33 offences.<sup>71</sup> Once an accused is found guilty of those offences by a court, it can sentence him/her with a death penalty as the maximum punishment. Judicial procrastination is a harsh reality in the country's justice delivery system. Negligence in the investigation of the case, delay in submitting probe reports/charge sheets, delayed production of evidence, delays in cross examination of witnesses and the hearing of the cases - are some of the causes of delay in the trials. As a result, the accused have to [wait for years](#).
58. Every year a large number of accused persons are being sentenced to death in the lower courts. The accused who are so sentenced are kept in solitary confinement for many years. In many instances, cases where the accused were sentenced to death took years to [complete their trial](#). For example, a Cox's

<sup>69</sup> Prothom Alo, 9 July 2023; <https://www.prothomalo.com/bangladesh/district/xf3lkqg2q7>

<sup>70</sup> New Age, 8 September 2023; <https://www.newagebd.net/article/211678/inmate-dies-in-kashimpur-jail>

<sup>71</sup> See Penal Code 1860 (Bangladesh); The Arms Act 1878 (Bangladesh); The Constitution of the People's Republic of Bangladesh 1972 (Bangladesh); International Crimes (Tribunals) Act 1973 (Bangladesh); Special Power Act 1974 (Bangladesh); Flight Safety Protection Act 1997 (Bangladesh); Women and Child Repression Prevention Act 2000 (Bangladesh); Acid Offense Prevention Act 2002 (Bangladesh); Anti-Terrorism Act 2009 (Bangladesh); Human Trafficking Prevention and Suppression Act 2012 (Bangladesh); Narcotic Control Act 2018 (Bangladesh); Army Act 1952 (Bangladesh); Air Force Act 1953 (Bangladesh); The Navy Ordinance 1961 (Bangladesh); Bangladesh Coast Guard Act 2016 (Bangladesh); Bangladesh Border Guard Act 2010 (Bangladesh), <http://bdlaws.minlaw.gov.bd/laws-of-bangladesh.html>.



Bazar court, on 20 July 2023, sentenced eight people to death in a case over the killing of a Bangladeshi expatriate in Sadar Upazila of the district that occurred 23 years ago.<sup>72</sup>

59. On 28 July 2023, two convicts Mia Mohammad Mohiuddin and Jahangir Alam accused for the murder of Rajshahi University teacher Prof S Taher Ahmed, were hanged at Rajshahi Central Jail after 17 years.<sup>73</sup>
60. **A total of 112 persons were sentenced to death and two were executed, during this reporting period.**

## Public Lynching

61. Public lynching or mob beatings are a common phenomenon in Bangladesh. Ordinary people are taking the law into their own hands due to the dysfunctional criminal justice system and lack of trust in law enforcement agencies. There has been longstanding impunity behind the mob beating culture in the country. Perpetrators often mobilise people from the community to beat someone to death by spreading rumours.
62. On 10 August 2023, a youth named Akram Shah (21), son of Lalon Shah, of Masjidpara Village under Jhunidah Union, was lynched by a mob on suspicion of theft under Bheramara Upazila in Kushtia District.<sup>74</sup>
63. **In the three months between July and September 2023, 19 persons lost their lives as a result of public lynching.**

## Freedom of Expression

64. The imposition of restrictions and interference of the government and members of the ruling party, in the freedoms of expression and media, is highly visible. Bangladeshi authorities are sweepingly imposing repressive laws and policies, including Digital Security Act (DSA), 2018 on citizens to muzzle them, curbing freedom of expression. During this reporting period, the government violated the freedoms of speech, thought, conscience and opinion of the citizens and carried out various acts of oppression, including arresting and sentencing people in order to prevent the free flow of information.
65. There are allegations that the government is hacking cell phones of opposition party leaders by using Pegasus<sup>75</sup> spyware as part of its move to keep its opponents under control.<sup>76</sup>
66. Following enormous criticisms at home and abroad about the Digital Security Act, the government has adopted the Cyber Security Act (CSA), 2023 to

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<sup>72</sup> The Daily Star, 20 July 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/killing-expatriate-8-get-death-penalty-after-23-years-3374221>

<sup>73</sup> New Age, 28 July 2023; <https://www.newagebd.net/article/208010/two-executed-for-prof-taher-murder>

<sup>74</sup> New Age, 11 August 2023; <https://www.newagebd.net/article/209118/youth-beaten-to-death-on-theft-suspicion-in-kushtia>

<sup>75</sup> Pegasus is a spyware developed by Israeli cyber intelligence firm NSO Group that can be covertly installed on mobile phones running most versions of iPhone operating system and android. Pegasus is able to exploit iOS versions up to 14.7, through a zero-click exploit.

<sup>76</sup> New Age, 8 July 2023; <https://www.newagebd.net/article/206101/govt-uses-israeli-tech-to-hack-opposition-leaders-phones-bnp>

replace the DSA. Regrettably, the CSA retains many aspects of the DSA. The new legislation continues to criminalise freedom of expression, retains non-bailable offences, and could too easily be misused to arrest, detain, and silence dissenting voices.

67. An imam of a mosque was [stabbed](#) and another was [arrested](#), and a Khatib was [beaten](#) for offering prayers, and a madrassa teacher was [suspended](#) and many Chhatra League<sup>77</sup> leaders and activists were [expelled](#), and an [university employee suspended](#) for posting on social media Facebook condoling the death of the imprisoned Jamaat leader Maulana Delwar Hossain Saeedee, who was sentenced to prison for crimes against humanity.
68. On 20 August 2023, Khulna police arrested Anisa Siddika (60) under the Special Powers Act, 1974 allegedly after her US-based son made a Facebook post critical of the trial process of war crime convict Delwar Hossain Sayedee and the disappearance of his prosecution-turned defence witness Shukhoranjan Bali.<sup>78</sup> She was released on bail after spending eight days in Khulna jail.<sup>79</sup>
69. On 7 September 2023, the government cancelled the appointment of Deputy Attorney General (DAG) Imran Ahmed Bhuiyan and relieved him from the office of DAG as he had refused to sign a statement that the Attorney General's office was preparing in protest of the recent letter from global leaders denouncing the trial proceedings of Nobel Laureate Prof Yunus.<sup>80</sup>

### ***The Digital Security Act, 2018 and Cyber Security Act, 2023***

70. The Digital Security Act has increasingly been used to suppress dissent on social media, websites and other digital platforms, with penalties extending to life imprisonment. The authorities have targeted critics of the government on the pretext that they have made false, offensive, derogatory or defamatory statements online. Civil society organisations (CSOs) and human rights defenders have repeatedly been raising concern over the abuses of this repressive law. During this reporting period, the law enforcement agencies and [people associated with the ruling party](#) lodged reports and complaints under the DSA against those criticizing high-ranking individuals or leaders of the government and ruling party, including the Prime Minister. Opposition [party leaders and activists](#), [ordinary people](#), [journalists](#) have been sued, arrested and sent to jail for allegedly making defamatory comments against the Prime Minister on social media.
71. The Cyber Security Bill-2023 was [passed](#) in the National Parliament on 13 September, amid strong objections [nationally](#) and [internationally](#), keeping offences under four of its sections non-bailable. Earlier, on 28 August, the [Cabinet gave its approval](#) to the Cyber Security Bill, 2023 retaining almost all

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<sup>77</sup> Student wing of Awami League

<sup>78</sup> New Age, 22 August 2023; <https://www.newagebd.net/article/209993/khulna-woman-arrested-after-sons-fb-post-on-sayedee>

<sup>79</sup> New Age, 29 August 2023; <https://www.newagebd.net/article/210628/mother-arrested-after-sons-fb-post-freed-on-bail-after-8-days>

<sup>80</sup> The Daily Star, 8 September 2023; <https://www.thedailystar.net/news/bangladesh/news/govt-cancels-appointment-dag-imran-ahmed-bhuiyan-3413896>

provisions of the repressive Digital Security Act, 2018 without any consultations with key stakeholders, including journalists. The government did not pay heed to the demands by civil society members and others to [repeal the DSA](#) and passed a new law instead. Though the new law has reduced penalties and reformed some sections, however, there is no qualitative or significant change in the application of the CSA. There are many elements in this law that undermine freedom of speech and expression, freedom of the media, personal privacy and civil liberties. The CSA contains several repressive provisions of the DSA, which have previously been used to stifle the voices of independent journalism and human rights defenders.

72. Sections 8, 21, 25, 28, 29, 31, 32, 43 and 53 of the DSA are contrary to freedom of expression in accordance with international law, and the [OHCHR](#) urged the Bangladesh government repeal sections 21 and 28 as they were considered a tool of harassment against political opponents and amend sections 8, 25, 29, 31, 32, 43 and 53 in compliance with Articles 9, 14, 19 and 20 of the ICCPR. UN Special Rapporteur on Freedom of Expression [Irene Khan](#) said in a letter to the government that recommendations made by the OHCHR concerning the DSA have not been reflected in the CSA.
73. Nineteen international organisations working to protect human rights and freedom of media wrote to the Bangladesh Prime Minister on 30 August, calling for [annulment of all cases](#) filed under the repressive Digital Security Act, 2018 against those targeted for peacefully exercising their right to freedom of expression. At the same time, the organisations also demanded the release of the persons detained under this law. Meanwhile, the Attorney General of Bangladesh said that the ongoing cases filed under DSA will not be withdrawn and the trial of the cases will continue according to the previous law despite the replacement of the much-criticized Digital Security Act-2018 with the Cyber Security Act-2023.<sup>81</sup>
74. On 6 August 2023, the Cyber Tribunal of Rangpur sentenced a young man named Shyamal Kumar Roy (23) to seven years rigorous imprisonment with a fine of BDT 50,000 in the case of defamation of religion on Facebook in 2017, for violating Section 57 (2) of the Information and Communication Technology Act, 2006.<sup>82</sup>
75. Jagannath University student Khadijatul Kubra, who was arrested under the Digital Security Act on 27 August 2022, for hosting a [webinar on campus politics](#) called “Humanity for Bangladesh”, in November 2020, has been languishing in jail for over a year now. She was sent to Kashimpur Jail on charges of attempting to ‘deteriorate law and order’ and for ‘defaming’ the Prime Minister. Since then, Khadija’s bail applications have been rejected several times. [Students, activists](#) and [international organisations](#) have demanded the immediate release of Khadijatul Kubra. It is to be noted that on 16 February 2023, the High Court Division of the Supreme Court granted her bail. However, the Chamber Judge in March 2023, stayed the bail responding to a petition by the state. On 10 July, the Appellate Division of the Supreme

<sup>81</sup> Samakal, 7 August 2023; <https://samakal.com/bangladesh/article/2308188282>

<sup>82</sup> Samakal, 7 August 2023; <https://samakal.com/whole-country/article/2308188168/>

Court adjourned the hearing of her petition seeking to vacate the stay order on her bail.<sup>83</sup>

76. From July to September 2023, a total of three people were arrested under the Digital Security Act, 2018. All were arrested for online posts/comments criticizing the Prime Minister, high-ranking persons of the government and/or their family members and for making 'derogatory' or 'anti-government' comments.

### ***Freedom of the media***

77. Journalists in Bangladesh are working in a very insecure environment due to the imposition of draconian laws, and in the face of attacks and threats. The government has been involved in systematic and pervasive oppression of journalists and media activists, who attempt to hold the authorities accountable. In this situation, in many cases, independent journalists and media outlets feel compelled to resort to self-censorship due to the current government's repressive attitude. During this reporting period journalists were attacked, beaten, assaulted, threatened by members of the ruling Awami League and its affiliated wings and public representatives, and sued under the repressive Digital Security Act. There are allegations against police for attacking and torturing journalists for publishing reports on irregularities and corruption.



*Journalist Sheikh Mostafizur Rahman, beaten and injured by Tariqul Islam Sintu, member of Sriramkathi UP.  
Photo Jugantar, 24 July 2023.*

78. On 1 July 2023, Asadur Rahman, a Senior Staff Reporter of Dainik Gram Kantha published from Jessore, was beaten by police at Navaron intersection at Sharsha Upazila. Colleagues rescued him from the scene and admitted him to Sharsha Upazila Health Complex.<sup>84</sup>

<sup>83</sup> New Age, 27 August 2023; <https://www.newagebd.net/article/210534/release-of-khadija-repeal-of-dsa-demanded>

<sup>84</sup> Samakal, 2 July 2023; <https://samakal.com/whole-country/article/2307181028/>





Colleagues rescued journalist Asadur Rahman and admitted him to Sharsha Upazila Health Complex. Photo: Samakal, 2 July 2023.

79. On 30 July 2023, Dhaka Journalists Union (DUJ) held a protest rally in front of the National Press Club to protest the police and Awami League attacks on journalists while the latter performed their professional duties covering the programmes of the opposition political parties.<sup>85</sup>
80. On 23 September 2023, Prothom Alo Chittagong University correspondent Musharraf Shah was beaten by Bangladesh Chhatra League (BCL) activists for gathering information on clashes and vandalism and for reporting on a series of clashes between two factions of Chhatra League. While he was beaten, the attackers threatened him not to write against BCL.<sup>86</sup>



Prothom Alo Chittagong University correspondent Musharraf Shah was injured in an attack and treated at a medical center. Photo: Daily Star, 25 September 2023 and Prothom Alo, 24 September 2023.

81. On 25 September 2023, MA Salam, Bakshiganj Upazila correspondent of Dainik Desher Kantho, filed the complaint with Bakshiganj Police Station against Farhad Hossain Palash, a local Jubo League leader who allegedly threatened to kill him for his reporting.<sup>87</sup>

<sup>85</sup> Manabzamin, 31 July 2023; <https://mzamin.com/news.php?news=67169>

<sup>86</sup> Prothom Alo, 24 September 2023; <https://www.prothomalo.com/bangladesh/7nziabm3qu> and the Daily Star, 25 September 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/chittagong-university-bcl-men-beat-journo-over-news-report-3427116>

<sup>87</sup> The Daily Star, 26 September 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/journo-gets-death-threat-3428066>



82. The submission of the charge sheet related to the murders of the journalist couple Sagar Sarwar and Meherun Runi has been [deferred for the 103<sup>rd</sup> time](#). On 11 September a Dhaka Metropolitan Magistrate Court extended till 15 October the deadline for submitting the probe report of the case filed over the murders in February 2012. This is the 103<sup>rd</sup> extension of the submission deadline as the investigating officer has repeatedly failed to submit the report.<sup>88</sup>
83. **From July to September 2023, 48 journalists were injured, 10 were assaulted, 22 were attacked, six were threatened, four were arrested and 26 were sued while carrying out their professional duty.**

## Condition of RMG workers

84. The condition of Readymade Garment (RMG) workers in Bangladesh remains susceptible as there is no improvement in their lives due to poor wages, non-payment of wages on time, and deprivation of rights guaranteed by country's labour law and ILO Conventions. According to reports in the '[2023 ITUC Global Rights Index](#)', Bangladesh still remains among the 10 worst countries in 2023 for 7<sup>th</sup> time in a row in terms of workers' rights. Female workers are more vulnerable than their male counterparts. They face different kinds of gender-based violence and harassment, including sexual harassment in their workplaces. A study conducted by nine RMG workers' organisations revealed that 45 percent women workers experienced sexual violence and harassment.<sup>89</sup> Garment workers' and labour leaders have been demanding the government and garment factory owners [increase workers' wages](#) to Tk 23,000 per month minimum wage. It is imperative to revise wages of RMG workers as they are unable to sustain their families with the poor wages and the price hikes of essential commodities. The [US Apparel brands have expressed](#) concerns with the Bangladesh government regarding labour rights and the minimum wage review process.
85. During this reporting period, the [closure of the factory](#) without notifying the workers and the [non-payment of wages](#) on time, led to workers' unrest. On 12 August 2023, at least 20 workers were injured in a clash with Industrial Police that broke out after the workers blocked a road in Savar, demanding their arrears.<sup>90</sup> On 22 August, workers of Style Craft Limited and Young Ones (BD) Limited factory staged a strike in Gazipur demanding payment of four months' arrears of salary and Eid bonus.<sup>91</sup>

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<sup>88</sup> The Daily Star, 12 September 2023; <https://www.thedailystar.net/news/bangladesh/news/sagar-runi-murder-probe-report-submission-deferred-103rd-time-3416726>

<sup>89</sup> The Daily Star, 25 August 2023; <https://www.thedailystar.net/news/bangladesh/rights/news/45pc-face-it-rmg-sector-study-3402616>

<sup>90</sup> The Daily Star, 13 August 2023; <https://www.thedailystar.net/news/bangladesh/news/20-rmg-workers-hurt-clash-cops-3392901>

<sup>91</sup> Naya Diganta, 22 August 2023; <https://www.dailynayadiganta.com/dhaka/771875/>



Workers protest in Gazipur demanding unpaid salaries and bonuses. Photo: Naya Diganta, 22 August 2023.

86. According to [Center for Policy Dialogue \(CPD\) data](#), 856 vulnerable garment factories out of 3,752 factories in Bangladesh are still out of monitoring, which is around 23 percent of the total factories. These garment factories posed significant safety risks to workers, because they still operate outside existing monitoring frameworks.

## Violence against Women

87. There are allegations of various forms of oppression and violence against women and girls in the months of July - September 2023. During this reporting period, a large number of women became victims of violence, including dowry violence, rape, acid throwing, stalking and sexual harassment etc. Due to a culture of impunity, members of the ruling party and even members of law enforcement agencies have resorted to various forms of oppression and violence against women. In some cases, even after the accused persons/perpetrators are arrested and sent to jail, they are released on bail and threaten victims and their families to refrain from continuing legal proceedings. Ultimately, victims do not get justice.

## Rape

88. Occurrences of rape have become matter of grave concern as such violations continue to take place since the perpetrators are not held accountable in most cases. During this reporting period, a large number of rape victims were found to be children and adolescents. Victims are deprived from justice due to lack of implementation of laws, coercion by law enforcement and a dysfunctional justice system.
89. On 15 August 2023, an expatriate's wife was raped by a BGB member Shafiqul Islam in Motherganj Upazila under Jamalpur. It was learnt that the housewife went to visit her father's house on 14 August. Shafiqul went to that house the next day at night to offer a job to her younger brother. There was no one in the house at that time. Taking this opportunity, Shafiqul locked the housewife in a room and raped her. The housewife filed a case with the police station and police arrested Shafiqul.<sup>92</sup>

<sup>92</sup> Prothom Alo, 16 August 2023; <https://www.prothomalo.com/bangladesh/district/hzdga72oe0>

90. On 20 September 2023, a teenager was gangraped by Imam Hossain (45), General Secretary of Chardarbesh Union unit Swechchhasebak League<sup>93</sup>, and his associate Md Riad (28) in Sonagazi Upazila under Feni District. Police arrested both the culprits after the 15-year-old victim filed a complaint with Sonagazi Police Station. On 24 September, the court sent them to jail.<sup>94</sup>

## ***Stalking/Sexual harassment***

91. There have been a large number of incidents of stalking and sexual harassment between July and September 2023. Among the targets were a significant number of adolescents.
92. On 5 July 2023 at around 9:30 pm, the husband and father of a housewife were seriously injured after they protested against stalking in Baufal Upazila of Patuakhali. At a wedding ceremony, the housewife was harassed by Miraj Hossain (18), son of local Nasir Mridha. When they protested this incident, a group of 15-20 people led by Nasir Mridha attacked them with local weapons and sticks and left with serious injuries. Local people rescued them and sent them both to hospital.<sup>95</sup>
93. On 29 August 2023, a female college student was stabbed and beaten by Tanjid Ahmed Rian and his friends when she refused a love proposal. The incident took place in Dighi area of College Road in Lakshmipur Municipality.<sup>96</sup>

## ***Dowry related violence***

94. Acts of dowry-related violence continue to occur in the country despite the fact that receiving, and giving dowry is a criminal offense under the [Dowry Prohibition Act, 2018](#) and dowry violence is a punishable crime under the [Repression of Women and Children Prevention Act, 2000](#). During this reporting period, women were [beaten to death](#), [burnt to death](#), [suffocated](#) and [hacked to death](#) and [committed suicide](#) over their husband's non-receipt of dowry. Members of [law enforcement agencies](#) were also involved in dowry violence.
95. On 12 August 2023, a housewife named Mousumi Khatun (25) was allegedly beaten to death by her husband Asheq Ali (28) for dowry in Phulbari under Kurigram District. In this incident, the deceased's uncle filed a murder case with Phulbari Police station on 13 August. Police arrested Asheq Ali and sent him to jail through the court.<sup>97</sup>

## ***Acid violence***

96. Women and children are not the only victims of this heinous crime. Criminals are using acid as an effective weapon against all irrespective of sex and age.

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<sup>93</sup> Voluntary wing of Awami League

<sup>94</sup> The Daily Star, 25 September 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/gangrape-feni-swechchhasebak-league-leader-aide-land-jail-3427226>

<sup>95</sup> Prothom Alo, 6 July 2023; <https://www.prothomalo.com/bangladesh/district/axe2vu0ytz>

<sup>96</sup> Jugantor, 30 August 2023; <https://www.jugantor.com/todays-paper/first-page/712324/>

<sup>97</sup> New Age, 14 August 2023; <https://www.newagebd.net/article/209384/woman-killed-for-dowry-in-kurigram-husband-arrested>

Acid violence continues due to lack of proper implementation of the [Acid Control Act, 2002](#) and related laws. Victims are deprived from justice as cases remain pending for years.

97. Sadia Akhtar's head and face were burnt when her ex-husband Suman Shikder threw acid on her body in Shibchar under Madaripur District. She was admitted to the Sheikh Hasina Burn Unit in Dhaka in critical condition. The incident took place at the victim's house in Madbarerchar on 16 August. A person named Alamgir Hossain was arrested in this incident.<sup>98</sup> Later on 24 August, police arrested the main accused Suman Shikder from Mazhirchar area of Jazira Upazila under Shariatpur District.<sup>99</sup>

## Cross Border Issues with India and Myanmar

### *Human Rights Violations by BSF*

98. Bangladeshi citizens have repeatedly been [shot dead](#) by the Indian Border Security Force (BSF). It has been observed that BSF members often take away the bodies of Bangladeshi citizens after killing them at the border areas. For example, BSF returned the body of a Bangladeshi youth named Yusuf Ali (25) to Border Guard Bangladesh, 78 days after he was killed in BSF firing at Kalirhat border under Patgram Upazila in Lalmonirhat District.<sup>100</sup>
99. A Bangladeshi youth named [Sujan Rana](#) (30) died on 4 July after allegedly being tortured and shot by the BSF along the Sukani border under Tentulia Upazila in Panchagarh District. On 22 August 2023, BSF shot dead a [mentally challenged Bangladeshi youth](#) named Bablu Haque (36) in Chapainawabganj border.
100. On 3 September 2023, a Bangladeshi cattle trader, Manik Mia (35), was shot dead allegedly by the members of Indian Border Security Force along Behularchar border under Roumari Upazila in Kurigram District.<sup>101</sup> The victim's father, Abdul Baten, filed a case against the BSF at Roumari Police Station on 4 September.<sup>102</sup>
101. **From July to September 2023, six Bangladeshis were allegedly killed and five were injured by the Indian Border Security Force (BSF). All those who had been killed were gunned down. Among the five persons who were injured, three were shot, and two were tortured.**

### *Human Rights abuses on the Rohingya Population*

102. Even though six years have passed since the Rohingya influx, there seems to be no hope for a solution to the crisis. However, there has been some procedural progress in the repatriation of Rohingyas. Myanmar says it will take back 7,000 Rohingyas by December 2023 under a pilot project. However, the Western world and various international human rights groups are

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<sup>98</sup> Jugantor, 18 August 2023; <https://www.jugantor.com/todays-paper/bangla-face/708058/>

<sup>99</sup> Prothom Alo, 25 August 2023; <https://www.prothomalo.com/bangladesh/district/pgazibxwfi>

<sup>100</sup> The Daily Star, 23 August 2023; <https://www.thedailystar.net/news/bangladesh/news/bsf-returns-youths-body-after-78-days-3400696>

<sup>101</sup> The Daily Star, 4 September 2023; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/bangladeshi-man-killed-bsf-firing-3410586>

<sup>102</sup> Jugantor, 5 September 2023; <https://www.jugantor.com/country-news/714859>



currently opposing the repatriation of the Rohingyas as there is no safe environment in Myanmar. Bangladesh could not send back even a single person from around 1.1 million Rohingya to Myanmar in the past six years since the beginning of their latest influx, raising both economic burdens and security concerns. The Bangladesh government has blamed international communities, including the UNHCR and Myanmar's military regime, for their failure to send back Rohingyas to Myanmar, and for lingering over the crisis for decades.<sup>103</sup> In the meanwhile Bangladesh urged the visiting OIC delegation to mobilise the international community for the sustainable repatriation of the Rohingyas to Myanmar.<sup>104</sup>

103. A [new investigation by Fortify Rights](#) found that members of the Armed Police Battalion arbitrarily detained and tortured Rohingyas and demanded/extorted money from them. The investigation found that the Bangladesh police also beat Rohingyas with batons and choked them on many occasions. In a statement on 10 August, Fortify Rights has called on the Bangladesh government to investigate and hold to account police officials responsible for the reported extortion and violence against Rohingyas.
104. UN [High Commissioner for Human Rights Volker Turk](#) called on the international community to continue support and funding for the Rohingya people and their host community in Bangladesh on humanitarian grounds. He also urged the international community to hold the Myanmar junta accountable for the persecution of Rohingyas, saying they should be able to return to their homeland with dignity and without any pressure.<sup>105</sup>
105. Human Rights Watch said in a statement that United Nations Security Council failed to hold Myanmar's generals accountable for crimes against humanity and acts of genocide against the Rohingyas. It stated that Rohingyas in Bangladesh faced little prospect of safely returning home since the Myanmar military launched a campaign of mass atrocities in the Rakhine state on 25 August 2017.<sup>106</sup>
106. The United States has shared information with The Gambia in connection with the case the latter brought forward against Myanmar under the Genocide Convention at the International Court of Justice over atrocities committed against the Rohingyas.<sup>107</sup> US has also called on the international community to [continue pressure](#) on Myanmar military regime to end the Rohingya crisis, and create a conducive environment for their voluntary, safe, dignified and sustainable repatriation.

<sup>103</sup> New Age, 25 August 2023; <https://www.newagebd.net/article/210270/stalled-rohingya-return-raises-burden>

<sup>104</sup> New Age, 10 August 2023; <https://www.newagebd.net/article/209042/bangladesh-urges-oic-for-efforts-to-send-rohingyas-back-home-in-myanmar>

<sup>105</sup> The Daily Star, 25 August 2023; <https://www.thedailystar.net/rohingya-influx/news/rohingyas-deserve-dignity-security-3402596>

<sup>106</sup> New Age, 21 August 2023; <https://www.newagebd.net/article/210025/un-fails-to-hold-myanmar-generals-accountable-for-genocide-against-rohingyas-hrw>

<sup>107</sup> New Age, 26 August 2023; <https://www.newagebd.net/article/210387/united-states-shares-info-with-gambia-over-rohingya-genocide-case>

## Recommendations

1. Immediate efforts should be made to establish democracy by forming an accountable government through free, fair and participatory elections under a neutral interim government.
2. The judgement against Odhikar' Secretary Adilur Rahman Khan and its Director ASM Nasiruddin Elan must be quashed. The bail order for the release of the two men must be implemented immediately. Persecution, surveillance and harassment of human rights organisations and human rights defenders must cease. Odhikar's registration must be reinstalled and it must be allowed to continue all its activities as a human rights watchdog.
3. The UN Human Rights Council and the Office of the High Commissioner for Human Rights (OHCHR) must adopt a new mandate on Bangladesh to collect evidence of gross human rights violations.
4. All cases of extrajudicial killing, enforced disappearance, torture and degrading treatment should be investigated by setting up an impartial commission of inquiry under the United Nations. The concerned members of the law enforcement agencies and others involved in these incidents must be held accountable.
5. The right to freedom of assembly must be protected and guaranteed. Filing cases against 'anonymous persons' should be stopped. Harassment and arrest of opposition party members and dissidents must be stopped. All political prisoners, including protestors arrested during protests in Bangladesh should be released immediately.
6. The Government's interference on constitutional and state institutions must stop. Political violence and criminalisation must cease. Political interference on the Judiciary and judicial system must cease.
7. All victims who still remain disappeared must be returned to their families. A domestic law should be enacted criminalising enforced disappearance as a punishable offense and those involved in disappearances should be prosecuted.
8. The Government's interference on freedom of expression and media must cease. All cases filed against human rights defenders, including journalists, must be withdrawn. Fair and impartial investigations into the attacks on them must be made, and the actual perpetrators brought to justice. The targeted ban on print and electronic media should be lifted.
9. All repressive laws, including Special Powers Act 1974, Information and Communication Technology Act, 2006 (Amendments 2009 & 2013), Anti-Terrorism Act, 2009 (Amendments 2012 & 2013), Cyber Security Act, 2023 should be immediately repealed. The cases filed under these laws must be withdrawn.
10. To curtail acts of violence against women and children, perpetrators must be impartially investigated and prosecuted.
11. India's invasive and aggressive behaviour towards Bangladesh must stop. All kinds of human rights violations, including killing and torture by the Indian Border Security Force (BSF) on Bangladeshi citizens at the border areas must cease.

12. The governments of Bangladesh and Myanmar must ensure voluntary, dignified and safe repatriation of the Rohingya people by establishing and guaranteeing their full civil and political rights, including restoration of Myanmar citizenship.

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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 detailed fact-finding investigations into some of the most significant violations, with assistance from trained local human rights defenders.
4. Odhikar is consistent in its human rights reporting and is committed to remain so.