



May 1, 2017

Human Rights Monitoring Report

April 1 - 30, 2017

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Odhikar believes that democracy is not merely a process of electing a ruler; it is the result of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the State. Therefore, the individual freedoms and democratic aspirations of the citizens - and consequently, peoples' collective rights and responsibilities - must be the foundational principles of the State.

The democratic legitimacy of the State is directly related to its willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. If the state does not ensure full participation in the decision making process at all levels - from the lowest level of administration to the highest level - it cannot be called a 'democratic' state. Citizens realise their rights and responsibilities through participation and decision making processes. The awareness about the rights of others and collective benefits and responsibilities, can be ensured and implemented

through this process as well. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights through any means, as such rights are inviolable and are the foundational principles of the State.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure internationally recognised civil and political rights of citizens. Odhikar stands against all forms of human rights violations; and participates and remains directly involved in the human rights movement in Bangladesh.

Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather, it believes that the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As part of its mission, Odhikar monitors the human rights situation in order to promote and protect civil, political, economic, social and cultural rights of Bangladeshi citizens and to report on violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released this human rights monitoring report of April 2017, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

| Statistics: January-April 2017* | | | | | | |
|--|--------------------------|-------------|------------|------------|------------|-------------|
| Type of Human Rights Violation | | January | February | March | April | Total |
| Extrajudicial killings | Crossfire | 15 | 17 | 19 | 8 | 59 |
| | Shot to death | 1 | 0 | 0 | 0 | 1 |
| | Torture to death | 0 | 0 | 1 | 1 | 2 |
| | Beaten to death | 0 | 0 | 0 | 1 | 1 |
| | Total | 16 | 17 | 20 | 10 | 63 |
| Enforced Disappearances** | | 6 | 1 | 21 | 2 | 30 |
| Human rights violations by Indian BSF | Bangladeshis Killed | 2 | 2 | 0 | 2 | 6 |
| | Bangladeshis Injured | 3 | 9 | 3 | 1 | 16 |
| | Bangladeshis Abducted | 5 | 1 | 1 | 3 | 10 |
| | Total | 10 | 12 | 4 | 6 | 32 |
| Attack on journalists | Killed | 0 | 1 | 0 | 0 | 1 |
| | Injured | 2 | 3 | 0 | 2 | 7 |
| | Assaulted | 0 | 1 | 0 | 1 | 2 |
| | Threatened | 0 | 4 | 3 | 0 | 7 |
| | Total | 2 | 9 | 3 | 3 | 17 |
| Political violence | Killed | 5 | 7 | 6 | 12 | 30 |
| | Injured | 217 | 325 | 428 | 595 | 1565 |
| | Total | 222 | 332 | 434 | 607 | 1595 |
| Dowry related violence against women | | 17 | 14 | 20 | 26 | 77 |
| Rape | | 44 | 50 | 67 | 49 | 210 |
| Sexual harassment /Stalking of women | | 14 | 22 | 35 | 22 | 93 |
| Acid violence | | 3 | 7 | 4 | 5 | 19 |
| Public lynching | | 1 | 3 | 8 | 5 | 17 |
| Situation of workers | RMG workers | Killed | 0 | 0 | 0 | 0 |
| | | Injured | 0 | 20 | 21 | 70 |
| | | Termination | 1034 | 1733 | 43 | 0 |
| | Workers in other sectors | Killed | 3 | 2 | 11 | 17 |
| | | Injured | 7 | 8 | 16 | 23 |
| Arrest under Information and Communication Technology Act*** | | 0 | 5 | 1 | 4 | 10 |

*Odhikar's documentation

** Odhikar only documents allegation of enforced disappearance where the family members or witnesses claim that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

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

Extrajudicial killings continue

1. The law and justice delivery system of the country is increasingly under threat and human rights are seriously violated due to the persistence of extrajudicial killings.¹
2. According to documentation gathered by Odhikar, 10 people were reported as being extra judicially killed in April 2017. Some incidents are as follows:
3. In Jessore, a youth named Mohammad Rajib (35), was allegedly shot dead by police after he was picked up from his house. Rajib's maternal uncle, Mohsin Mondol said that in the afternoon of April 5, 2017 a group of plain-clothed policemen arrested Rajib from his house. Police claimed that Rajib had escaped from the police by unlocking the handcuffs and that they could not find him. Mohsin came to know that his nephew's body was lying in the hospital morgue. The Officer-in-Charge (OC) of Jessore Kotwali Police Station, A K M Ajmal Huda said that on April 5, 2017 Sub Inspector (SI) Jamil and SI Mokhlesh conducted an operation in plain cloth and arrested Rajib. But on the way to the police station, Rajib escaped from police by unlocking the handcuffs. At around 3:30 am on April 6, 2017, police received information that a gunfight between two groups of criminals was taking place at Kholadanga area of the town. Criminals started shooting at the patrol police when they reached the place of occurrence. Police opened fire in retaliation. Later, criminals left the place and police found Rajib with a gunshot in his head. On the way to hospital, Rajib died. The OC, A K M Ajmal Huda, also informed that incidents of 'gunfight' are going on across the country. He said he did not want to put himself in danger by elaborating on the incident.²
4. Although the highest court of the country directed the law enforcement agencies not to carry out any operation in plainclothes, it seems that this is being ignored.³ It is to be noted that, the High Court Division of the Supreme Court of Bangladesh gave a verdict on April 7, 2003 that the members of law enforcement agencies must not arrest anyone under section 54 of the Code of Criminal Procedure, 1898 and later charge him under a different law; and will be obliged to show their ID cards when making arrests. Furthermore, members of law enforcement agencies shall inform the person of the reason

¹ Radio Sweden published a report exposing method used by the Rapid Action Battalion (RAB) to execute a staged 'crossfire'. In that report, a high-ranking official of RAB, as claimed by Swedish Radio, was describing the torture and killings perpetrated by RAB. The conversation was recorded without his knowledge. The man was giving instructions to the field level officers on how they must shoot and kill and keep a weapon beside the body. He also said that they buy weapons with the money collected as bribes and leave them beside the bodies; so that it looks like a shooting in self-defense. The RAB official said (in the broadcast) that they are very careful to make sure that no clue is left behind. No ID cards that slip-off. They put on gloves and also cover their shoes so as not to leave footprints behind in the place of incident. <https://sverigesradio.se/sida/artikel.aspx?programid=83&artikel=6665807> . Also see the daily Jugantor, 25/04/2017

² The daily Prothom Alo, 09/04/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-04-09/20>

³ The daily Bangladesh Pratidin, 25/05/2016; <http://www.bd-pratidin.com/first-page/2016/05/25/146791>

behind the arrest and also must inform relatives of the person arrested anywhere outside his/her house or workplace within an hour of the arrest through telephone or a messenger. On May 24, 2016 the Appellate Division Bench of the Supreme Court, consists of four judges, led by the Chief Justice Surendra Kumar Sinha upheld the High Court Order.⁴

Type of death

'Crossfire/encounters/gunfights'

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

'Tortured to death'

6. One person was allegedly tortured to death by Army personnel.

'Beaten to death'

7. One person was allegedly beaten to death by police.

The identity of the deceased:

8. Of the 10 persons who were killed extra-judicially, one was General Secretary of 'Pahari Chatra Parishad' of Naniarchar branch of Rangamati, two were accused in criminal cases, and five were alleged criminals. The identities of two persons were not reported.

Allegations of torture and inhuman treatment by law enforcement agencies

9. Allegations of acts of torture, harassment, extortion and attacks perpetrated by the police have been reported. Members of law enforcement agencies are enjoying impunity due to the government practice of using such agencies against its political opponents, critics and dissenters, to suppress them. As a result, they have come to believe that they are above the law and some have added acts of extortion and intimidation to the list. After a prolonged campaign, on October 24, 2013 the Torture and Custodial Death (Prevention) Act, 2013 was passed in the Parliament. However, there is no change in the actual situation. Three cases are as follows:
10. A 'Laguna' (a small public vehicle) driver named Shariful Islam was arrested and allegedly tortured by police. After that, police implicated him in a drug case. Shariful Islam's sister, Nadira Akhtar said that in the evening of April 6 2017, Shariful was driving his 'Laguna', taking passengers from the

⁴ This decision was made in the matter of Bangladesh Legal Aid Services and Trust and Others vs. Bangladesh and Others. The daily Bangladesh Protidin, 25/05/2016; <http://www.bd-pratidin.com/first-page/2016/05/25/146791>

Chitagong Road area to Mograpara intersection. At that time, the Officer-in-Charge (OC) of Kanchpur Highway Police, Sheikh Shariful Alam signaled him to stop his vehicle. It took him a little time to stop his vehicle because of the sudden signal from the OC. As a result the OC was annoyed and dragged Shariful Islam from the vehicle and beat him. After that the OC took him to Kanchpur Police Outpost and tied his hands and legs. Shariful Islam was detained there for five hours and tortured several times. As a result, he lost consciousness and later was taken to a private hospital and given primary treatment. After that he was brought back to the police outpost and tortured again. Later, police put 200 pieces of 'Yaba' (a banned narcotic) into his pocket and handed him over to Sonargaon Police. When Shariful Islam's physical condition deteriorated, he was admitted to Sonargaon Health Complex.⁵



Laguna driver Shariful Islam, who was tortured by Kanchpur Highway Police, Photo: Jugantor, 8 April 2017

11. An allegation was found against Sub Inspector (SI) Zahid of Daulatpur Police Station for threatening to shoot Abdullah Al Mamun, a 4th year student of Physics in Kushtia Govt. College after he had been arrested. Later, Mamun was produced before a mobile court by SI Zahid. The mobile court fined him based on false allegations brought by the police. Mamun said that on April 6, 2017 he was sitting in a tea stall near his house. At around 7:30 pm, a few policemen with two motorbikes approached him. Police wanted to know his identity. When Mamun told them, the police handcuffed him and took him to Daulatpur Police Station. He was detained in custody the whole night. At around 2:30 am, SI Zahid entered the custody cell and told Mamun to get prepared mentally as there was an order from 'higher official' to shoot him. On April 7, 2017 police brought Mamun to the mobile court of the Daulatpur Upazila Executive Officer on the allegation of taking drugs and the court fined Mamun 1000 taka and released him.⁶

⁵ The daily Jugantor, 08/04/2017; http://ejugantor.com/2017/04/08/index.php/http://ejugantor.com/2017/04/08/16/details/16_r2_c5.jpg

⁶ The daily Prothom Alo, 10/04/2017; www.prothom-alo.com/bangladesh/article/1140291/

12. On April 18, 2017 a woman entrepreneur name Jibon Ara organised a press conference at Cox's Bazaar Press Club and alleged that SI Manosh Barua of Cox's Bazaar Police Station tortured her by giving her electric shocks after taking her in remand for a 30 hundred thousand taka bribe. Jibon Ara said that there was a dispute over a money transaction with a woman from Dhaka named Shima Akhtar. Jibon Ara gave her 23 hundred thousand taka for opening a beauty parlor (salon). Shima used that money to build her house instead of a opening beauty parlor. Later, Shima mortgaged her car to Jibon Ara and would get it back after repaying Jibon Ara. Instead of doing so, Shima, in exchange of 10 hundred thousand taka, dealt with the Officer-in-Charge of Cox's Bazaar Police Station and other officers and planned to get Jibon Ara into a scrape to get out of paying. On March 2, 2017 at mid night, police entered Jibon Ara's house on the excuse of searching it and sat her in a corner in blindfolds. After that a policeman shouted that he had found 'Yaba'⁷. Then police brought Jibon Ara and her husband Ali Ahmed Shaudagar to the police station for keeping 'Yaba' in the house. During the arrest, police took her bank checkbook, ornaments and the car, but police did not mention the car in the seizure list. After detaining them in custody for three days, police made Jibaon Ara the main accused in a drug related case. On March 13, 2017 SI Manosh Barua brought her into remand and demanded 30 hundred thousand taka from her relatives. When her relatives refused to pay, SI Manosh gave her electric shocks in her breasts and genitals. As a result, Jibon Ara lost her consciousness. After re-gaining consciousness, Jibon Ara saw blisters on the different parts of her body. In such condition, she was put in jail again. When her wounds began festering and became infected, the jail authority sent her to Sadar Hospital for treatment.⁸



Tortured victim Jibon Ara tells her story to journalists in a press conference in Cox's Bazar. Photo: Jugantor, 19 April 2017

⁷ Yaba is a synthetic drug. This is more popular than Heroin and creates an intense hallucinogenic effect and can enable users to stay awake for days on end.

⁸ The daily Jugantor, 19/04/2017; www.jugantor.com/last-page/2017/04/19/118433/

13. There was an allegation that a college student had died due to torture by the military in Rangamati Hill District. The victim-family alleged that on April 5, 2017 members of the Army took Romel Chakma to their camp. Romel Chakma was a Higher Secondary School Certificate (HSC) examinee of Naniyarchar Degree College and was also General Secretary of Naniyarchar unit Pahari Chhatra Parishad⁹ in Rangamati. Later, Romel was handed over to police. On April 19, 2017 Romel died in Chittagong Medical College Hospital.¹⁰



Romel Chakma, Photo: The Daily Star, 24 April 2017

Enforced disappearances

14. People have disappeared after being picked up by men claiming to be members of law enforcement agencies. The families of the disappeared and witnesses claim that members of law enforcement agencies arrest and take away the victims and then they are no longer found. In some cases, law enforcement agencies deny the arrest; but days later, the arrested persons are produced before the public by the police or other security forces; or handed over to a police station and produce in Court, or the bodies of the disappeared persons are later recovered. Five years ago on April 17, 2012 BNP leader and form MP, Elias Ali and his driver were kidnapped and disappeared from the Banani area of Dhaka. Similarly, as per news reports and statements from families, many political leaders have disappeared. The victim-families are facing a lot of problems due to this.
15. According to information gathered by Odhikar, in April 2017 two persons were allegedly disappeared. Of them, one was later shown as arrested and the whereabouts of one person remains unknown.¹¹ One example is as follows:

⁹ Hill Students' Council.

¹⁰ The daily New Age, 24/04/2017 Death of Romel Chakma unacceptable; <http://www.newagebd.net/article/14139/death-of-romel-chakma-unacceptable>

¹¹ Odhikar only documents allegation of enforced disappearance where the family members or witnesses claim that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

16. A businessman and Imam of a mosque, Anisur Rahman (36) was allegedly taken away from Hatiyandaha Bazaar under Shingra Upazila in Natore District by some men who identified themselves as members of law enforcing agencies. Anisur Rahman's wife Shamima Khatun said that in the afternoon of April 3, 2017, her husband was in his iron furniture making shop, when five plain-clothed armed men came in a microbus and, claiming to be members of law enforcing agencies, took Anisur away. Prior to that, two men posing as customers had entered the shop and they also got in the microbus. The employees of the shop informed that all of the plain-clothed men were wearing jackets and everyone had guns. Later, his family contacted the Shingra Police Station, Office of the Superintendent of Police, Offices of the Detective Branch of Police and Criminal Investigation Department of Police and also the RAB camp in Natore. But all of them denied the arrest of Anisur Rahman. On April 6, 2017 Shamima Khatun filed a General Diary (GD) with Shingra Police Station in this regard. On April 9, 2017 the Counter Terrorism Unit of Niphamari sent Anisur Rahman to jail through the court after showing him as arrested.¹²

Public lynching continues

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

Political violence continues

19. In April 2017, according to information gathered by Odhikar, 12 persons were killed and 595 persons injured in political violence. Furthermore, 27 incidents of internal violence in the Awami League were recorded during this period. In addition to this, eight persons were killed and 415 were injured in internal conflicts with the Awami League.
20. Criminal activities perpetrated by leaders and activists belonging to the Chhatra League¹³ and Jubo League¹⁴ across the country have increased. They are attacking leaders and activists of the opposition political parties and even the ordinary people are not spared. Teachers are also become victims of attacks. They are also involved in incidents of internal conflict which were

¹² Information sent by local human rights defender associated with Odhikar from Noakhali. The daily Prothom Alo, 08/04/2017; ; <http://epaper.prothom-alo.com/view/dhaka/2017-04-08/3> and the daily Jugantor, 08/04/2017; www.jugantor.com/the-northern-town/2017/04/08/116087/

¹³ Student wing of Awami League.

¹⁴ Youth wing of Awami League.

linked to vested interest; and mainly occurred using political influence. During violent public political altercations, these groups were seen carrying and using lethal weapons. Some incidents are as follows:

21. On April 5, 2017 Abdul Majid Sardar, Vice President of Rajshahi District unit Awami League, was incited to attack the Kaliganj High School in Durgapur Upazila, with his men. He dragged the Head Teacher of the school, Mokbul Hossain, out and beat him with sticks and hammers for making a list of the School Management Committee members without informing him. At that time, his men also vandalized the office room of the school. When Assistant Teacher Saiful Islam and Rabiul Islam, son of the President of the School Management Committee tried to stop the men from beating the Head Teacher, they were also beaten. The injured persons were admitted to Durgapur Upazila Health Complex.¹⁵



The three persons, who were beaten by Awami League leader at Durgapur Upazila, Rajshahi. Photo: Bangla Tribune, 5 April 2017

22. Nur Alam, a Juba League activist and supporter of Waliullah Mia, President of Hatia Upazila unit Awami League, was shot dead during an altercation between two groups of Awami League in Hatia, Noakhali. The General Secretary of Hatia Upazila unit Awami League, Mohiuddin stated that on March 30, 2017 his brother Ashraf Uddin Ahmed, a member of Juba League central committee, was shot and severely injured by supporters of former parliamentarian Mohammad Ali. On April 9, 2017 Ashraf succumbed to his injuries while under treatment in Dhaka. On April 13, 2017 some men led by Abu Taher and Murad, supporters of Mohammad Ali, attacked the house of Monir, supporter of Waliullah Mia. During the attack, Juba League activist Nur Alam died on the spot. Awami League activists Moktar Hossain, Monir Uddin and Selim were shot in that incident. They were admitted to the

¹⁵ The daily Jugantor, 06/04/2017; www.jugantor.com/last-page/2017/04/06/115413/

hospital with severe injuries. Meanwhile, former parliamentarian Mohammad Ali, the husband of current MP from Hatia Ayesha Ferdous' informed that supporters of Waliullah Mia went to attack his supporters. Hearing the news, Mohammad Ali requested the police to reach the place of incident. During the altercation, Mohammad Ali's supporter Bahar Sardar was stabbed and thrown into the river.¹⁶ His body was recovered on April 16, 2017 from the Meghna River.¹⁷

Collecting information of leaders of the opposition parties by Special Branch of Police

23. The Government is collecting the personal information of the leaders of the opposition political party, BNP who are considered very influential at different levels. The Special Branch (SB) of Police sent official letters to the relevant police stations for gathering such information. 32 kinds of specific information have been asked for in a three-page form. It was learnt that SB took this initiative two months before as per orders given by the 'higher authority' of the government. Initially, the letter was sent to collect information about leaders of the first and second tiers, who are living in Dhaka. According to the latest information, information about 37 BNP leaders has been sought.¹⁸ It is to be mentioned that the current government is suppressing the leaders and activists of the BNP-led 20-Party Alliance in various ways, including arrest, torture, killings, shooting in the legs and enforced disappearances.

Electoral system and local government

24. The repeated irregularities in the recent elections have created a crisis of public confidence about the current Election Commission. The Comilla City Corporation elections were better conducted, compared to other elections but the sporadic irregularities, including 'capturing' polling centres, casting fake votes, rigging and stuffing ballot boxes and ousting the polling agents of contesting rival candidates, makes it clear that the elections are not even close to standard level. It is to be mentioned that elections in 14 Upazila Parishads (including a by-election) and in four Municipalities held on March 6, 2017 were conducted under the new Election Commission. In most of the polling centres, the absence of voters was highly noticeable. Moreover, allegations of casting fake votes, 'capturing' polling centres, stuffing ballot boxes and forcefully ousting polling agents of rival candidates were reported. Despite

¹⁶ Information sent by local human rights defender associated with Odhikar from Noakhali.

¹⁷ The daily Prothom Alo, 17/04/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-04-17/4>

¹⁸ The daily Jugantor, 19/04/2017; www.jugantor.com/first-page/2017/04/19/118423/

repeated calls from various groups to strengthen the local government, the local government system has been taken to almost destruction point by the present government, through the sacking of the elected public representatives and the illegal acts during the polls. Public opinion has been totally ignored here, not just by taking away the right to vote, but also by making an example by sacking elected representatives. The local government division has sacked 381 elected public representatives in the last three and a half years. They were temporarily suspended for being accused in different cases. The Mayors of Gazipur, Sylhet, Rajshahi and Khulna City Corporation are on the list of suspension. Among them, Sylhet and Rajshahi Mayors were sacked for the second time. Most of the sacked public representatives are involved in the politics of BNP-Jamaat, that is, the Opposition.¹⁹

Union Parishad and Municipality elections

25. On April 16, 2017 elections in 160 Union Parishads (UP) (including by-elections) were held with various irregularities, including casting of fake votes, 'capturing' polling centres, stuffing ballot boxes, violence, forcefully ousting polling agents of rival candidates and boycotting of elections.
26. There were allegations against Awami League-nominated Chairman candidate in the newly formed Char Borhan Union Parishad under Dashmina Upazila in Patuakhali District. There were also reports that many people led by Awami League leader Mohammad Rubel Mollah, Chairman of Char Kajol UP under Golachipa Upazila, attacked the houses belonging to activists and supporters of BNP nominated Chairman candidate and other Chairman candidates, from noon to night on the previous day of the elections. No one dared to be the polling agent for BNP nominated candidates due to fear of supporters of Mohammad Rubel Mollah. The BNP nominated candidate was hiding away from the previous day of elections due to fear of being implicated under false charges and attacked.²⁰ At around 8:30am, an altercation took place between two member candidates, Jalal Uddin and Munshi Mia, over casting fake votes at Marichakandi polling center of Dariadaulat UP in Bancharampur Upazila under Brahmanbaria District. A man named Faruk Mia died in this altercation.²¹ Voting started at 8:00 am, in 11 polling centers of three UPs in Ramganj and Laxmipur Sadar Upazila. After a while the ruling party supporters ousted the polling agents of the BNP nominated candidates and began casting fake votes. The women voters in the queue were seen standing at the same place for a very long time prior to voting at Mojupur Govt. Primary School polling center in Lamchar UP. At

¹⁹ The daily Manabzamin, 07/04/2017; www.mzamin.com/article.php?mzamin=60531&cat=2/

²⁰ The daily Naya Diganta, 17/04/2017; <http://www.dailynayadiganta.com/detail/news/212644>

²¹ The daily Jugantor, 17/04/2017; www.jugantor.com/last-page/2017/04/17/117906/

that time, Awami League nominated Chairman, Kamal Hossain Bhuiyan along with his men snatched the ballot papers away from the women voters who were inside the polling booths and started stamping on the electoral symbol 'Boat'.²² At around 9:00 am, when BNP nominated Chairman candidate, Ferdousy Sultana was returning home after casting her vote at Lamchar polling center, her car was attacked. After that she did not visit any more polling centers and at around 10:00 am, she boycotted the election. Awami League nominated Candidate Amirul Islam brought allegations of vote rigging against Manjur Morshed, a rebel Chairman candidate of Awami League and boycotted the election at around 11:00 am, in Sultanabad UP under Matlab Upazila in Chandpur District.²³ BNP nominated Chairman candidate, Nazmul Huda boycotted the election over allegations of 'capturing' polling centres, resisting voters from casting their votes and casting fake votes in Ghurka Union Parishad under Soronga Upazila in Sirajganj District.²⁴ At around 2:00 pm, Golam Sarwar, a rebel Chairman candidate of Awami League boycotted the election over allegations of massive vote rigging in Jiarkandi Union Parishad under Titas Upazila in Brahmanbaria District.²⁵



Faruk Mia died during a clash over casting of fake votes at Marichakandi polling center of Dariadaulat Union Parishad under Banchharampur Upazila in Brahmanbaria District. Photo: Jugantor, 17 April 2017

27. On April 25, 2017 elections in Bianibazaar Municipality of Sylhet District, two polling centers of Meherpur Municipality, two polling centers of Comilla City Corporation and 14 Union Parishads (UP) of Banshkhali Upazila, were marked with various irregularities, including casting fake votes, 'capturing' polling centers and violence by the supporters of the ruling party, Awami League.

²² The boat is the electoral symbol of the ruling Awami League party. The daily Naya Diganta, 17/04/2017; <http://www.dailynayadiganta.com/detail/news/212644>

²³ The daily Prothom Alo, 17/04/2017; www.prothom-alo.com/bangladesh/article/1147991/

²⁴ The daily Naya Diganta, 17/04/2017; <http://www.dailynayadiganta.com/detail/news/212644>

²⁵ The daily Prothom Alo, 17/04/2017; www.prothom-alo.com/bangladesh/article/1147991/

28. Voting was postponed due to snatching of ballot boxes and ballot papers late on the night before the polls from the polling centers of ward seven of Meherpur Municipality²⁶. In the morning, voting at Bianibazaar municipality started peacefully, but the atmosphere later changed. At around 2:30pm, clashes took place between Councilor candidates Mosnon Uddin and Islam Uddin at Koshba Govt. Model School polling center. At that time, the Presiding Officer Masum Mia was compelled to suspend the voting. Voting re-started at 3:00 pm.²⁷ The camera person of Channel 24 was assaulted for taking video footage of the casting of fake votes by Awami League nominated candidate Abdus Shukur and his supporters. At around 2:30 pm, supporters of Abdus Shukur attacked Koshba Model Primary School polling center and captured the polling center. They took the ballot papers out and started stamping on the electoral symbol 'Boat' after apprehending the Presiding Officer. At that time, the Officer-in-Charge of Koshba Police Station, Chandan Kumar with other policemen were silent spectators at the polling center.²⁸ At around 11:30 am, an altercation took place between Awami League nominated candidate Ibn Amin and Awami League rebel candidate Joynal Abedin in Purba Kathariya Union under Banshkhali Upazila in Chittagong. Three persons including a child named Sharmin Akhtar (10), were shot and injured.²⁹



10-year old Sharmin Akhtar was shot and injured during electoral violence in Katharia Union Parishad election in Banshkhali. Photo: Jugantor, 26 April 2017

²⁶ Municipal areas are divided into 'Wards'.

²⁷ The daily Bangladesh Protidin 26/04/2017; <http://www.bd-pratidin.com/last-page/2017/04/26/226515>

²⁸ The daily Jugantor, 26/04/2017; www.jugantor.com/last-page/2017/04/26/120253/

²⁹ The daily Jugantor, 26/04/2017; www.jugantor.com/last-page/2017/04/26/120253/

29. Criminal acts and irregularity have been observed during various elections under the present government. This clearly indicates the collapse of the electoral system and people are deprived from their right to vote. Since the controversial and farcical 10th Parliamentary elections held on January 5, 2014, all local government polls, except Narayanganj City Corporation elections, were marred with widespread and widely reported irregularities, violence and vote rigging. In the past, polls were generally conducted in a festive manner and people used to willingly participate in the elections. But there is no scope for the people to vote freely in the current existing political atmosphere. That is why, voter presence has significantly decreased in recent elections. Ensuring transparent, creditable, free and fair elections is the Constitutional responsibility of the Election Commission (EC). However, the previous Election Commissions have totally failed to deliver, and tried to claim that elections held under them were transparent, free and fair – as an attempt to cover their failures. After the tenure of the controversial Election Commission headed by Rakib Uddin Ahmed in February 2017, people and political parties hoped that a fair and strong new Election Commission would be formed. Although the President of Bangladesh appointed a new Election Commission through a search committee in February 2017, the elections held under this new Commission have repeated the failures of its predecessors.

Hindrance to freedom of assembly

30. Conducting peaceful meetings, assemblies and rallies are the democratic and political rights of everyone, as guaranteed in Article 37 of the Constitution. Barring and attacking peaceful meetings, assemblies and rallies means blocking the path of democracy. The government and ruling party leaders are barring meetings and assemblies and rallies of opposition political parties and activist groups by using law enforcement agencies. The government and the ruling party leaders and activists are suppressing opposition and alternative or dissenting voices by severely curtailing the right to freedom of expression and assembly, preventing peaceful meetings and rallies. Some instances are as follows:

31. On April 7, 2017 a remembrance meeting in memory of late leaders Infar Ali, Mojammel Haque and Mohammad Nasir of 'Sammobadi Dal'³⁰ was conducted at Chorghat Central Shahid Minar in Rajshahi. When Dr. Faizul Hakim, Secretary of the central committee of Jatiya Mukti Council³¹, started his speech, a few ruling party activists attacked the meeting. They vandalized chairs and assaulted Dr. Faizul Hakim. As a result, the meeting dispersed.³²

³⁰ A left-wing political party.

³¹ A left-leaning political alliance.

³² Information collected by Odhikar.

32. On April 17, 2017 Rajnagar BNP organised a preparatory meeting in its office for the formation of the committee of Rajnagar Upazila unit Juba Dal³³ in Moulvibazar District. At that time, Sub Inspector (SI) Uttam Das of Rajnagar Police Station along with a group of policemen came and told them not to organise any meeting at the BNP office. After that, the leaders-activists of BNP left without holding the meeting.³⁴
33. On April 24, 2017, police did not allow the relatives of the victims of the Rana Plaza building collapse to stand at the site of the tragedy to show tribute to those killed. On that day, Industrial Police, Roads and Highway Police and other policemen came from Savar, Ashulia and Dhamrai Police Stations and took position around the site. When Savar Rana Plaza Survivors Association and Garment Workers Trade Union went there in a rally to place flowers, police dispersed them. Furthermore, different day-long programmes, including a human chain and an assembly had been planned by the organisations which work for the promotion of workers' rights, but the police did not allow them to take place.³⁵
34. On April 29, 2017 police arrested 37 leaders and activists of Jamaat-e-Islami, including Narail District Female unit President of Jamaat-e-Islami, Hosne Ara Banu from her house, in Bhouakhali Village under Narail Municipality, while they were at a party meeting.³⁶



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

³³ Student wing of the BNP.

³⁴ The daily Manabzamin, 19/04/2017; www.mzamin.com/article.php?mzamin=62060&cat=9/

³⁵ The daily Prothom Alo, 25/04/2017; www.prothom-alo.com/bangladesh/article/1156811/, <http://epaper.prothom-alo.com/view/dhaka/2017-04-25/4>

³⁶ The daily Prothom Alo, 30/04/2017

Hindrance to freedom of expression and the media

35. Interference on the media and freedom of expression, by the government and the ruling party members continue. The present government is severely suppressing people who criticise the government and those who have alternative beliefs. If any media, journalist or any citizen criticises the government or comments against the government on social media, particularly on Facebook, the government takes action against them, which is tantamount to violations of freedom of thought and conscience.

Freedom of the media

36. According to information gathered by Odhikar, in April 2017, two journalists were injured and one was assaulted while they were performing their professional duties.

37. The present government is controlling most of the media, particularly the electronic media. The only state owned TV channel, Bangladesh Television (BTV) broadcasts mainly government programmes and ruling party-related news. The government has already given approval to some new private television channels under political consideration, whose owners are closely connected with the government. Meanwhile the government closed down pro-opposition electronic media, such as Channel 1, Diganta TV, Islamic TV and the publication of the print media, the daily Amar Desh. Accurate and impartial reporting and proper journalism are hindered as the government puts pressure on the media. As a result, in most cases, journalists are forced to practice self-censorship. Journalists are being attacked by criminals backed by the ruling party while gathering information or in relation to publishing reports. On April 26, 2017, a France based organisation named Reporters without Borders, that works in the area of freedom of mass media, after reviewing the mass media of 180 countries, reported that Bangladesh's position on the 'Freedom of Mass Media Index' has gone down two positions compared to 2016. In the previous year, Bangladesh was in 144th position.³⁷

Four years of closure of the Daily Amar Desh

38. The daily Amar Desh has been closed for four years. On April 11, 2013 the Detective Branch (DB) of Police arrested Mahmudur Rahman, Acting Editor of the daily Amar Desh from his office.³⁸ After that, a group of Dhaka Metropolitan Detective Police conducted an operation into the printing press of daily Amar Desh at Tejgaon Industrial Area and seized computers and

³⁷The daily Jugantor, 27/04/2017; www.jugantor.com/last-page/2017/04/27/120491/

³⁸ Mahmudur Rahman was staying at Amar Desh office to avoid the arrest in a case filed with Tejgaon police Station on December 13, 2012. It is to be noted that Mahmudur Rahman was arrested on June 2, 2010 and imprisoned for nine months during present government. That time he was physically tortured. The government also closed the daily Amar Desh newspaper.

important documents. At around 10:45 pm, they sealed shut the printing press.³⁹ Mahmudur Rahman is currently on bail after being detained for three and a half years in jail, but 82 cases against him are pending. Most of the cases are related to defamation and sedition.

Attack on Journalists

39. On April 7, 2017 Shahidul Islam, former President of Kalkini Upazila Press Club and correspondent of the daily JaiJaiDin from Kalkini in Madaripur District, went to Purba Enayetnagar Union to gather information about upcoming Union Parishad elections. At that time Awami League nominated Chairman candidate Badal Talukdar and his supporters attacked Shahidul Islam while he was taking photos of an election campaign. They took away his cell phone and camera and beat him after tying him to a tree. Police of Kalkini Police Station rescued him after getting information and arrested, Sarwar Talukdar, younger brother of Badal Talukdar and another person named Nazmul Khan, for their involvement in the incident. In the afternoon, journalist Shahidul Islam went to Kalkini Police Station to file a case, but instead of taking his case police arrested him in a false case of extortion, due to pressure from local Awami League leaders.⁴⁰ A human chain programme in protest of the attack on journalist Shahidul Islam, was dispersed because of obstruction by the leaders-activists of the ruling party. At that time, the ruling party men took over the press club and locked it.⁴¹

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

40. According to information gathered by Odhikar, in April 2017, four persons were arrested under the Information and Communication Technology Act 2006 (amended 2009 and 2013).

41. The use of the Information and Communication Technology Act 2006 (amended 2009 and 2013) continues to hinder freedom of expression. Section 57⁴² of the ICT Act 2013, states that the publishing or transmitting in electronic form, of any defamatory or false information is considered to be a cognizable and non-bailable offence. Moreover, punishment for committing this offence

³⁹ The daily Ittefaq, 18/04/2013.

⁴⁰ The daily Bangladesh Pratidin, 09/04/2017; <http://www.bd-pratidin.com/country/2017/04/09/221981>

⁴¹ The daily Manabzamin, 12/04/2017; www.mzamin.com/article.php?mzamin=61208&cat=9/

⁴² Section 57 of the ICT Act states: (1) If any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity of his will be regarded as an offence.

(2) Whoever commits offence under sub-section (1) of this section he shall be punishable for a term of minimum of seven years' imprisonment and a maximum of 14 years or a fine of Taka 10 million or both.

has been amended from a maximum of 10 years imprisonment, with no minimum; to a term of a minimum of seven years and maximum of 14 years imprisonment. This law has curtailed the freedom of expression and the government is using it against human rights defenders, journalists, bloggers and activists of the opposition political parties and even the ordinary people who have alternative opinions. Some incidents are as follows:

42. On April 5, 2017 police arrested a person named Sumon Hossain from Balur Char area of Ramgati Upazila under Laxmipur District, for allegedly posting a status on his facebook with caricatures of the Prime Minister Sheikh Hasina and her father, former President Sheikh Mujibur Rahman. Police filed a case against him under the ICT Act.⁴³
43. On April 9, 2017 police arrested a man named Shahed Alam from Kamalnagar Upazila under Laxmipur District, for allegedly posting a status on his facebook with caricatures of the Prime Minister Sheikh Hasina. Police filed a case against him under the ICT Act.⁴⁴
44. On April 12, 2017 plain-clothed police arrested Sheikh Mohammad Ratan, correspondence of MyTV, Bangladesh Shomoy and Editor of online paper samakalinmunshiganj.com, from the office of samakalinmunshiganj.com, for 'liking' a news on facebook. It was learnt that a few news items about allegations of forging LLB (Hons.) certificates were published in different online media against an apprentice lawyer Mir Nasiruddin. When the news was shared on facebook, Sheikh Mohammad Ratan liked the news along with some others. With regard to this, Mir Nasiruddin filed a case with Munshiganj Police Station under the ICT Act on February 3, 2017 against former President of Munshiganj Press Club and Editor of Munshiganj.com, Mohammad Selim and seven other journalists. Sheikh Mohammad Ratan has been accused because of liking the facebook post.⁴⁵
45. On March 30, 2017 Hasibur Rahman Riju, a police informer, filed a case against Hasan Ali and Aslam Ali accusing them of publishing an offensive post from a fake facebook ID, which defamed and socially humiliated him. Hasan Ali is a human rights defender associated with Odhikar from Kushtia and Kushtia district correspondent of Bangla Vision TV and Aslam Ali is a staff reporter of Dainik Kushtia Dorpan. Hasibur Rahman mentioned in the FIR that Hasan Ali and Aslam Ali published an offensive post from a fake facebook ID named 'Sultan Eslam' by using the cell phone of Miraj Ali, a worker at Mostafa's tea stall at Thana Mor of Kushtia town, which had defamed and socially humiliated him and violated section 57(2) of ICT Act. A statement was taken from a boy who worked at the tea stall by police with the

⁴³ The daily Manabzamin, 06/04/2017; www.mzamin.com/article.php?mzamin=60335&cat=9/

⁴⁴ The daily Manabzamin, 19/04/2017; [www.mzamin.com/article.php?mzamin=60909&cat=9/-](http://www.mzamin.com/article.php?mzamin=60909&cat=9/)

⁴⁵ Information sent by local human rights defender associated with Odhikar from Munshiganj.

help of Sub Inspector (SI) Azizur Rahman of Model Police Station. Based on that, on March 30, 2017 SI Azizur Rahman arrested Hasan Ali, Aslam Ali and Moudud Rana, Kushtia District correspondent of the daily Manab Kantho without any warrant, while they were performing their professional duties; and took them to Kushtia Model Police Station. When the news spread out among other journalists, they all went to the police station to know what had happened. The Officer-in-Charge of Kushtia Model Police Station, Shahabuddin Chowdhury released the three journalists immediately, to bring the situation under control. After that SI Azizur Rahman filed a case with Kushtia Model Police Station based on the statement of the tea stall boy. Hasan Ali said that he published many reports after conducting fact finding on various human rights violations, including extra-judicial killings, torture, rape and enforced disappearances, while performing his professional duties. So, a group of police officers of Kushtia have been angry with him for a long time. That is why they are harassing him and putting his life at constant risk by making false and baseless accusations against him. On April 11, 2017 a High Division Bench of the Supreme Court, comprising of Justice AKM Asaduzzaman and Justice Razik Al Jalil granted ad-interim bail of Hasan Ali and Aslam Ali for four weeks.⁴⁶

Situation of Workers' rights

46. According to information gathered by Odhikar, in April 2017, 17 boiler workers were killed due to boiler explosions and 23 other workers were injured. Apart from this, 70 ready-made garment workers were injured. Among them, 20 were injured by police during workers unrest and 50 workers were injured during a stampede to escape a factory fire.
47. On April 10, 2017 workers of a Chinese owned shoe making factory named 'Bonsho' situated at the Chittagong Export Processing Zone (CEPZ) area in Chittagong, started protests and vandalization inside the factory due to termination of co-workers. Later the factory owner closed the factory for two days. After getting information, police of EPZ Police Station and a team of Industrial Police brought the situation under control. Workers alleged that the factory owner took a strategy to terminate the old workers and appoint new workers to avoid giving workers permanent jobs and related facilities. After every four or five months, the owner terminates existing workers and appoints new workers. Recently, the factory owner made a list of more than 200 workers for termination and as a result workers unrest started over this matter.⁴⁷

⁴⁶ Information gathered by Odhikar

⁴⁷ Information sent by local human rights defender associated with Odhikar from Chittagong.

Readymade garment industries

48. On April 27, 2017 workers of Shed Fashions Limited at Ashulia, Dhaka blocked the Dhaka-Tangail highway demanding their wages which were two month overdue, and for other allowances and maternity leave. Workers said that the factory authority was not paying their salaries for the last two months. Furthermore, women workers were not getting maternity leave and related facilities. The factory authority was threatening workers with termination instead of paying their wages. When workers blocked the road in protest, police threw tear gas shells and baton charged workers to disperse them.⁴⁸ At least 20 workers were injured during this incident and six workers were admitted to a local hospital.⁴⁹
49. On April 27, 2017 workers of a readymade garment factory named 'Hexa Garments' blocked the Elephant Road in Dhaka, demanding due wages. Workers informed that they came to know that the factory authority would close down the factory. The factory authority did not give workers any notice in this regard. However, their wages and other allowances still remained unpaid.⁵⁰



Workers of Hexa Garments blocked Elephant Road in Dhaka for their due wages. Photo: New Age, 28 April 2017

Four years of the Rana Plaza collapse

50. April 24, 2017 marked four years of the Rana Plaza tragedy. On that day in 2013, a nine stored building 'Rana Plaza' collapsed. There were five garment factories in that building and about five thousand workers were working

⁴⁸ The daily Jugantor, 28/04/2017; <http://ejugantor.com/2017/04/28/>,

http://ejugantor.com/2017/04/28/19/details/19_r11_c5.jpg

⁴⁹ The daily New Age, 28/04/2017 20 RMG workers injured in clash with cops in Ashulia;

<http://www.newagebd.net/article/14476/20-rmg-workers-injured-in-clash-with-cops-in-ashulia>

⁵⁰ The daily New Age, 28/04/2017 20 RMG workers injured in clash with cops in Ashulia;

<http://www.newagebd.net/article/14476/20-rmg-workers-injured-in-clash-with-cops-in-ashulia>

there. The rescuers managed to retrieve 1135 bodies and rescue 2438 injured persons. Four years have passed but the trial against the owner of Rana Plaza, Sohel Rana (who is a Juba League⁵¹ leader) and other relevant persons, is still pending. Many fragile and unplanned buildings like Rana Plaza are still functioning as factories.

51. In 2016 the Department of Inspection for Factories and Establishments (DIFE) inspected 2,267 garment factories. According to its report, one-third of the garment factories of the country are still under 'C' Grade. These factories do not comply with any compliance standards.⁵²
52. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. However, due to extreme irresponsibility and serious negligence, the workers have been facing disaster repeatedly. Odhikar believes that it is very important to investigate the incident of the Rana Plaza disaster properly and bring the perpetrators before justice. The current situation of impunity may lead to the cause of new disasters.

Relations between Bangladesh-India

53. On April 7, 2017 Prime Minister Sheikh Hasina went to India for a four-day state visit. During her visit, 22 Agreements and Memorandums of Understanding (MoU) in different sectors, including four MoU in defense, were signed.⁵³ However, there was no discussion regarding the killing and torturing of Bangladeshi citizens along the borders by Indian Border Security Force (BSF) during her visit. India is depriving Bangladesh from getting adequate water during the dry season and as a result, most of the rivers in Bangladesh remain almost dry. Thousands of people living along the banks of the Teesta River are in danger due to the refusal of water by India to Bangladesh through the Gajaldoba Barrage. Therefore, the issue of acquiring the right to water of Bangladesh, through the Teesta Agreement, is of utmost importance. But, this time again the Teesta Agreement was not signed between India and Bangladesh governments. Furthermore, India did not resolve the dispute between Bangladesh and India on Muhurir Chor in order to identify the international borders. This was supposed to be done as per the agreement on borderlines.⁵⁴ The Padma River basin in Bangladesh has also been ruined due to the Farakka Barrage in India. The Indian government is creating floods over Bangladesh by opening all the sluice gates of the Farakka

⁵¹ Youth wing of Awami League.

⁵² The daily Manabzamin, 24/4/2017; www.mzamin.com/article.php?mzamin=62689&cat=6/

⁵³ The daily Jugantor, 10/04/2017.

⁵⁴ The daily Jugantor, 10/04/2017; www.jugantor.com/first-page/2017/04/10/116461/

- Barrage and the Gajaldoba Barrage, during the Monsoon (rainy) season⁵⁵, violating international law and human rights. This also remained unresolved.
54. No changes are seen with regard to aggressive policies on Bangladesh by Indian government. Apart from the water-sharing issue, India is taking transit facility through Bangladesh at almost no cost (the shipment fee for carrying goods is Tk 192.22 per ton) under an amended Protocol on Inland Water Transit and Trade (PIWTT)⁵⁶ signed between India and Bangladesh on June 6, 2015; and is also taking advantage of other business and trade facilities. Of them, Bangladesh will buy electric power worth two thousand billion taka from India – an expensive rate. This electrical energy will be bought from a 1600 MW coal-based power plant to be constructed in Jharkhand of India; and such electrical energy will be bought through India’s most popular company ‘Aadani Group’. The cost of per unit rate is fixed at BDT 6.69, which is 29 paisa more than the tariff rate of Bangladesh’s coal-based power plant company S. Alam Power Plant Ltd. Bangladesh will have to pay one hundred ninety thousand nine hundred seventy five taka in a 25-year term.⁵⁷ Furthermore, the environmentally hazardous initiative to build the Rampal Power Plant with an Indian company near the Sundarbans and a decision to implement an inter-river connection project, will lead Bangladesh to terrible human disaster and environmental catastrophe.⁵⁸ Moreover, the Indian government decided to put up a fence along no-man’s land, which will be within 150 yards from the zero line along the border.⁵⁹ The Indian Border Security Force (BSF) is killing Bangladeshi citizens indiscriminately along the border areas, which is a clear violation of international law and human rights.
55. Odhikar expresses grave concern and also condemns the aggressive attitude and policies of the Indian government on Bangladesh. Odhikar believes that the agreement between Bangladesh’s Prime Minister Sheikh Hasina and the then Indian Prime Minister Manmohom Singh in 2010 was signed without any consultations in Parliament, hiding its contents. This time also several agreements and memorandums of understanding were signed during the Prime Minister’s visit to India, the contents of which the people of Bangladesh have right to know. Odhikar demands all signed agreements and MoUs to be made public immediately and the repeal of all agreements which are against the will of the people and threaten the sovereignty of the country.

⁵⁵ <http://www.bbc.com/bengali/news-37244367>

⁵⁶ The Daily Star, 14/06/2016, <http://www.thedailystar.net/backpage/transit-gets-operational-1239373>

⁵⁷ The daily Naya Diganta, 29/04/2017; <http://www.dailynayadiganta.com/detail/news/215895>

⁵⁸ UNESCO calls for shelving Rampal project”, the daily Prothom Alo, 24/09/2016, <http://en.prothom-alo.com/environment/news/122299/Unesco-calls-for-shelving-Rampal-project>

⁵⁹ The daily Prothom Alo, 05/10/2016; www.prothom-alo.com/international/article/994375/

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

56. According to information gathered by Odhikar, in April 2017, two persons were gunned down by the Indian Border Security Force (BSF). One was allegedly tortured by the BSF personnel. Furthermore, three Bangladeshis were also abducted by BSF personnel. An example is as follows:
57. On April 21, 2017 members of Indian BSF shot at some Bangladeshi cattle traders when they went to bring cows through pillar 5 R of international pillar 201 at Gilbari border under Bholahat Upazila in Chapainababganj District. As a result, a cattle trader named Saidul Islam was shot dead and eight others were shot and injured.⁶⁰

Extremism and human rights

58. Bangladesh is experiencing very difficult times. The State is taking away the civil and political rights of the citizens. Hindrance to freedom of expression and the repeated violation of the right to freedom of expression of alternative or dissenting voices, have created space for confrontation. Operations carried out in the name of 'countering extremism' have even caused the deaths of women and children.⁶¹ Furthermore, there are reports of people becoming victims of enforced disappearance as well. Meanwhile, alleged 'extremists' are implicated in suicide attacks. The narrative that the law enforcement agencies have started giving, regarding their operations against 'religious extremists' are similar in almost all the cases. This resembles the way the law enforcement agencies narrate the death of crime suspects in 'gunfight', 'crossfire' and 'encounter.' As for operations against religious extremism, after the attack on Holey Artisan Bakery at Gulshan in Dhaka, at least 80 suspected extremists either died in such law enforcement operations or 'committed suicide' or were arrested. Furthermore, there are reports that some of those who were arrested during such operations later died in the custody of law enforcement agencies. As a result what actually happened, or happens, in such operations are still unclear.⁶² An example is as follows:
59. The Counter Terrorism Unit of Dhaka Metropolitan Police and Chapainababganj District Police cordoned off a house from April 24, 2017, suspecting an 'extremists den' at Trimohoni Shibnagar Village under Shibganj Upazila in Chapainababganj District. On April 27, police claimed that they found four people dead after the operation. Police said that the four suspected extremists committed suicide to avoid arrest. Among the dead, one was a

⁶⁰ The daily Naya Diganta, 25/04/2017; <http://www.dailynayadiganta.com/detail/news/214952>

⁶¹ The daily Prothom Alo, 01/04/2017; www.prothom-alo.com/bangladesh/article/1130046/

⁶² The daily New Age, 28/04/2017; <http://www.newagebd.net/article/14532/extremism-tackling-narrative-warrants-transparency>

resident of that house, Abu Kalam alias Abu (30) and three others were his associates. One of these three dead persons is Abdullah as informed by police. Police did not disclose the name and identity of the two others. When Abu Kalam's wife Sumaiya Khatun came out of the house with her five-year old daughter, members of law enforcement agencies shot her in the leg. She was admitted to Chapainababganj Sadar Hospital. Sumaiya was three-months pregnant at that time. Police claimed that Abu Kalam was a member of the outlawed 'extremist group' JMB.⁶³

60. Odhikar believes that society must mobilise and unite around the principles of inclusion in order to avoid such violent incidents; and that this is possible only when everyone in the country enjoys their rights by allowing all national institutions to function independently for restoring rule of law. An enabling environment must be created that can effectively deal with socially alienated individuals at the community level, with appropriate social and cultural institutions that can harness anger and frustration and convert these emotions in a positive manner, without resorting to violent means. In the past, Odhikar has constantly warned that a regime that denies the human rights of its citizens, gagging freedom of speech, expression and association; and does not cease torture, extra-judicial killings and enforced disappearances and other crimes, will inevitably trigger a counter-reaction.

Violence against women

61. Incidents of violence against women continue. The illegal acts of demanding and taking dowry is extremely visible in Bangladesh and its consequences and related violence are widespread. Such practice continues due to lack of implementation of the Dowry Prohibition Act, 1980. Furthermore, incidents of rape, domestic violence, sexual harassment and acid violence also continue. Women are becoming victims of such violence due to non-implementation of laws, a prevailing culture of impunity and lack of awareness in society. At the same time child marriage continues. The special provision⁶⁴ of the Child Marriage Restraint Act, 2017 has only encouraged child marriage in Bangladesh. Meanwhile, on April 10, 2017 a High Court Division Bench of the Supreme Court of Bangladesh, comprising of Justice Moinul Islam Chowdhury and Justice JBM Hassan issued a rule asking the government why the special provision of the Child Marriage Restraint Act 2017 will not be

⁶³ The daily Prothom Alo, Dhaka Tribune, 28/04/2017; www.prothom-alo.com/bangladesh/article/1161071/ | Four militants dead, two in custody as Operation Eagle Hunt ends; <http://www.dhakatribune.com/bangladesh/crime/2017/04/28/four-militants-dead-two-custody-operation-eagle-hunt-ends/>

⁶⁴ The special provision in the new Act of 2017 allows underage females (below the age of 18) to be married off under "special contexts" as long as it is conducted with the permission of her parents or guardians in conjunction with a Magistrate. Such a marriage will no longer be considered an offence.

declared illegal and contrary to the Constitution. At the same time, the Court also asked to know that why such special provision will not be declared 'contradictory' with the treaties and Conventions related to women and children rights, particularly CEDAW and CRC.⁶⁵

Dowry-related violence

62. According to information gathered by Odhikar, in April 2017, a total of 26 women were subjected to dowry violence. Of these women, it has been alleged that 13 were killed and 11 were physically abused and two committed suicide due to dowry demands. One example is as follows:
63. On April 7, 2017 a housewife named Munia Yeasmin Tumpa (20) was allegedly beaten to death by her husband Farooq Hossain over dowry demands in Polashpole area of Satkhira District town. It was learnt that after the marriage, Farooq Hossain demanded one hundred thousand taka dowry from Tumpa's family. Tumpa's father, who is a rickshaw-van puller, managed to give fifty thousand taka. But Farooq beat Tumpa to death for the remaining fifty thousand taka and he tried to escape leaving Tumpa's body in hospital. Tumpa's family members caught hold of Farooq Hossain and handed him over to police.⁶⁶

Stalking

64. According to information gathered by Odhikar, in April 2017, a total of 22 girls and women were victims of stalking and violence. Of them, one committed suicide as she could not bear the harassment by stalker, six were injured, three were assaulted and 12 were victims of stalking. Eight men and three women were injured by the stalkers for protesting such incidents. One incident is as follows:
65. On April 8, 2017, in the afternoon, two youth and a girl went to visit the Shahid Miner area of Shahjalal Science and Technology University in Sylhet. At the time the University unit Chhatra League activists, including 2nd year students of Social Work Department Mahmudul Hasan Rudra and Sajjad Riyad (who are supporters of the University unit Chhatra League President Sanjivan Chakraborty Partho) harassed the girl and beat her along with the boys. Shahjalal Science and Technology University unit Press Club General Secretary Sardar Abbas and Vice-President Syed Nabiul Alam Dipu were assaulted when they protested this incident. Journalists informed the Chhatra League President Sanjivan Chakraborty Partho, but he replied that he had nothing to do in this matter. Later in the evening, Chhatra League activists

⁶⁵ The daily Jugantor, 11/04/2017; www.jugantor.com/city/2017/04/11/116738/

⁶⁶ The daily Naya Diganta, 09/04/2017; <http://www.dailynayadiganta.com/detail/news/210640>

attacked Sardar Abbas and Syed Nabiul Alam Dipu at the food court in the University and beat them with iron rods and sticks.⁶⁷

Rape

66. In April 2017, Odhikar recorded a total number of 49 females who were raped. Among them, 16 were women, 32 were girls and the age of one victim could not be ascertained. Of the women, five were victims of gang rape, two were killed after being raped and one committed suicide. Out of the 32 girls, nine were victims of gang rape, one was killed after being raped and one committed suicide. Five women and girls were also victims of attempted rape. One example is as follows:

67. On April 2, 2017 a female police Constable Halima Begum of Gouripur Police Station committed suicide after being raped by Sub-Inspector (SI) Mizanul Islam of the same police station in Mymensingh. On April 22, Halima's father organised a press conference in Mymensingh Press Club and showed those present Halima's diary and 'written complaint' to the Officer-in-Charge of Gouripur Police Station about her being raped. Halima mentioned in her diary that SI Mizanul raped her on April 17. When she wanted to file a complaint to the Officer-in-Charge Delwar Hossain against SI Mizanul, he did not accept it. After the death of Halima, police arrested SI Mizanul Islam.⁶⁸



Constable Halima Begum (left) of Gouripur Police Station, who committed suicide after being raped by Sub-Inspector Mizanul Islam (right) of the same police station. Photo: NTV (online), 24 April 2017

⁶⁷ The daily Naya Diganta, 09/04/2017; <http://www.dailynayadiganta.com/detail/news/210754>

⁶⁸ The daily Prothom Alo, 25/04/2017; www.prothom-alo.com/bangladesh/article/1156786/



*Family members of Halima Begum at a press conference regarding her death, in Mymensingh Press Club.
Photo: Bangla Tribune, 25 April 2017*

Acid

68. According to information gathered by Odhikar, in April 2017, a total of five females became victims of acid violence. Of them, four were women and one was a girl.

Hindrance to human rights activities of Odhikar

69. The present government continues to harass Odhikar for being vocal against human rights violations and for campaigning to stop this. The government, after assuming power in 2009, started the harassment on Odhikar for its reports on the human rights situation of the country. On August 10, 2013 at night, Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of Police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. Adilur and Odhikar's Director ASM Nasiruddin Elan, were later charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were detained in prison and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies.
70. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are harassed and victimised. For instance, in March 2016, a journalist and human rights defender associated with Odhikar, Mohammad Afzal Hossain, was shot and severely wounded by police while he was observing the irregularities of a local government election

in Bhola⁶⁹ and in February 2017, another human rights defender associated with Odhikar, journalist Abdul Hakim Shimul, was shot dead by Shahjampur Municipality Mayor and Awami League leader Halimul Huq Miru.⁷⁰

71. Furthermore, the NGO Affairs Bureau (NGOAB) has, for the last three years, barred the release of all project related funds of Odhikar and withheld renewal of its registration in order to stop its human rights activities. The Organisation is still operating due to the volunteer services of grassroots level human rights defenders associated with Odhikar and its members and staff and their commitment to human rights activism.

⁶⁹ For details, please see Odhikar's monthly report of March 2016. <http://odhikar.org/human-rights-monitoring-report-march-2016/>

⁷⁰ For details, please see Odhikar's monthly report of February 2017. <http://odhikar.org/human-rights-monitoring-report-february-2017/>

Recommendations

1. The Government must bring to effective justice, the members of the law enforcement agencies, involved in incidents of extrajudicial killings and torture. The Government must accede to the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013, and the High Court and Appellate Division directives contained in the matter of BLAST and Others Vs. Bangladesh and Others. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to end torture. The law enforcement agencies must follow international guidelines “Basic Principles on the use of Force and Firearms by Law Enforcement Officials” and the “UN Code of Conduct for Law Enforcement Officials”.
2. Political violence must stop. In order to stop criminalisation the government must take legal action against the ruling party activists and supporters. No one is above the law. The persons who are responsible for violence during local government polls must be brought to justice. An initiative needs to be taken immediately for the restoration of democracy by establishing an accountable government through free, fair and inclusive national elections under a neutral interim government or even under the supervision of the United Nations; and the dysfunctional institutions must be made thoroughly independent.
3. The Government has to investigate and explain all incidents of enforced disappearance and post-disappearance killings, allegedly perpetrated by law enforcement agencies. The Government must take effective measures to recover the victims of enforced disappearance and return them to their families. The Government must bring the members of the security and law enforcement agencies who are involved, before the law. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to criminalise enforced disappearance in the national laws. Odhikar urges the government accede to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly in 2006.
4. The Government must refrain from repressive, undemocratic and unconstitutional activities. Rights to freedoms of assembly and association of the opposition political parties, people who have alternative beliefs and dissenters must be ensured, as per the Constitution and international norms.
5. Freedoms of speech, expression and the media must be ensured and protected. The Government must bring the perpetrators of attacks on human rights defenders and journalists to justice through proper and impartial investigation. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel One must be removed.

All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed. The government also must refrain from distorting information and hiding actual facts through providing broadcasting licenses only to the ruling party men and supporters.

6. The Government must stop harassing and violating the rights of political opponents and people holding dissenting or alternative opinions.
7. The ready-made garment factories and other factories need to be brought under synchronized security programmes and adequate wages to be given to workers; and all factories should be made with adequate infrastructural and other facilities. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions.
8. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF) and take initiatives to investigate and make the Indian Government accountable and compensate the victim-families. The Government must also ensure the safety and security of the Bangladeshi citizens residing along the border areas.
9. The Government must ensure the effective implementation of laws to stop violence against women and children and the offenders must be effectively punished under prevalent laws. The Government should also execute mass awareness programmes in the print and electronic media, in order to eliminate violence against women.
10. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. All repressive measures and harassment against human rights defenders associated with Odhikar should be ceased. The government must release the funds of Odhikar to enable it to continue its human rights activities.

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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.