



March 01, 2017

## Human Rights Monitoring Report

February 1 – 28, 2017

<p><b>Political violence</b></p> <p><b>Criminal cases withdrawn out of political consideration</b></p> <p><b>Hindrance to freedom of assembly</b></p> <p><b>Hindrance to freedom of expression and the media</b></p> <p><b>Illegal detention and harassment</b></p> <p><b>Extrajudicial killings</b></p> <p><b>Enforced disappearances</b></p> <p><b>Torture and inhuman treatment</b></p> <p><b>Public lynching</b></p> <p><b>Situation of workers' rights</b></p> <p><b>Relations between Bangladesh-India and Bangladesh-Myanmar</b></p> <p><b>Controversial Child Marriage Restraint Bill 2017 passed in Parliament</b></p> <p><b>Violence against Women</b></p> <p><b>Activities of Odhikar hindered</b></p>
---

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 February 2017, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

<b>Statistics: January-February 2017*</b>					
<b>Type of Human Rights Violation</b>		<b>January</b>	<b>February</b>	<b>Total</b>	
Extrajudicial killings	Crossfire		15	17	<b>32</b>
	Shot to death		1	0	<b>1</b>
	<b>Total</b>		<b>16</b>	<b>17</b>	<b>33</b>
Enforced Disappearances**		6	0	<b>6</b>	
Human rights violations by Indian BSF	Bangladeshis Killed		2	2	<b>4</b>
	Bangladeshis Injured		3	9	<b>12</b>
	Bangladeshis Abducted		5	1	<b>6</b>
	<b>Total</b>		<b>10</b>	<b>12</b>	<b>22</b>
Attack on journalists	Killed		0	1	<b>1</b>
	Injured		2	3	<b>5</b>
	Assaulted		1	1	<b>2</b>
	<b>Total</b>		<b>3</b>	<b>5</b>	<b>8</b>
Political violence	Killed		5	7	<b>12</b>
	Injured		217	325	<b>542</b>
	<b>Total</b>		<b>222</b>	<b>332</b>	<b>554</b>
Dowry related violence against women		17	14	<b>31</b>	
Rape		43	44	<b>87</b>	
Sexual harassment /Stalking of women		14	20	<b>34</b>	
Acid violence		3	7	<b>10</b>	
Public lynching		1	3	<b>4</b>	
Situation of workers	RMG workers	Killed	0	0	<b>0</b>
		Injured	0	20	<b>20</b>
		Termination	1034	1733	<b>2767</b>
	Workers in other sectors	Killed	3	2	<b>5</b>
		Injured	7	8	<b>15</b>
Arrest under Information and Communication Technology Act***		0	5	<b>5</b>	

\*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.

## Political violence continues

1. In February 2017, according to Odhikar, seven persons were killed and 325 persons injured in political violence. Furthermore, 24 incidents of internal violence in the Awami League were recorded during this period. In addition to this, five persons were killed and 260 were injured in internal conflicts with the Awami League.

2. Political violence continues. Leaders and activists at different levels belonging to the Chhatra League<sup>1</sup> and Jubo League<sup>2</sup> are the main contributors to such violence. Several incidents of intra party clashes occurred within the Chhatra League and Jubo League activists and most of the violence are linked to vested interest and mainly occurred by using political influence. During violent political altercations, Chhatra League and Jubo League leaders and activists were seen using weapons in public which sometimes result in civilian casualties. In such an intra-party clash, journalist Abdul Hakim Shimul was shot dead by an Awami League leader Halimul Huq Miru, who is also a Mayor of Shahzadpur Municipality in Sirajganj, while he was collecting information. Two incidents of political violence in February 2017 are as follows:
3. Ruchira Huq, a third year student of Social Science of the Eden College in Dhaka protested when some Chhatra League leaders tried to allocate her seat at the Bangomata Fazilatunnesa Hall<sup>3</sup> to another woman who was their supporter. She also wrote about this on her facebook account. As a result Chhatra League leaders became annoyed and on February 8, 2017 a few Chhatra League activists, including Eden College unit Chhatra League Convener Taslima Akhter; Joint Conveners Nasima Akhter and Iffat Jahan; and Chhatra League leader Nargis Akhter, severely beat Ruchira Huq. The ordinary students of Eden College alleged that Chhatra League leaders and activists were involved in extortion of money from many students in the name of allotment of rooms in the residential halls<sup>4</sup>. No one protests this in fear.<sup>5</sup>
4. On February 2, 2017 Rajib Kumar Das, Social Welfare Affairs Secretary of the Dhaka University unit Chhatra Union<sup>6</sup>, was drinking tea at the canteen of the Faculty of Fine Arts in Dhaka University. At that time the Fine Arts Faculty unit Chhatra League Education and Curriculum Affairs Secretary Raishul Asad Anik, being instructed by Chhatra League leader Aafi Azad Bunti of the same faculty, told him to leave the premises of the Faculty of Fine Arts. When Rajib Kumar Das wanted to know why he should leave, Aafi Azad Bunti and Raishul Asad Anik with some other Chhatra League activists beat him. Chhatra Union leaders claimed that incident of attack on Rajib occurred due

---

<sup>1</sup> Student wing of Awami League

<sup>2</sup> Youth wing of Awami League

<sup>3</sup> Residential hall for students of Eden College

<sup>4</sup> The Chhatra League leaders and activists are controlling over the various educational institutions of Bangladesh. In most cases, the administration becomes captive to them or they continue to carry out illegal activities with the administration. They have occupied the residential halls in the educational institutions and also involved in seat allotment and in admission by taking money from students.

<sup>5</sup> The daily Prothom Alo, 09/02/2017, [www.prothom-alo.com/bangladesh/article/1077497/](http://www.prothom-alo.com/bangladesh/article/1077497/)

<sup>6</sup> Student wing of the Communist Party of Bangladesh

to his involvement in the movement against the coal-based power plant in Rampal near the Sundarbans.<sup>7</sup>

5. On February 25, 2017 a 16-year old boy, Saiful Islam, was killed and at least 50 persons were injured during a clash between supporters of Awami League nominated Chairman candidate Mohammad Ataur Rahman and supporters of the Awami League rebel candidate Akhtaruzzaman Jaglu, in Bangla Bazar Hatanipara Village of Sadipur Union, centering an Osmani Nagar Upazila Parishad elections in Sylhet.<sup>8</sup> Among the wounded persons, Sohel Mia (30) who was seriously injured succumbed to his injuries on February 27, 2017 at the Osmani Medical College Hospital in Sylhet.<sup>9</sup>



*Saiful Islam (inset), who was killed during election violence in Osmani Nagar, Sylhet. Photo: Jugantor, 27 February 2017*

## **Criminal cases withdrawn out of political consideration**

6. The government has taken an initiative to withdraw 206 cases, including 34 cases of murder perpetrated by ruling party activists, by considering them to be 'politically motivated cases'. Among them, 150 cases were filed during the two consecutive terms of the Awami League regime. Most of the plaintiffs of such cases were various institutions of the government. Even cases filed last year were incorporated in the list. Apart from murder cases, there were cases in relation to rape, destruction, bribing, stealing of government money, robbery, extortion, possessing illegal arms, black-marketing, kidnapping, fraud, bombing, stealing and carrying and using illegal arms which were

<sup>7</sup> The daily Naya Diganta, 03/02/2017, <http://www.dailynayadiganta.com/detail/news/192684>

<sup>8</sup> The daily Jugantor, 26/02/2017, [www.jugantor.com/last-page/2017/02/27/104528/](http://www.jugantor.com/last-page/2017/02/27/104528/)

<sup>9</sup> The Daily Star, 28/02/2017, <http://www.thedailystar.net/city/another-injured-sylhet-pre-uz-polls-clash-dies-1368496>

recommended in the list for removal. The Ministers and Members of Parliament have given Demand Orders for the removal of these cases. It is to be mentioned that between 2009 and 2013, during the tenure of the Grand Alliance government led by the Awami League, 7,198 cases were recommended to be withdrawn under 'political consideration'. Of them a large number were murder cases. Most of the cases have already been removed from the court.<sup>10</sup>

7. Odhikar expresses grave concern over withdrawing significant criminal cases filed against ruling party leaders-activists with the excuses that they are 'politically motivated cases'. Odhikar believes that the existing culture of impunity in Bangladesh will continue as a result of indiscriminate withdrawal of criminal cases, particularly murder and rape cases, due to political consideration.

## **Hindrance to freedom of assembly**

8. The Government is barring meetings and assemblies and rallies of the opposition political parties by using law enforcement agencies. The ruling party leaders and activists are also attacking assemblies of the opposition parties. The government is suppressing the opposition and alternative or dissenting voices by severely curtailing the right to freedom of expression and assembly, preventing peaceful meetings and processions. Some instances are as follows:
9. On February 9, 2017 police stopped a procession organised by BNP, Chhatra Dal<sup>11</sup>, Jubo Dal<sup>12</sup> and Sechchhasebak Dal<sup>13</sup> from Ramna Park and Motshya Bhaban area of Dhaka in protest of the harassment on BNP Chairperson Khaleda Zia while she was on the way to court for an appearance. Police also baton charged and threw tear gas shells at the procession. At that time protestors vandalized some vehicles. Police arrested 35 persons in connection with this incident.<sup>14</sup>

---

<sup>10</sup> The daily Prothom Alo, 20/02/2017, [www.prothom-alo.com/bangladesh/article/1084939/](http://www.prothom-alo.com/bangladesh/article/1084939/)

<sup>11</sup> Student wing of the Bangladesh Nationalist Party (BNP)

<sup>12</sup> Youth wing of BNP

<sup>13</sup> Voluntary wing of BNP

<sup>14</sup> The daily Manabzamin, 10/02/2017, [www.mzamin.com/article.php?mzamin=52908&cat=3/](http://www.mzamin.com/article.php?mzamin=52908&cat=3/)



*Police attack a Chhatra Dal protest rally at Motshya Bhaban area in Dhaka. Photo: Jugantor, 10 February 2017*



*A BNP activist was arrested from Motshya Bhaban area in Dhaka. Photo: Naya Diganta, 10 February 2017*

10. On February 11, 2017 a group of about 10-12 men led by Bancharampur Upazila unit Jubo League activists Diko and Tutul, attacked a meeting of the Nabinagar Upazila unit of Bangladesh Communist Party, organised as part of its central committee's programmes, in Majhiara Village under Nabinagar Upazila in Brahmanbaria District. As a result the meeting was stopped and some leaders of the Communist Party, including their microbus driver Sajib, were injured.<sup>15</sup>
11. On February 24, 2017 Kendua Upazila unit Chhatra Dal organised a meeting at the Alipur Government Primary School premises under Kendua Municipal area in Netrokona District. During the meeting police attacked and baton charged the Chhatra Dal leaders and activists. At least 12 persons, including

<sup>15</sup> The Daily Naya Diganta, 12/02/2017, <http://www.dailynayadiganta.com/detail/news/195131>

Chhatra Dal Central Committee leader Shariful Hassan Arif were injured in this incident; and 10 leaders and activists, including Netrokona District unit Chhatra Dal's Organising Secretary Farid Hossain and Shamim, General Secretary of Shramik Dal, were arrested.<sup>16</sup>

12. On February 25, 2017 a new civil society organisation named People's Movement for Democracy organised a discussion meeting titled 'Killings at Border: Obligation of the State' at the Spectra Convention Centre in Gulshan, Dhaka. The meeting was supposed to be chaired by poet and political analyst Farhad Mazhar and the keynote paper to be presented by Mahmudur Rahman, Acting Editor of the daily Amar Desh. At around 10:00 am, before the programme commenced, Sub Inspector Subrata of Gulshan Police Station entered the meeting venue and asked Mahmudur Rahman to stop the meeting, on the pretext that they had not taken permission from the police authority. After that, the chair, Farhad Mazhar announced the closure of the meeting.<sup>17</sup>



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

### ***Attack on a hartal called in protest against gas price increases***

13. On February 28, 2017 from 6:00 am to 12:00 pm, a hartal<sup>18</sup> was called in Dhaka city by the Democratic Left Front, and Communist Party of Bangladesh and Socialist Party of Bangladesh in protest against gas price hikes.<sup>19</sup> During the hartal, at around 10:30 am, the leaders and activists of Progotishil Chhatra

<sup>16</sup> The daily Manabzamin, 25/02/2017, [www.mzamin.com/article.php?mzamin=54961&cat=9/](http://www.mzamin.com/article.php?mzamin=54961&cat=9/)

<sup>17</sup> Information gathered by Odhikar.

<sup>18</sup> Hartal: general strike

<sup>19</sup> On February 23, 2017 Bangladesh Energy Regulatory Commission (BERC) decided to increase gas price in two phases; from March 1, 2017 in first phase and from June 1, 2017 in second phase. According to the order of BERC, the households using single burners have to pay Tk 750 from 1<sup>st</sup> March and TK 900 from 1<sup>st</sup> June compared to Tk 600 now, while those using double burners have to pay Tk 800 from 1<sup>st</sup> March and TK 950 from 1<sup>st</sup> June compared to Tk 650 now.

Jote<sup>20</sup> took position at Shahbagh in Dhaka and blocked the road. Police attacked and baton charged the protesters and threw tear gas shells at them. A few student activists were injured and 10 protesters were arrested.<sup>21</sup>



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

## **Hindrance to freedom of expression and the media**

14. Interference on the media and freedom of expression, by the government and the ruling party, men continues. The present government is severely suppressing the people who criticise the government and those who have alternative beliefs. If any media, journalist or any citizen criticise the government or comment against the government on social media, particularly on facebook, the government takes reprisals against them, which is tantamount to violations of freedom of thought and conscience.

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

15. According to information gathered by Odhikar, in February 2017, a total of one journalist was killed, three journalists were injured, one was assaulted and three were threatened while they were performing their professional duties.

---

<sup>20</sup> Progressive Students Alliance

<sup>21</sup> Information collected by Odhikar

16. 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 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 practicing self-censorship. Despite that, journalists are being attacked by criminals backed by the ruling party while gathering information or in relation to publishing reports. Some incidents are as follows:
17. On February 1, 2017 the Acting Editor of the daily Amar Desh, Mahmudur Rahman filed a case with the Chief Metropolitan Magistrate Court in Dhaka for handing back all goods, including the printing press which were seized by the government. It is stated in the FIR that on April 11, 2013 Mahmudur Rahman was arrested under sections 56 and 57 of the Information and Communication Technology Act 2006 (amended 2009 and 2013) from the Amar Desh office at Karwan Bazaar, Dhaka. After Mahmudur Rahman was arrested, police confiscated an Offset Printing Press, one cutting machine, four trill machines and 50 big and 38 small news print rolls from the office. After that, police seized the entire printing press of Amar Desh and as a result the publication of the newspaper stopped. It has been mentioned further in the FIR that the freedoms of the media and expression were violated through closing down the publication of Amar Desh, which is a clear violation of Article 39(2) of the Constitution of Bangladesh. Therefore, an appeal was submitted before the court under section 516A of the Code of Criminal Procedure 1898, seeking an order for returning the confiscated goods and press to the applicant, for the sake of justice. On February 5, 2017 the court dismissed the case.<sup>22</sup>
18. There was a dispute between the contractor's men<sup>23</sup> and Shahzadpur Government College unit Chhatra League President, Bijoy Mahmud over construction of roads in Shahzadpur. In continuation of this dispute, on February 2, 2017 in the afternoon, Hasibul Islam Pintu, younger brother of Halimul Huq Miru, Mayor of Shahzadpur Municipality and the Organising Secretary of Sirajganj District unit Awami League, beat Chhatra League leader Bijoy Mahmud and broke his hands and legs. When this news spread,

---

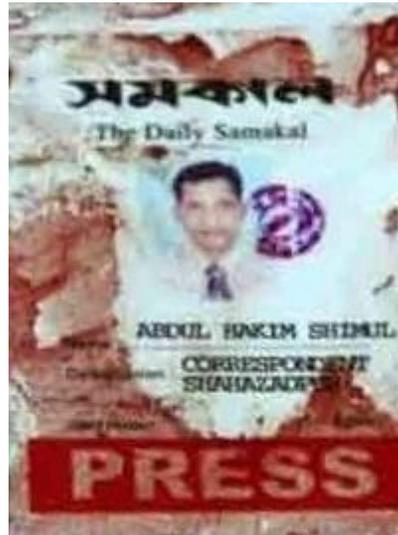
<sup>22</sup> Information gathered by Odhikar from the lawyers of Mahmudur Rahman.

<sup>23</sup> Deaths and injuries are regularly occurring due to disputes over getting tenders and construction work. Since the tender activities are not being transparent, so the leaders, activists and supporters of the government are being beneficiary.

supporters of Bijoy Mahmud and the men from his locality, Kandapara, put up a barricade on the highway at the Dilruba Bus Terminal area. Meanwhile a faction of the blockaders surrounded the house of municipality mayor at Monirampur and threw bricks at it. At that time Mayor Halimul Huq Miru opened fire with his shotgun and a local journalist and human rights defender, associated with Odhikar, Abdul Hakim Shimul was shot in his head and face as he was covering the incident. He was admitted to the Shahid Ziaur Rahman Medical College Hospital at Bogra in a critical condition. Later he was referred to the National Institute of Neuroscience Hospital for better treatment in Dhaka. On February 3, while he was on way to the National Institute of Neuroscience Hospital, his condition deteriorated and he was taken to Shakhawat Memorial Hospital at Sirajganj where the doctors declared him dead. On February 3, 2017, Shimul's wife Nurunnahar filed a case with Shahzadpur Police Station accusing 18 named persons and 20-25 unknown people. Police have arrested 12 persons, including the main accused Mayor Halimul Huq Miru, his two brothers Pintu and Mintu. Of the 12 arrestees, eight accused persons were produced before the Senior Judicial Magistrate Court for seeking their remand. On February 13, the Court allowed 5-day remand to six accused (Mayor Miru, K M Nasir, Nazmul Haque, Arshed Bhuiyan, Alamgir Hossain, Hazrat Fakir) and on February 15, the court also allowed 5-day remand to other two accused (Mintu and Shahin Alam). All of them were sent to jail after remand.<sup>24</sup>



*Journalist Abdul Hakim Shimul.  
Photo: Odhikar*



*Identity card of Abdul Hakim Shimul.  
Photo: Prothom Alo, 4 February 2017*

---

<sup>24</sup> Information sent by local human rights defender associated with Odhikar from Sirajganj.

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

19. According to information gathered by Odhikar, in February 2017, five persons were arrested under the Information and Communication Technology Act 2006 (amended 2009 and 2013).
20. The use of the Information and Communication Technology Act 2006 (amended 2009 and 2013) continues to hinder freedom of expression. Section 57<sup>25</sup> of the ICT Act 2013, states that publishing or transmitting in a website 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 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. Two examples are as follows:
21. On February 4, 2017 Arman Sikder, President of Narail Government Victoria College unit Chhatra Moitri<sup>26</sup>, was arrested by police from the Rupganj area of Narail town, for allegedly posting a comment on his facebook, perverting the statement of Prime Minister Sheikh Hasina. In the night of February 4, Narail District unit Chhatra League Vice-President Tomas Biswas filed a case against Arman under the Information and Communication Technology Act 2006 (amended 2009 and 2013).<sup>27</sup>
22. On February 5, 2017 police from Gournadi Model Police Station under Barisal District arrested a local Jubo Dal activist Habul Khalifa, for allegedly criticizing on his facebook, the Presidium Member of Awami League Surenjit Sengupta after his death. Local Jubo League leader Shafiqur Rahman Jahangir filed a case against him under the ICT Act.<sup>28</sup>

## **Illegal detention and harassment**

23. On February 9, 2017 a Madrassa student named Jaif Mashrur, on the occasion of the publication of his book, went to the book fair with his friends and some

---

<sup>25</sup> 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.

<sup>26</sup> Student wing of Workers Party of Bangladesh

<sup>27</sup> The daily Naya Diganta, 06/02/2017, <http://www.dailynayadiganta.com/detail/news/193544>

<sup>28</sup> The daily Manabzamin, 07/02/2017, [www.mzamin.com/article.php?mzamin=52388&cat=9/](http://www.mzamin.com/article.php?mzamin=52388&cat=9/)

other students at Bangla Academy in Dhaka. Police arrested 11 persons including the writer Jaif Mashrur and his friends Abu Bakar Siddique Jaber, Jubaer Mohiuddin, Sultan Abdur Rahman, Abdullah Zulkar Nain, Iftekhhar Jamil, Mahmud and Ashraf Mahdi and took them to Shahbagh Police Station. They were later shifted to the counter terrorism unit. Police alleged that they were assembled at the book fair and talking and discussing in a group and this is why, they were arrested on suspicion. Among the arrestees, nine were students of different Madrassas in Dhaka and two were students of a private university. On February 11, after two days in detention police released them after failing to prove their suspicious.<sup>29</sup>

## **Extrajudicial killings continue**

24. According to documentation gathered by Odhikar, 17 people were allegedly extra judicially killed in February 2017.

### **Type of death**

#### ***'Crossfire/encounters/gunfights'***

25. 17 persons were killed by 'crossfire/encounters/gunfights'. Among them 15 were allegedly killed by police, one by Army and one by RAB.

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

26. Of the 17 persons who were killed extra-judicially, one was member of Parbatya Chattagram Jana Sanghati Samiti (PCJSS), one was member of extreme left Sarbahara Party, one was member of New Biplobi Communist Party (Mrinal Bahini), one was Member of Alleged banned militant outfit of JMB and 12 were alleged criminals. The identity of one youth was not reported.

## **Torture and inhuman treatment by law enforcement agencies**

27. Allegations of acts of torture, harassment, extortion, attacks on ordinary people, perpetrated by the police, are becoming more and more common. 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. After a prolonged campaign, on October 24, 2013 the Torture and Custodial Death (Prevention) Act, 2013 was

---

<sup>29</sup> The daily Naya Diganta, 12/02/2017, <http://www.dailynayadiganta.com/detail/news/195154>

passed in the Parliament. Despite this, there is no change in the actual situation.<sup>30</sup> A case is as follows:

28. Allegation of torturing a detained person named Hafizur Rahman Bijoy in the custody of Bauphal Police Station in Barisal was found against the Officer-in-Charge (OC) of the police station, Azam Khan Farooqi. Bijoy's mother Jyotsna Begum alleged that on February 13, 2017, Sub Inspector Ferdous had arrested her son under a case and taken him to the police station. At midnight he was taken to OC Azam Khan Farooqi's room and physically tortured there. On February 16, Jyotsna Begum filed a writ petition at a High Court Division Bench of the Supreme Court, comprising of Justice Kazi Reza-ul Huq and Justice Mohammad Ullah in this regard. On February 20, after hearing the petition, the court ordered the Assistant Police Superintendent (Bauphal Circle) Mohammad Saiful Islam and the Officer-in-Charge of Bauphal Police Station, Azam Khan Farooqi to be present before the High Court on February 27 and explain the matter. Furthermore, the Court also issued a rule asking the government why torturing a man named Hafizur Rahman in police custody should not be declared contrary to the Constitution and illegal. The court also mentioned in the rule that appropriate action should be taken against the responsible persons as per provision of the Torture and Custodial Death (Prevention) Act, 2013.<sup>31</sup> On February 27, 2017 the High Court ordered the Assistant Police Superintendent Mohammad Saiful Islam to be withdrawn and the family of Hafizur Rahman Bijoy be given security. Furthermore, the Inspector General of Police was asked to submit an inquiry report by March 19, 2017 after investigating the incident of torture.<sup>32</sup>

## Enforced disappearances

29. Many people have disappeared after being picked up by men claiming to be members of law enforcement agencies. The families of the disappeared 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.
30. The UN Working Group on Enforced or Involuntary Disappearances urged the Bangladesh Government to take action to stop enforced disappearances in the country. The UN Working Group, in a statement published at the website

---

<sup>30</sup> On January 23, 2017, during police week, it was reported in various print media that the police had called for a repeal of the Torture and Custodial Death (Prevention) Act 2013. <http://www.thedailystar.net/frontpage/police-want-law-against-custodial-torture-scrapped-1349926>

<sup>31</sup> The daily Prothom Alo, 21/02/2017, [www.prothom-alo.com/bangladesh/article/1085673/](http://www.prothom-alo.com/bangladesh/article/1085673/)

<sup>32</sup> The daily Naya Diganta, 28/02/2017, <http://www.dailynayadiganta.com/detail/news/199487>

of the Office of the High Commissioner for Human Rights in Geneva, said that the number of enforced disappearances is increasing in Bangladesh. The government has to act now to stop this growing trend. Independent reports blame the Rapid Action Battalion (RAB) for several disappearances and extrajudicial killings, notably of political opponents of the government. It was also mentioned in the statement that enforced disappearance is a heinous crime and an offence to human dignity and no circumstances whatsoever may be invoked to justify it. The experts also emphasized their willingness to help the Bangladeshi Government to implement the 1992 UN Declaration on the Protection of All Persons from Enforced Disappearance. The Working Group's appeal has been endorsed by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Nils Melzer; the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Maina Kiai; the Special Rapporteur on extrajudicial, summary or arbitrary executions, Ms. Agnes Callamard; and the Special Rapporteur on the Independence of Judges and Lawyers, Mr. Diego García-Sayán. It is to be mentioned that the Working Group on Enforced or Involuntary Disappearances is comprised of five independent experts from all regions of the world.<sup>33</sup>

31. According to information gathered by Odhikar, from January 1, 2017 to February 28, 2017, six persons were allegedly disappeared. Of them, four surfaced alive and the whereabouts of two persons remain unknown.<sup>34</sup> One incident is as follows:
32. Shafiqur Islam Modhu, a resident of Alamnagar in Rangpur District and an employee of Rangpur Karuponno Garment Company, along with his wife and son, went to visit his father-in-law Mohammad Fazlul Huq's house in Mithapukur. On January 13, 2017 at around 4:00 am, a group of men claiming to be from the administration and a man in police uniform, picked up Shafiqur Islam Modhu while he was staying there. Modhu's wife and his relatives asked the men for the reason of his arrest. Without replying, the men seized two cell phones and a motorbike and left. After that incident, when the family members of Modhu went to Mithapukur Police Station to see him, the police denied his arrest. Later they searched for him at Rangpur Central Jail, Kotwali Police Station and the Office of the Superintendent of Police. After failing to find Modhu, on February 1, 2017 the victim-family filed a General Diary with Mithapukur Police Station. On February 7, 2017 Modhu's wife

---

<sup>33</sup>UN expert group urges Bangladesh to stop enforced disappearances.

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21220&LangID=E>

<sup>34</sup>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.

Ferdowsy Begum organised a press conference at Rangpur Press Club and appealed to the administration for the return her husband.<sup>35</sup>

## Public lynching continues

33. In February 2017, three persons were reportedly killed due to public lynching.
34. 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.

## Workers' rights

### *Repression on factory workers*

35. According to information gathered by Odhikar, in February 2017, two construction workers were killed. Of them one died when a wall collapsed and another fell from the second floor of a building. Eight others workers were injured by various ways. Apart from this, 20 ready-made garments workers were injured by police during workers unrest and 1733 workers were terminated by the factory authority.
36. The demands placed by workers' rights organisations, during unrest that occurred in Ashulia in December 2016, have been granted under international pressure before the organisation of Dhaka Apparel Summit. On February 23, 2017 such decision was made at a meeting held among the representatives of the government, factory owners and workers. As a result, workers who were temporarily suspended from different factories while taking part in the protest in Ashulia, Savar for the increase of wages, would be given their dues as per law. It was also informed from the meeting that if the workers agree, their jobs would be restored. Furthermore, initiatives to be taken by the factory owners to release workers who are still detained in jail, on bail.<sup>36</sup> It is to be mentioned that workers' unrest erupted at the entire industrial area in Ashulia in December 2016 when a section of readymade garment workers were protesting for a minimum wage of 15 thousand taka. On December 19, 2016, police filed a case against 15 labour leaders and activists under section 16(2) of the Special Powers Act, 1974 with Ashulia Police Station for the allegations of 'conspiracy' or planning criminal activities and the police arrested eight of the 15 persons by calling them to the police station for a 'discussion'. On December 20, 2016, the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) declared the closing of 55 factories. Some incidents are as follows:

---

<sup>35</sup> The daily Manabzamin, 08/02/2017, [www.mzamin.com/article.php?mzamin=52528&cat=9/](http://www.mzamin.com/article.php?mzamin=52528&cat=9/)

<sup>36</sup> The daily Prothom Alo, 24/02/2017, <http://epaper.prothom-alo.com/view/dhaka/2017-02-24/14>

37. The authority of a readymade garment factory named 'Hesong BD Ltd.' at Baroipara area of Kaliakoir Upazila under Gazipur District, terminated 1733 workers. On February 10, 2017 workers saw a termination notice on the main gate to the factory when they came to work. In protest of the decision, the workers made a demonstration in front of the factory.<sup>37</sup>
38. On February 13, 2017 the workers of a sweater factory named 'April Fashion Ltd.' at North Ouchpara area of Tongi upazila under Gazipur district, gathered in front of the main gate of the factory. They were demanding to an increase on the 'piece rate'. This caused an altercation between police and workers. About 20 persons including police were injured in the clash and police arrested eight workers. Regarding the incident, Industrial Police and the factory authority filed different cases against the workers at the Tongi Police Station.<sup>38</sup>
39. 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, many factories were closed without notice. Arrests and harassment to the workers and the sudden termination of workers and not paying wages on time are some of the main reasons for workers' unrest.

### ***Attack on workers' procession for due wages by police***

40. There was an allegation that police baton charged a procession of workers of a electric transmitter manufacturing factory named 'Techno-Venture' in Ashulia under Savar Upazila in Dhaka District, while they were going to the police station to file a complaint about the non-payment of their due wages. At least five workers were injured during the attack. The workers alleged that the factory authority have not been paying the workers a salary for four months; and that the factory authority had also attacked the workers by hiring miscreants.<sup>39</sup>

## **Relations between Bangladesh-India and Bangladesh-Myanmar**

41. The Indian government continues to impose aggressive policies on Bangladesh. India is taking transit facility through Bangladesh at almost no cost (the shipment fee for carrying goods is Tk 192.25 per ton) under an amended Protocol on Inland Water Transit and Trade (PIWTT)<sup>40</sup> signed between India and Bangladesh on June 6, 2015 and is also taking advantage of other business and trade facilities. It is depriving Bangladesh from getting

---

<sup>37</sup> The daily Bangladesh Protidin, 14/02/2017, <http://www.bd-pratidin.com/country-village/2017/02/14/207805>

<sup>38</sup> The daily Bangladesh Protidin, 14/02/2017, / <http://www.bd-pratidin.com/country-village/2017/02/14/207805>

<sup>39</sup> The daily Manab Zamin February 18, 2017, [www.mzamin.com/article.php?mzamin=53944&cat=9/](http://www.mzamin.com/article.php?mzamin=53944&cat=9/)

<sup>40</sup> The Daily Star, 14/06/2016, <http://www.thedailystar.net/backpage/transit-gets-operational-1239373>

adequate water during the dry season and creating floods over Bangladesh by opening all the sluice gates of the Farakka Barrage and the Gajaldoba Barrage, during the monsoon (rainy) season<sup>41</sup>, violating international law and human rights. Furthermore, the initiatives 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.<sup>42</sup> Moreover, the Indian government decided to put up a fence along no-man's land, which will be within 150 yards from the zero line along the border.<sup>43</sup> Meanwhile 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. Apart from Indian BSF, the Border Guard Police (BGP) of Myanmar is also violating human rights of Bangladeshi citizens along the Bangladesh-Myanmar border. It is to be mentioned that three sides of Bangladesh are surrounded by India and a portion of South-East part of Bangladesh has border with Myanmar.

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

42. According to information collected by Odhikar, in February 2017, two Bangladeshi men were gunned down by the BSF members. During this period, two persons were shot, four were tortured and three were injured when the Indian Border Security Force (BSF) threw stones at them. Furthermore, one Bangladeshi was also abducted by BSF personnel. Two incidents are as follows:
43. On February 10, 2017 Bangladeshi cattle trader, Tulu Mia (60) was killed and cattle trader Sifat Ali (35) was injured when members of Indian BSF of Gutaligaon Camp opened fire at a group of 22-30 Bangladeshi cattle traders, while they were crossing with cows along the Dantbhanga border under Roumari Upazila in Kurigram District.<sup>44</sup>
44. On February 13, 2017 members of Indian BSF of Chandnichok border outpost under Shutti Police Station in Murshidabad of India opened fire at a group of Bangladeshi cattle traders, while they were returning with cows through Wahedpur border under Shibganj Upazila in Chapainababganj District. As a result Masud Rana (22) was shot dead and Mohammad Kalam (35) was injured. Masud Rana's body could not be recovered as it sank in the river.<sup>45</sup>

---

<sup>41</sup> <http://www.bbc.com/bengali/news-37244367>

<sup>42</sup> 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>

<sup>43</sup> The daily Prothom Alo, 05/10/2016; [www.prothom-alo.com/international/article/994375/](http://www.prothom-alo.com/international/article/994375/)

<sup>44</sup> Information sent by local human rights defender associated with Odhikar from Kurigram.

<sup>45</sup> The daily Prothom Alo, 15/02/2017, [www.prothom-alo.com/bangladesh/article/1081607/](http://www.prothom-alo.com/bangladesh/article/1081607/)

45. According to the Memorandum of Understanding and related treaties signed between Bangladesh and India, if citizens of either country illegally cross the border, it would be considered trespass and as per law those persons should be handed over to the civilian authority. However, we have noticed that BSF has been, over the years, repeatedly killing or physically harming anyone seen near the border or anyone trying to cross the border; and also attacked, killed and robbed Bangladeshi citizens by illegally entering Bangladesh. However, the Director General of the Border Guard Bangladesh (BGB), Major General Abul Hossain, on February 1, 2017, after visiting Darshana border under Damurhuda Upazila in Chuadanga District, told journalists that the BSF members open fire for their self-defense.<sup>46</sup> Odhikar rejects the statement of the BGB Director General regarding killings of Bangladeshi citizens along the border Bangladesh-India areas. Odhikar believes that such statement will only increase the incidents of attack on unarmed Bangladeshi civilians by BSF. Such incidents are clear violations of international law and human rights.

### ***Human rights violations of Bangladeshi citizens by Border Guard Police of Myanmar***

46. On February 6, 2017, some members of the Border Guard Police (BGP) of Myanmar entered the Bangladesh water territory on speedboat and suddenly started shooting at four Bangladeshi civilians, who were catching fish at Nazirpara point in the Naf River under Teknaf Upazila in Cox's Bazaar. At that time two persons named Nur Hakim and Mortuza were shot and were admitted to Teknaf Upazila Health Complex where the doctors declared them dead.<sup>47</sup> It is to be mentioned that, near the end of 1991, the then Myanmar Border Guards, Nasaka, attacked Reju Fatrajhiri BDR<sup>48</sup> (now BGB) Camp at Ghundhum border in Naikkhongchhori and looted arms and ammunition after killing a BDR member of Bangladesh. Due to this, acts of human rights violations occurred at the border area and as a result, Rohingya Muslim community people of the Rakhine State of Myanmar became victims of suppression by the Myanmar junta. About 250,000 Rohingyas took shelter in Bangladesh. Later, in October 2016, the security forces of Myanmar started operations in Rakhine State of Myanmar and committed widespread acts of violence on Rohingya Muslim people. About 66,000 people belonging to Rohingya Muslim community have entered Bangladesh from northern Rakhine State of Myanmar due to military operations. On February 13, 2017 Odhikar submitted a written statement to the UN Human Rights Council for

---

<sup>46</sup> The daily Jugantor, 01/02/2017, [www.iugantor.com/online/country-news/2017/02/01/38356/](http://www.iugantor.com/online/country-news/2017/02/01/38356/)

<sup>47</sup> Information sent by local human rights defender associated with Odhikar from Cox's Bazar.

<sup>48</sup> BDR: Bangladesh Rifles was the previous name of Bangladesh border security force. Now it has been re-named as Border Guard Bangladesh (BGB) after the BDR mutiny in February 2009.

its 34<sup>th</sup> regular session, regarding the ethnic cleansing of Rohingyas after conducting a fact-finding mission.<sup>49</sup>

### ***UN alleges massacre and gang-rape on Rohingyas in Myanmar***

47. The Myanmar Army committed grave atrocities on the Rohingya Muslim community people of Rakhine State of Myanmar. From January 8 - 23, 2017, a four-member team of the Office of the High Commissioner for Human Rights (OHCHR) visited Bangladesh to interview Rohingyas who fled to Bangladesh from northern Rakhine State of Myanmar in the aftermath of the October 9, 2016 attacks. In a report of the OHCHR published from Geneva, it is stated that hundreds of people have lost their lives during the 'cleansing operation'. The OHCHR team gathered testimonies from more than 220 persons, conducting interviews in eight different places, including Kutupalong, Nayapara and Leda refugee camps in Cox's Bazar. Among the interviewees, there were 202 victims and witnesses who fled from the 'sealed-off' area of Maungdaw of Rakhine State and two Rohingya victims from outside Maungdaw area. Of the 204 individuals, 77 were men, 101 were women and 26 were children. The team conducted interviews from 12 January to 21 January 2017 in the district of Cox's Bazar, Bangladesh. Furthermore, the UNOSAT reviewed the photographs taken from imagery satellite by Amnesty International and Human Rights Watch for this report. Various other reports published till December 2016 regarding the army operation in Rakhine State of Myanmar have also been reviewed. Each Rohingya victim who gave their testimony, in the 47-pages report, alleged that at least one person from their families was killed during the operation. Among the interviewed women, 24% said they were victims of rape. In October 2016, the security forces of Myanmar started operations in the Rakhine State of Myanmar in connection with an attack on a police outpost at the Myanmar-Bangladesh border. The Myanmar Government did not allow observers and journalists to enter the conflict areas. The OHCHR stated in its report that Myanmar's security forces committed mass gang-rape and killings on Rohingya Muslim community. The report reveals that the eye-witnesses confirmed that security forces of Myanmar had deliberately committed mass killings - including of babies and young children; brutal beatings; enforced disappearances; shooting at people who were in hiding; arson attacks; gang-rape and sexual harassment; destruction of foodstuff and food sources; and other serious human rights violations. A Rohingya woman described to the UN investigating team how her eight-month old son was killed. Another woman victim narrated the incident of gang-rape by the military. She said that her five-year old daughter

---

<sup>49</sup> For detail information, please see <http://odhikar.org/written-statement-on-myanmar-for-the-34th-session-of-the-un-hrc-stop-ethnic-cleansing-of-the-rohingyas-in-myanmar/>

was killed in front of her when she protested. The High Commissioner Zeid Ra'ad Al Hussein said, "The devastating cruelty to which these Rohingya children have been subjected is unbearable".<sup>50</sup> The report also says that about 66,000 people of Rohingya Muslims of northern Rakhine State of Myanmar had entered Bangladesh due to the Army operation. However, the UNHCR has mentioned that number of the Rohingya refugees as being 69,000. The High Commissioner, urging the international community to express a strong reaction against this cleansing operation, said that the Myanmar government must take the responsibility for violating gross human rights through such devastating acts of cruelty on its citizens. The Myanmar government has always denied allegations of torture and atrocity against Rohingyas. The Myanmar authority stated that a lawful operation was being conducted against rebels and that in order to make this operation a controversial issue, Rohingyas are making up stories of mass killings, gang-rape and arson attacks.<sup>51</sup>

## **Controversial 'Child Marriage Restraint Bill 2017' passed in Parliament**

48. On February 27, 2017 the National Parliament passed the 'Child Marriage Restraint Bill 2017' which contains provisions for the marriage of minor girls in 'special circumstances'. The newly enacted law states that marriage of minor girls (below the age of 18) can be done with the consent of the Court and parents, following due process in 'special circumstances' and for best interest. Thus such marriage will not be considered a crime. The special provision of this Law legitimises child marriage in Bangladesh. This 2017 law will grossly violate human rights and the overall development of the child, including their rights to health, education and mental growth. The previous Child Marriage Restraint Act 1929 has made 18 years the minimum marriageable age for women and 21 for men. Despite this, Bangladesh remains on the list of countries that have very high rates of child marriages. The 2017 Act now legalises this social malpractice.<sup>52</sup>
49. Odhikar demands that the government repeal the special provision of this law.

## **Violence against women**

50. Incidents of violence against women continue. The illegal acts of demanding and taking dowry is extremely visible in Bangladesh and its consequences

---

<sup>50</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21142&LangID=E>

<sup>51</sup> The daily Prothom Alo, 04/02/2017, [www.prothom-alo.com/bangladesh/article/1073939/](http://www.prothom-alo.com/bangladesh/article/1073939/)

<sup>52</sup> The daily Jugantor, 28/02/2017, [www.jugantor.com/first-page/2017/02/28/104781/](http://www.jugantor.com/first-page/2017/02/28/104781/)

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 continue. Women are becoming victims of such violence due to a prevailing culture of impunity and lack of awareness in society.

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

51. According to information gathered by Odhikar, in February 2017, a total of 14 women were subjected to dowry violence. Of these women, it has been alleged that seven were killed and six were physically abused over dowry demands. Moreover, one woman committed suicide. One example is as follows:
52. On February 5, 2017 a housewife named Fatematuz Zohra Meghla was allegedly beaten to death by her husband Emran and her in-laws over dowry demands in Ramgati under Laksmipur District. Meghla's house is located in Bhola District. After the marriage her husband Emran demanded six hundred thousand taka dowry. Meghla's family paid four hundred thousand taka. Emran's family used to beat Meghla for the remaining two hundred thousand taka. Police arrested Meghla's father-in-law Shahjahan Master in this regard.<sup>53</sup>

### ***Sexual harassment (Stalking)***

53. According to information gathered by Odhikar, in February 2017, a total of 20 girls and women were victims of sexual harassment. Of them, two committed suicide, one was killed, three were injured, three were assaulted and 11 were victims of stalking. Five men and two women were also injured by the stalkers for protesting such incidents. One incident is as follows:
54. On February 4, 2017 a youth named Priyotama Ghosh Pritom gave a love proposal to a girl student of Shahid Smreeti Degree College in Akhaura under Brahmanbaria District. As she refused his proposal, Pritom entered the common room of the college and physically assaulted her.<sup>54</sup>

### ***Rape***

55. In February 2017, Odhikar recorded a total number of 44 females who were raped. Among them, seven were women and 37 were girls. Of the women, four were victims of gang rape and one was killed after being raped. Out of the 37 girls, 10 were victims of gang rape. 10 women and girls were victims of attempted rape. One example is as follows:
56. On February 14, 2017 a 13-year old disable girl was allegedly raped by a man named Selim in Paikgachha area of Mir Hazribagh under Shyampur Police

---

<sup>53</sup> Information sent by local human rights defender associated with Odhikar from Bhola.

<sup>54</sup> The daily Prothom Alo, 05/02/2017, [www.prothom-alo.com/bangladesh/article/1074591/](http://www.prothom-alo.com/bangladesh/article/1074591/)

Station in Dhaka. Police arrested Selim. The victim child was admitted to Dhaka Medical College Hospital.<sup>55</sup>

### ***Acid violence***

57. In February 2017, according to Odhikar documentation, a total of seven persons became victims of acid violence. Of them, four were women and three were men. An example is as follows:
58. On February 17, 2017 a man named Abdullah threw acid on two women named Parvin Islam (45) and Saleha Sultana (28), through a window, over a land dispute at Rayer Mahal area in Khulna Metropolitan City. The two acid victims were admitted to the burn unit of Khulna Medical College Hospital for treatment. Police arrested a man named Shakil Molla (28) in this regard.<sup>56</sup>

### **Hindrance to human rights activities of Odhikar**

59. 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.
60. Human rights defenders who are associated with Odhikar are being watched and sometimes harassed and human rights activities hindered. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are victimised. For instance, in March 2016, a human rights defender associated with Odhikar, Mohammad Afzal Hossain, was shot in the leg by police while he was observing the irregularities of a local government election in Bhola<sup>57</sup> and in February 2017, another human rights defender associated with Odhikar, Abdul Hakim Shimul, was shot

---

<sup>55</sup> The daily Jugantor, 09/02/2017, [www.iugantor.com/news/2017/02/09/99555/](http://www.iugantor.com/news/2017/02/09/99555/)

<sup>56</sup> Information sent by local human rights defender associated with Odhikar from Khulna.

<sup>57</sup> For details, please see Odhikar's monthly report of March 2016. <http://odhikar.org/human-rights-monitoring-report-march-2016/>

dead by Shahjadpur Municipality Mayor and Awami League leader Halimul Huq Miru.

61. Furthermore, the NGO Affairs Bureau (NGOAB) has barred the release of all project related funds of Odhikar, for three years, 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 their commitment to human rights activism.

## Recommendations

1. An initiative needs to be taken immediately to conduct free, fair and inclusive national elections under a neutral interim government or even under the supervision of the United Nations, for the restoration of democracy and voting rights of Bangladeshi people.
2. The Government must bring the members of the law enforcement agencies, involved in incidents of extrajudicial killings and torture, to effective justice. 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.
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. 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.
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 ready-made garment factories and other factories need to be brought under synchronized security programmes and all factories should be made with adequate infrastructural and other facilities.
7. 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.
8. The special provision of the Child Marriage Restraint Act 2017 must be repealed.
  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.

**Tel: +88-02-9888587**

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

**Website: [www.odhikar.org](http://www.odhikar.org)**

**Facebook: <https://www.facebook.com/Odhikar-287124938002358>**

**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.