



# Human Rights Monitoring Report on Bangladesh

**Reporting Period: 1 - 31 August 2018**

**Prepared by ODHAKAR**

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Odhikar has, since 1994, been monitoring the human rights situation in Bangladesh 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. 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. Odhikar has always been consistent in creating mass awareness of human rights issues using several means, including reporting violations perpetrated by the State and advocacy and campaign to ensure internationally recognised civil and political rights of citizens. The Organisation unconditionally stands by the victims of oppression and maintains no prejudice with regard to political leanings or ideological orientation, race, religion or sex. In line with this campaign, Odhikar prepares and releases human rights status reports every month.

The Organisation has prepared and disseminated this human rights monitoring report of August 2018, despite facing persecution and continuous harassment and threats to its existence since 2013. Although many incidents of human rights violations occur every month, only a few significant incidents have been highlighted in this report. Information used in the report was gathered by grassroots human rights defenders associated with Odhikar and also collected from the national dailies.

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## Statistics of Human Rights Violations: January-July 2018

Statistics: January-August 2018*										
Type of Human Rights Violation		January	February	March	April	May	June	July	August	Total
Extrajudicial killings	Crossfire	18	6	17	28	149	50	69	24	<b>361</b>
	Shot to death	1	1	0	0	0	0	0	0	<b>2</b>
	Torture to death	0	0	1	1	2	0	0	0	<b>4</b>
	<b>Total</b>	<b>19</b>	<b>7</b>	<b>18</b>	<b>29</b>	<b>151</b>	<b>50</b>	<b>69</b>	<b>24</b>	<b>367</b>
Enforced Disappearances		6	1	5	2	1	3	5	4	<b>27</b>
Death in Jail		6	5	9	7	8	5	7	4	<b>51</b>
Human rights violations by Indian BSF	Bangladeshis Killed	2	1	0	0	0	0	1	0	<b>4</b>
	Bangladeshis Injured	3	5	1	2	0	1	0	1	<b>13</b>
	Bangladeshis Abducted	2	0	0	3	4	0	0	0	<b>9</b>
	<b>Total</b>	<b>7</b>	<b>6</b>	<b>1</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>26</b>
Attack on journalists	Injured	12	6	1	2	3	1	3	12	<b>40</b>
	Assaulted	1	3	3	0	0	0	0	10	<b>17</b>
	Threatened	2	1	3	0	1	1	0	1	<b>9</b>
	<b>Total</b>	<b>15</b>	<b>10</b>	<b>7</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>23</b>	<b>66</b>
Political violence	Killed	9	5	9	11	13	2	3	2	<b>54</b>
	Injured	619	424	335	428	297	153	216	252	<b>2724</b>
Dowry related violence against women		12	16	15	21	12	6	10	14	<b>106</b>
Rape		46	78	67	69	58	48	59	50	<b>475</b>
Sexual harassment /Stalking of females		15	14	25	24	19	6	11	7	<b>121</b>
Acid violence		2	1	3	4	2	0	5	6	<b>23</b>
Public lynching		5	6	8	2	5	2	4	3	<b>35</b>

Situation of workers	RMG workers	Killed	0	0	1	0	1	0	0	0	<b>2</b>
		Injured	20	0	40	0	35	27	10	0	<b>132</b>
	Workers in other sectors	Killed	9	11	7	8	18	7	4	6	<b>70</b>
		Injured	8	4	0	3	4	3	9	0	<b>31</b>
Arrest under Information and Communication Technology Act 2006 (amended 2009 and 2013)**			2	1	0	0	3	0	2	27	<b>35</b>

\*Odhikar's documentation

\*\* 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 high officials of the government and their families. In August, 23 arrests were taken place against those who allegedly provided "false and confusing information, spread rumours and anti-state" through Facebook/social media during safe road movement.

## Introduction

1. The human rights situation of August 2018 has been reviewed in this report. The Awami League government, after reassuming power for a second term, through the 2014 controversial Parliamentary election<sup>1</sup>, has created a state of fear in the country by suppressing people and violating civil and political rights through repressive laws, policies and practices. The incumbent government has systematically politicized various important government and independent institutions and made them subservient to the government and the ruling party since 2009. Rights to freedom of expression and freedom assembly and association have been violated due to an absence of democracy and accountable government. During this period, students of different schools and colleges, who were in demonstrations demanding road safety, became victims of suppression by police. Criminals wearing helmets were also seen attacking the protesting students with the police or while the latter stood by. There were allegations that

<sup>1</sup> The Caretaker Government system was incorporated in the Constitution through the 13<sup>th</sup> amendment to the Constitution, as a result of people's movement led by the then Opposition Awami League and its alliance between 1994 and 1996 due to the continuation of enmity, mistrust and violence between the two main political parties (BNP and Awami League). Later this system received a huge public support. However, in 2011 the caretaker government system were removed unilaterally by the Awami League government through the 15<sup>th</sup> amendment to the Constitution, without any referendum and ignoring the protests from various sectors; and a provision was made that elections were now to be held under the incumbent government. As a result, the farcical 10<sup>th</sup> Parliamentary elections were held on 5 January 2014 despite the boycotting of this election by a large majority of political parties. The election was farcical and out of 300 constituencies, 153 MP's were declared elected uncontested even before the polling commenced.

they were activists of the ruling party affiliated organisation, Chhatra League<sup>2</sup> and Jubo League<sup>3</sup>, but the government has denied such allegations.

2. A terrorist attack on vehicle of the US Ambassador and such attack at the home of an eminent citizen were also reported. Furthermore, an internationally renowned photographer and activist was picked up from his home at night and is now in jail, for exercising freedom of speech. Incident of extrajudicial killings, enforced disappearances and custodial torture occurred and journalists were attacked by criminals backed by government were reported during this period.
3. The commissions of public lynching continued in the month of August due to weak criminal justice system, impunity of law enforcement agencies and acts of widespread corruption.
4. A few months remain to hold the National Parliament elections in December. But the controversial role of the Election Commission and the government has been expanding its dominant position in the field of election, through suppression and oppression.
5. In the absence of a democratic system and accountability, extreme misrule prevails in the country and as a result, corruption has spread widely and money has been allegedly laundered abroad by government affiliated influential persons.<sup>4</sup> However, the Anti Corruption Commission has not taken any effective action against the persons accused.
6. Furthermore, acts of Indian aggression and intervention on the political, economic and cultural affairs of Bangladesh continued during this period.
7. Rohingya people who fled genocide in the Rakhine (Arakan) state of Myanmar and took shelter in Bangladesh, are currently living in difficulties.
8. Violence against women was persistent during this period. A significant number of women and girls became victims of different kinds of gender-based violence, including dowry, rape acid attack, sexual harassment and domestic violence.
9. Hindrance to carry out human rights activities continues.

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

<sup>3</sup> Youth wing of Awami League

<sup>4</sup> According to a Washington based research institution, Global Financial Integrity, report from 2005 to 2014, USD 61.63 billion was laundered abroad from Bangladesh. Of this, USD 9.10 billion was laundered abroad in 2014. Furthermore, 20 more Bangladeshi names, including controversial businessman Musa bin Shamsar, have been incorporated in the second list of the highly discussed Paradise Papers scam. All of them have illegally laundered money from Bangladesh to Malta. The daily Jugantor, 16 February 2018; <https://www.jugantor.com/todays-paper/first-page/18058/>

## Hindrance and Attacks on Freedom of Peaceful Assembly and Interference on Freedom of Expression

### *Attacks on freedom of assembly*

10. The right to freedom of peaceful assembly and freedom of expression were severely curtailed as a result of authoritarian rule in the country. Dissenters and students were arrested by imposing repressive laws and they were allegedly tortured by police. Furthermore, journalists have become victims of violence in the hands of government backed criminals.
11. On 29 July 2018 drivers of two public buses on the Airport Road drove the buses recklessly in a race to get passengers. As a result a bus hit the footpath, causing the death of two students of Shahid Ramijuddin College and seriously injured several others. When journalists referred to this incident at a meeting with the road transport labour leader and Shipping Minister, Shahjahan Khan, he smiled and commented that no fuss was being made after the deaths of 33 persons in a road accident in India so why should there be so much protest after the death of two students in Bangladesh. As a result, students of different schools and colleges (aged between 10 and 20 years) came out on the roads with a 9-point demand, including the resignation of Shipping Minister Shahjahan Khan, punishment of the killer bus drivers and safe roads. Students willingly took responsibility to maintain traffic. During this operation, students identified many vehicles belonging to Ministers, Secretaries, the Prime Minister's office, and law enforcement agencies without licence or valid documents. Even the ordinary people, including parents and guardians joined the protesting students with different placards. The government at one stage assured that it would fulfil the students' justified demands, but did not take any measures to implement them. As a result students continued their protest. Later, the government declared a holiday in all educational institutions to stop the movement, but it did not work.<sup>5</sup> The movement spread across the country, including Dhaka City. Police and Chhatra League leaders-activists attacked the gatherings of students at different points in the city.<sup>6</sup> From 2 to 5 August, several students were injured when police and leaders and activists of Chhatra League and Jubo League attacked their peaceful rally at Mirpur-10, Jigatola and Dhanmondi areas of Dhaka city.<sup>7</sup> During this attack, government supporters allegedly shot at protestors and police

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<sup>5</sup> The daily Prothom Alo, 3 August 2018;

<sup>6</sup> The daily Prothom Alo, 3 August 2018

<sup>7</sup> The daily Jugantor, 3 August 2018; <https://www.jugantor.com/todays-paper/first-page/76561/>

threw tear gas shells from behind; and Chhatra League activists attacked students with sticks, iron rods and machetes. Even journalists, women and elderly pedestrians were not spared from the attackers.<sup>8</sup> Furthermore, police and Chhatra League activists jointly attacked protesting students on Dhaka University campus, Shahbagh and Science Laboratory areas and Elephant Road.<sup>9</sup> Apart from Dhaka, police and activists of Chhatra League, Shramik League<sup>10</sup> and Jubo League also attacked peaceful meetings and assemblies of protesting students in Chittagong, Moulvibazar, Bogra, Feni, Khulna, Mymensingh and Manikganj.<sup>11</sup> On 6 August 2018, students of Private Universities, including North-South University, Independent University, East-West University and the public university – Dhaka University, brought out a peaceful rally in protest of the attacks on students. At that time police and alleged local Awami League leaders and activists attacked them.<sup>12</sup> Meanwhile police are arresting protesting students over allegations of spreading ‘rumours’ and created a fearful environment. But the police did not arrest any of the criminals who were involved in attacking students and journalists.<sup>13</sup> As a result students were forced to delete Facebook posts related to this movement from their facebook accounts. On 8 August, police conducted a ‘block raid’ operation at Bashundhara Residential Area of Dhaka and its adjacent areas for two hours in order to arrest student protesters.<sup>14</sup> Many students of various Private Universities live in this area by renting houses. Human Rights Watch, in one of its reports, said that mass arbitrary arrests of student protesters and journalists, has created a dreadful environment in Bangladesh, greatly threatening freedom of speech and expression.<sup>15</sup>

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<sup>8</sup> The daily Prothom Alo, 6 August 2018; <http://www.prothomalo.com/bangladesh/article/1548116/>

<sup>9</sup> The daily Naya Dignata, 6 August 2018; <http://www.dailynayadiganta.com/first-page/339169/>

<sup>10</sup> Worker’s wing of Awami League

<sup>11</sup> The daily Manabzamin, 5 August 2018; <http://www.mzamin.com/article.php?mzamin=129268&cat=3/>

<sup>12</sup> The daily Prothom Alo, 7 August 2018;

<sup>13</sup> The Daily Star, 17 August 2018; <https://www.thedailystar.net/news/city/protest-for-safe-roads-11-university-students-denied-bail-again-1621561>

<sup>14</sup> The daily Jugantor, 9 August 2018; <https://www.jugantor.com/todays-paper/first-page/78585/>

<sup>15</sup> “Bangladesh: Wave of Arrests Over Peaceful Dissent”, Human Rights Watch, 15 August 2018; <https://www.hrw.org/news/2018/08/15/bangladesh-wave-arrests-over-peaceful-dissent>



*Chhatra League and Juba League activists along with police swooped on students protesting for road safety at Mirpur in Dhaka. Photo: New Age, 4 August 2018*



*Armed and helmeted people, with an armoured personnel carrier, attack students agitating for road safety at Jigatola in Dhaka. Photo: New Age, 5 August 2018*



*A student with injuries to his eye walks with his fellow protesters. Photo: The Daily Star, 5 August 2018*



*Police firing tear gas shells on the protesters at Dhanmondi in Dhaka. Photo: New Age, 6 August 2018*



*Alleged ruling Awami League men attacked freelance photographer Rahat Karim with sticks, iron rods and machetes in front of the Police Box at Science Lab intersection in the capital. Rahat Karim bleeds badly after he was attacked. Photo: The Daily Star, 6 August 2018*



*Helmeted youths equipped with sticks, machetes launch attack on protesting students in the presence of police at Jigatola in Dhaka. Photo: Jugantor, 6 August 2018*



*Police disperse Dhaka University students as they tried to block roads demanding safe roads at Shahbagh in Dhaka. Photo: New Age, 7 August 2018*



*Arrested student protesters of different private universities produced in the Chief Metropolitan Magistrate Court in Dhaka. Photo: Prothom Alo, 8 August 2018.*

12. From 29 July to 15 August, 2018, at least 52 cases were filed with different police stations in Dhaka against student protesters and others who were demanding road safety. Around five thousand ‘unknown persons’ were accused in those cases. Among them, 81 persons were arrested in 43 cases under the Penal Code and Special Powers Act. Their lawyers alleged that police tortured them in custody after taking them in remand.<sup>16</sup> Among the arrestees, there were 47 students from six private universities and at least four school/college students. Of the four students, the Court had sent two students of the Milestone School and College of Dhaka to the Juvenile Development Centre, as they were minors, although they were shown as 18 years old in the police record.<sup>17</sup> On 19 and 20

<sup>16</sup> New Age, 16 August 2018;

<sup>17</sup> The daily Prothom Alo, 19 August 2018; <https://www.prothomalo.com/bangladesh/article/1554235/>

August, the Court granted the bail of 74 arrested students.<sup>18</sup> Apart from students, ordinary citizens who were in solidarity with the student movement, were also arrested. On 5 August 2018, a woman entrepreneur, Bornali Chowdhury Lopa (35) was handed over to police by government supporters while she was on her way to Dhanmondi from New Market. Police showed her as arrested under three cases relating to vandalism in the Dhanmondi area, including the Awami League party office. She was taken into six-day remand as granted by the Court. The investigating officer of this case said that after examining Bornali Chowdhury's cell phone, it was found that she had distributed food to the protesting students.<sup>19</sup>

13. It must be mentioned here that road accidents in Bangladesh have become a serious matter due to the driving of vehicles by under aged, unskilled and licence less drivers. As a result, many people are being maimed or are dying almost daily in road accidents. The road transport system has extensive links with corruption. The accused bus drivers involved in the accidents cannot be brought to justice as the leaders of the road transport workers and the owners of the transports have links with the government, including the Shipping Minister. Furthermore, the government has not taken any initiative to improve the public transport system. As a result, the culture of impunity has been developed.
14. In August 2018, apart from suppressing the student movement for safe roads, the government barred the opposition political parties from organising peaceful programmes. Cases were filed against leaders and activists of the opposition parties and they were arrested under any pretext. Furthermore, indoor meetings of eminent citizens are also attacked by criminals. Some incidents are given below:
15. On 5 August 2018, a group of terrorists attacked and stoned the vehicle of outgoing US Ambassador to Bangladesh, Marcia Bernicat, as she was leaving the residence of Badiul Alam Majumder, secretary of a civil society advocacy group called Shushashoner Jonno Nagorik (Shujan), after a farewell dinner. They then attacked Majumder's house at Mohammadpur in Dhaka. At that time Badiul Alam Majumder's son Dr. Mahabub Majumder was injured.<sup>20</sup>
16. On 9 August 2018 police stopped a meeting of the Communist Party of Bangladesh in Boalkhali, Chittagong as its banner allegedly had an 'anti

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<sup>18</sup> The daily Jugantor, 20 & 21 August 2018; <https://www.jugantor.com/todays-paper/first-page/82563/> ; <https://www.jugantor.com/todays-paper/first-page/82880/>

<sup>19</sup> The daily Prothom Alo, 19 August 2018; <https://www.prothomalo.com/bangladesh/article/1553991/>

<sup>20</sup> The daily Manabzamin, 6 August 2018; [www.mzamin.com/article.php?mzamin=129437&cat=2/](http://www.mzamin.com/article.php?mzamin=129437&cat=2/). Also see Human Rights Watch Report, 6 August 2018; <https://www.hrw.org/news/2018/08/06/bangladesh-stop-attacks-student-protesters-critics>

government' statement.<sup>21</sup> On 23 August 2018, an Eid reunion meeting organised by BNP at the residence of BNP central committee member Mostafizur Rahman Bhuiyan, in Rupganj under Nayanganj District was stopped due to hindrance by police.<sup>22</sup> On 23 August 2018, Swechchasebak League<sup>23</sup> and Sramik League<sup>24</sup> leaders and activists attacked an Eid greeting programme organised by BNP leader and former MP Mezbah Uddin Farhad in Mehediganj, Barisal, injuring 15 people.<sup>25</sup> On 22 August, Advocate Shishir Monir, a defence lawyer of a man accused of war crimes, was stopped by police from attending the Eid jamat (prayer) in Shalla Upazila under Sunamganj District.<sup>26</sup> On 5 August, police arrested Joint Convener of Somajtantrik Front<sup>27</sup> Gofur Mia; Coordinator of Somajtantrik Front and General Secretary of Bangladesh Sramik Federation<sup>28</sup> AAM Foyez Hossain; and the central leader of Somajtantrik Front, Humayun Kabir Mujib, near Arambagh Police Outpost while they were returning after meetings in Motijheel and Kamalapur.<sup>29</sup> Police arrested Chuadanga District unit BNP Convener Ahidul Islam Biswas from his house on 20 August<sup>30</sup>, four local BNP and Chhatra Dal<sup>31</sup> leaders from Chatkhil Upazila under Noakhali District on 23 August, Dohar Upazila unit BNP President Sahabuddin Ahmed on 23 August; and Joint General Secretary of Dhaka Metropolitan unit BNP M A Hannan was arrested from his village home in Ramganj Upzila under Lakshmipur District.<sup>32</sup>

## ***Freedom of expression***

17. The government controls most of the media, particularly the electronic media and puts pressure on it through different means, which hinders accurate and impartial reporting and proper journalism. As a result, many media and journalists are forced to practice self-censorship due to alleged pressure from the

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<sup>21</sup> Information sent by local human rights defender associated with Odhikar from Narayanganj. The daily Manabzamin, 10 August 2018; <http://www.mzamin.com/article.php?mzamin=130094&cat=3/>

<sup>22</sup> Information sent by local human rights defender associated with Odhikar from Narayanganj.

<sup>23</sup> Voluntary wing of Awami League

<sup>24</sup> Labour wing of Awami League

<sup>25</sup> The daily Jugantor, 25 August 2018; <https://www.jugantor.com/todays-paper/news/83344/>

<sup>26</sup> The daily Naya Dignata, 25 August 2018; <http://www.dailynayadiganta.com/more-news/343335/>

<sup>27</sup> Socialist Front

<sup>28</sup> Bangladesh Workers Federation

<sup>29</sup> The daily Manabzamin, 7 August 2018; <http://www.mzamin.com/article.php?mzamin=129578&cat=10/>

<sup>30</sup> The daily Naya Diganta 25 August 2018; <http://www.dailynayadiganta.com/bangla-diganta/343354/>

<sup>31</sup> Student wing of BNP

<sup>32</sup> The daily Naya Diganta 26 August 2018; <http://m.dailynayadiganta.com/detail/news/343482/> The daily Jugantor, 25 August 2018; <https://www.jugantor.com/todays-paper/second-edition/83421/> The daily Naya Diganta 26 August 2018; <http://www.dailynayadiganta.com/bangla-diganta/343483/>

government and the government closed down pro-opposition electronic media – Diganta TV, Islamic TV – and the publication of the print media, the daily Amar Desh since 2013. Furthermore, supporters of the ruling party are attacking on journalists. But the government is not taking any action against them.

18. On 5 August 2018, internationally recognised photographer Shahidul Alam was picked up by members of the Detective Branch (DB) of Police from his residence at Dhanmondi, Dhaka. A case was filed against him under the ICT Act for allegedly spreading false information and rumour. In the afternoon, when Shahidul Alam was taken to the court, he was seen unable to walk properly without support. He told the court that he was picked up, blindfolded and hit in the car. An officer at the DB office punched his nose causing it to bleed and his *Panjabi* (tunic) was soaked in blood. They washed his *Panjabi* and he came to court wearing it.<sup>33</sup> Later the court granted 7-day remand for interrogation.<sup>34</sup> In response to a writ petition filed by his wife Rahnuma Ahmed on 7 August, the High Court directed the authorities concerned to immediately send him to Bangabandhu Sheikh Mujib Medical University, arrange his medical examination and submit a report by 9 August.<sup>35</sup> Shahidul Alam was produced before Dhaka Metropolitan Magistrate Court on 12 August after remand. The Magistrate sent him to Dhaka Central Jail without hearing his lawyer. His lawyer filed a bail petition twice with the lower court concerned, but the court refused to grant him bail.<sup>36</sup> On 28 August, his bail application was filed in the High Court Division and the hearing of this petition is scheduled early September.<sup>37</sup> It is to be mentioned that Shahidul Alam had posted some videos on his Facebook page regarding the ongoing student movement and during an interview with Al Jazeera, he termed the government unelected and criticised its repressive activities, including corruption, extrajudicial killings and disappearances.<sup>38</sup>

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<sup>33</sup> The daily Prothom Alo, 7 August 2018; <https://www.prothomalo.com/bangladesh/article/1555361>

<sup>34</sup> The daily Jugantor, 7 August 2018; <https://www.jugantor.com/todays-paper/first-page/77899/>

<sup>35</sup> The Daily Star, 28 August 2018; <https://www.thedailystar.net/news/city/jail-authorities-directed-provide-division-photographer-shahidul-alam-bangladesh-1625341>

<sup>36</sup> The Independent, 30 August 2018; <http://www.theindependentbd.com/printversion/details/164081>

<sup>37</sup> The daily Prothom Alo, 29 August 2018; <https://www.prothomalo.com/bangladesh/article/1555361>

<sup>38</sup> <https://www.youtube.com/watch?v=m8E1C7H4EhE>



*Detained photographer Shahidul Alam being taken to court bare footed by DB police. Photo: The Daily Star, 7 August 2018*

19. On 5 August 2018, journalists from various media became victims of attacks by the ruling party men while gathering information/news on attacks on protesting students at the Science Laboratory and its adjacent area. At that time the ruling party men allegedly attacked journalists with sticks, rods and machetes, leaving them seriously wounded. The injured journalists and photo journalists were Ahmed Dipto, staff reporter of the daily Prothom Alo; Abdullah Shafi, staff reporter of Nagorik TV; Golam Samdani, special correspondent of Sara Bangla; A M Ahad, photojournalist of the Associated Press (AP); Sajid Hossain of the daily Prothom Alo; Rimon, US-based media Juma Press; Mohammad Kamrul Hassan of Nagorik TV; Polash Rahman of the daily Bonik Barta; Abu Sufian Jewel of news portal BD Morning; Ibnul Asad Jawad of the daily Janakantha; and Sharif Hossain of the daily Naya Diganta. Among the injured freelance photojournalists were Rahat Karim, Enamul Hassan, Marjuk Hassan, Hassan Jubaer, and N. Kayes Hasin.<sup>39</sup> On 18 August 2018, a clash took place between two factions of Jubo League centring around the creation of a committee of document writers in

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<sup>39</sup> The daily Prothom Alo, 6 August 2018

Dhunot Upazila under Bogra District. At that time a faction of Jubo League attacked Dhunot Model Press Club and beat Giasuddin Tikka, Dhunot Upazila correspondent of the daily Samakal.<sup>40</sup>

20. From 29 July to 11 August 2018, eight cases were filed under the repressive Information and Communication Technology Act for the allegations of spreading confusing information and rumours amongst student protesters and public, for inciting destructive activities and for making derogatory remarks on Prime Minister. 16 persons were arrested and they were allegedly ill treated by members of law enforcement agencies.<sup>41</sup> Among the arrested persons, are a pregnant school teacher Nusrat Jahan Sonia<sup>42</sup> from Kolapara of Patuakhali, actress Kazi Naushaba Ahmed<sup>43</sup>, a coffee shop owner Faria Mahzabin<sup>44</sup>, and quota reform movement leader Lutfar Nahar Luma.<sup>45</sup> Allegations of spreading rumours of killings and rape at the Awami League office was reported against an unknown woman wearing a pink coloured *Salwar-Kamiz*. It was alleged that Lutfar Nahar Luma was arrested as she had on a pink coloured *Salwar-Kamiz*.<sup>46</sup> Furthermore, some students were beaten by Chhatra League activists and later on handed over to police and cases were filed against them under the ICT Act.
21. On 9 August 2018, Chhatra League activists picked up Dhaka University student Rafsan Ahmed and handed him over to Shahbagh Police Station for allegedly posting a status on his Facebook critical about the government, the ruling Awami League and the family of the former President Sheikh Mujibur Rahman. A case was filed against him under the ICT Act.<sup>47</sup>
22. Savar Upazila unit Jubo League Joint General Secretary Sheikh Farid Al Razi filed a case under the ICT Act against Nazmus Sakib, editor of the Savar based newspaper 'Daily Phulki' for allegedly making inimical remark against Prime Minister in the online version of the newspaper.<sup>48</sup>
23. After suppressing the protestors of the safe road movements, expulsion and show-cause notices from the educational institutions were issued against the students for giving statements or posting on Facebook against high government officials and the ruling party. Even the use of social media was banned. On 8 August 2018, Mawlana Bhashani Science and Technology University authority

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<sup>40</sup> The daily Manabzamin, 19 August 2018; <http://www.mzamin.com/article.php?mzamin=131555&cat=9/>

<sup>41</sup> New Age, 16 August 2018

<sup>42</sup> The daily Manabzamin, 6 August 2018; <http://www.mzamin.com/article.php?mzamin=129425&cat=3/>

<sup>43</sup> The daily Manabzamin, 5 August 2018; <http://www.mzamin.com/article.php?mzamin=129278&cat=2/>

<sup>44</sup> The daily Jugantor, 18 August 2018; <https://www.jugantor.com/todays-paper/last-page/81751/>

<sup>45</sup> The daily Naya Dignata, 16 August 2018

<sup>46</sup> The daily Prothom Alo, 17 August 2018

<sup>47</sup> The daily Jugantor, 10 August 2018; <https://www.jugantor.com/todays-paper/second-edition/79101/>

<sup>48</sup> The daily Jugantor, 11 August 2018; <https://www.jugantor.com/todays-paper/second-edition/79468/>

temporarily suspended its students Zakia Rahman, Sumaiya Islam and Zakia Begum for allegedly criticising the Prime Minister on Facebook; Mohammad Tanvir Hassan for allegedly making inimical comments on Chhatra League; Obaidulla for allegedly spreading rumours; and Muhammad Imran Hossain for allegedly creating a destructive environment through communication with different persons; and the University authority issued show cause notices to Mehnaz Zaman and Shuvro Debnath for allegedly making derogatory remarks against law enforcement agencies on Facebook during the safe road movement.<sup>49</sup>

24. Bangabandhu Sheikh Mujib Medical University and Bangladesh Agriculture University authorities imposed a ban on giving opinions or comments through social media for teachers, doctors and officials without the authority's permission.<sup>50</sup>

## Repressive Laws

25. Section 57<sup>51</sup> of the repressive Information and Communication Technology Act 2006 (Amended 2009 and 2013) curtails freedom of expression and is contrary to the Constitution. Incidents of filing cases and imprisoning people under section 57 of the ICT Act for writing comments or even giving 'like' on Facebook posts critical of high-level persons in the government or/and their family members, continued in August 2018. Meanwhile the government has prepared the 'Digital Security Act (DSA) 2018' after recommending section 57 of the repressive ICT Act to be repealed and the draft DSA is now waiting for the enactment in the Parliament.<sup>52</sup> The Digital Security Bill has been as heavily criticised as the ICT Act; and there is concern from civil society that this new law is more repressive than the ICT Act.

26. **According to information gathered by Odhikar, in August 2018, 27 persons were arrested under the Information and Communication Technology Act 2006 (amended 2009 and 2013) for being critical against high officials of the government and their families. However, 23 were taken place during the safe**

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<sup>49</sup> The daily Manabzamin, 9 August 2018; <http://www.mzamin.com/article.php?mzamin=129899>

<sup>50</sup> The daily Manabzamin, 10 August 2018; <http://www.mzamin.com/article.php?mzamin=130111&cat=2/>

<sup>51</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>52</sup>

road movement allegedly provided 'publicity to false and confusing information, spread rumours and anti-state" posts on Facebook/social media. Incidents have already mentioned in previous sections of this report.

## Political Violence

27. In August 2018, according to information gathered by Odhikar, two persons were killed and 252 persons were injured in political violence. Furthermore, 20 incidents of internal violence in the Awami League and five in the BNP<sup>53</sup> were also recorded during this period. 216 were injured in internal conflicts within the Awami League while one person was killed and 25 were injured in conflicts within the BNP.

Political Violence		
Month	Killed	Injured
August 2018	2	252

28. Allegations of attacks and suppression on dissenters, extortion, forcefully acquiring tender bids, land grabbing, kidnapping, attacks on ordinary citizens and violence against women and sexual harassment were reported against the ruling party leaders and activists. The Awami League leaders-activists continue to carry out unlawful, mischievous and offensive activities due to lack of accountability. They are involved in internal conflicts over establishing supremacy in various sectors. In most cases, the ruling party leaders and activists could not be brought to justice.

29. On 6 August 2018, six students of Dhaka University were picked up from Fazlul Huq Hall<sup>54</sup> and beaten by Chhatra League activists over allegations of spreading 'rumours'. Later on they handed over two students named Tariqul and Jobaidul Huq to Shahbagh Police Station. Proctor Golam Rabbani was forced to take measures to release them due to pressure from the left leaning student organisations.<sup>55</sup> On 5 August, Chhatra League brought out a procession in Chittagong in protest of the attack on the Awami League party office at Dhaka. They were seen holding guns in the procession.<sup>56</sup> On 9 August, a violent altercation occurred between supporters of Ward unit Swechchasebak League

<sup>53</sup> BNP: Bangladesh Nationalist Party.

<sup>54</sup> Male students residential hall of Dhaka University.

<sup>55</sup> The Daily Ittefaq, 8 August 2018; <http://www.ittefaq.com.bd/print-edition/first-page/2018/08/08/293987.html>

<sup>56</sup> The daily Jugantor, 6 August 2018; <https://www.jugantor.com/todays-paper/last-page/77575/>

convener Habban and supporters of Awami League leader Shahin over establishing supremacy in Pabna town. Both groups were seen using guns. 15 persons, including four women were injured during this clash.<sup>57</sup> On 23 August, Awami League activists attacked the house of Jhalkati District unit BNP Vice-President Mia Ahmed Kibria in Nalchhiti when he was returning home after exchanging Eid greetings with co-leaders and activists.<sup>58</sup> On 23 August, Chhatra League and Jubo League activists attacked BNP leader Mosharaf Hossain while he was exchanging Eid greetings with members of the public. As a result four BNP leaders-activists, including Mosharaf Hossain were injured. Chhatra League filed a case against BNP leaders and activists.<sup>59</sup>



*A Chhatra League activist carries firearms at a procession during 'blockade' in the public transport sector in Chittagong. Photo: Jugantor, 6 August 2018*

## State Repression

### ***Extrajudicial killings***

30. Extrajudicial killings (EJK) commenced indiscriminately across the country in the name of 'anti-drug drives' from 15 May of the current year. RAB and police claim that all the deceased were drug peddlers. However, some families of the victims said that they were not involved in drug dealing. While examining the reasons

<sup>57</sup> The daily Jugantor, 10 August 2018; <https://www.jugantor.com/todays-paper/news/78978/>

<sup>58</sup> The daily Jugantor, 25 August 2018; <https://www.jugantor.com/todays-paper/news/83350/>

<sup>59</sup> The daily Manabzamin, 26 August 2018; <http://www.mzamin.com/article.php?mzamin=132165>

behind the commissions of extrajudicial executions, it was found that such killings occurred mostly in order to prevent the opposition and dissidents from mobilizing or speaking, to resist so-called ‘extremists’ and to stop opposition.

31. According to Odhikar documentation, from May 15 to 31 August 2018, 228 persons were reported killed extra-judicially in the name of ‘gunfight’ or ‘shootout’ during such anti drug drives across the country. Apart from the anti-drug drives, nine persons were allegedly killed extra-judicially in August 2018 by law enforcement agencies.

Alleged extra-judicially killing by law enforcement agencies					
Month	RAB	Police	DB Police	Forest Guards	Total
August 2018	13	9	1	1	24

Anti-drug drive by law enforcing agencies					
Months	Allegedly killed by				Total killed
	DB Police	Police	BGB-RAB	RAB	
15 to 31 May 2018	2	94	0	33	129
June	8	28	0	2	38
July	5	16	2	23	46
August	0	5	0	10	15
<b>Total</b>	<b>15</b>	<b>143</b>	<b>2</b>	<b>68</b>	<b>228</b>

### ***Enforced Disappearances***

32. In August 2018, four persons were allegedly disappeared<sup>60</sup> after being picked up by members of law enforcement agencies. Among them, two have returned alive and the whereabouts of two persons remain unknown.
33. It has been observed by analysing incidents of disappearance, that some men claiming to be members of law enforcement agencies are involved in picking people up without any warrant and taking them away in a microbus or car and they become traceless. Such a trend commenced after the Awami League led Alliance government assumed power in 2009 and since then it continues. It is reported that leaders and activists of the opposition parties became victims of enforced disappearance before and after the controversial Parliamentary elections in 2014. Of them, many have not returned yet.<sup>61</sup> It is feared that

<sup>60</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.

<sup>61</sup> The families of the disappeared and witnesses claim that members of law enforcement agencies arrested and took away the victims and since then they have disappeared. Statements of many witnesses in this regard show that members of law

incidents of enforced disappearance might increase ahead of the upcoming 11<sup>th</sup> Parliamentary Elections in December 2018 and leaders-activists of the opposition parties, civil society members and dissenters might be the victims of such crime. Despite various investigation reports that have proved that enforced disappearances exist, the government repeatedly denies that enforced disappearances occur.

34. On 6 July 2018 at around 11:00 pm, some men claiming to be members of RAB picked up Fajal Huq (60), his brother-in-law Rupai Khan Rubel (40) and nephew Munnaf Hossain (35) from Fajal Huq's house in Bhoralipara village of Tetuljhora Union under Savar Upazila in Dhaka. On 8 August 2018 Fajal Huq's wife Renu Begum alleged this at a press conference. The day after the incident, the family contacted Nabinagar RAB Camp and Ashulia Police Station, but they denied arresting the three. However, Rubel was produced before the court showing him as arrested with Yaba pills (drugs) on the same day. Rubel informed Renu Begum that the three of them were detained in Nabinagar RAB Camp. Later he was shown as arrested and sent to the court but Fajal Huq and Munnaf Hossain were kept in the RAB custody. He said that RAB members asked him not to disclose this matter to anyone. Hearing this, the family members of Fajal Huq went to RAB Camp again where RAB member SI Sanjoy told them to return after five days. After five days when they visited the RAB Camp, SI Sanjoy did not recognise them and refused to help.<sup>62</sup>
35. On 8 August 2018 at around 10:20 pm, former commanding officer of RAB-7, Lt. Col. (sacked) Hasinur Rahman was forcibly picked up by 10-15 plainclothes men from in front of the house of his sister-in-law at DOHS in Mirpur, Dhaka. The men who took him were wearing 'DB'<sup>63</sup> written jackets and were carrying firearms. His family informed that some unknown persons had been roaming in front of his house for the last three days. Hasinur Rahman predicted that he might be picked up and asked the security guard of his sister-in-law's house, Moktar Hossain to take pictures by his cell phone. Moktar Hossain captured photos of two white coloured minibuses waiting there. For this reason, Moktar was caught and put in a microbus. When Hasinur shouted, they picked him up in another microbus. Hearing their screams, people of that area approached the minibuses, then the men immediately put on 'DB' written jackets and showed

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enforcement agencies are involved in disappearance. In some cases, although law enforcement agencies deny the arrest; days or months later, the arrested persons are produced before the public by the police; or handed over to a police station and appear in Court, or the bodies of the disappeared persons are found.

<sup>62</sup> The daily Naya Diganta, 9 August 2018; <http://www.dailynayadiganta.com/city/339963/>

<sup>63</sup> Detective Branch of Police

firearms. After reaching a distance, they dropped Moktar in blindfolds after taking his cell phone away. Later Hasinur's relatives contacted the DB office but they denied the arrest of Hasinur Rahman. On 9 August, Hasinur's wife Shamima Akhter filed a General Diary with Pallabi Police Station. His whereabouts still remain unknown.<sup>64</sup>

36. The International Day of the Victims of Enforced Disappearances declared by the UN, has been observed worldwide on 30 August. The day was established by the UN General Assembly resolution 65/209 of 21 December 2010 to honour and remember those disappeared and to demand that they be returned to their families. Odhikar commemorated this day by organising rallies, human chains and meeting with local human rights defenders and the families of the disappeared associated with it in 22 districts including Dhaka.



*The families of the disappeared, human rights and civil society activists at a protest meeting in the National Press Club, Dhaka. Photo: Mayer Dak*

<sup>64</sup> Information gathered by Odhikar



*Odhikar organised rallies, human chains and meeting in different districts with local human rights defenders and the families of the disappeared. Photo: Odhikar*

### ***Torture and lack of accountability of law enforcement agencies***

37. Allegations of extortion, taking bribes, harassment, filing false cases against members the opposition party and people who have alternative beliefs, and torturing and killing them after arrest, were found against the members of law enforcement agencies – particularly against police. The government is suppressing political opponents by using members of police and RAB; and as a result such agencies are enjoying impunity. Leaders and activists of the opposition parties and even leaders-activists of the ruling party and ordinary citizens are becoming victims of such a grievous situation.
38. In the night of 3 August 2018, a group of police led by Sub Inspector (SI) Shobhan allegedly picked up a youth named Rasel Khan (24) from the Madrassa Road in Khulna Metropolitan City. Rasel’s relatives went to the police station, SI Shobhan demanded one hundred thousand taka bribe from them. When his family refused to bribe the police, SI Shobhan showed Rasel as arrested under a case relating to vandalism filed with Sonadanga Police Station on 12 October 2017 and sent him to court.<sup>65</sup> It is to be noted that police randomly filed cases for destruction and vandalism in order to prevent political movements, where a huge number of unknown persons are accused. Later on at different times political or non-political persons are shown as arrested under those cases.

<sup>65</sup> The daily Manabzamin, 6 August 2018; <http://www.mzamin.com/article.php?mzamin=129374&cat=9/>

39. On 8 August 2018, leaders and activists of Awami League and Jubo League of Bagharpara Upazila in Jessore led by Rajib Roy, son of Bagharpara Upazila unit Jubo League Convener and Awami League MP Ranjit Roy, blocked the Jessore-Narail and Narail-Khulna roads for three hours in protest of the killing of Jubo League leader Tariqul Islam. Sub Inspector Abdul Matin of Bagharpara Police Station filed a case relating to vandalism against 48 opposition leaders and activists, including Bagharpara Upazila unit BNP convener Engineer TS Ayub Hossain and Bagharpara Upazila unit Jamaat-e-Islami Amir and Upazila Vice-Chairman Nasir Haidar. It is to be mentioned that on 3 August, Jubo League leader Tariqul Islam was picked up by members of the law enforcement agency and later his body was found on 8 August.<sup>66</sup>
40. On 20 August 2018, a youth named Hasanur Rahman Milon (22) died in the custody of Debiganj Police Station under Panchagarh District. Police claimed that Milon was arrested with Marijuana and he committed suicide by hanging himself with a blanket tied through the ventilator of the toilet in the police station lock-up. Milon's father Habibur Rahman alleged that Milon had a love affair with his elder son Hasibul's sister-in-law, which Hasibul did not like. As a result Hasibul handed Milon over to the police. Later police killed Milon by torture. Local people demonstrated after blocking the police station in protest of Milon murder.<sup>67</sup>

### ***Condition in Prisons***

41. **According to Odhikar, four persons died in jail due to 'illness' in August 2018.** Many inmates allegedly die in jail due to lack of proper treatment facilities and negligence by prison authorities. There are allegations that people become ill due to the effects of torture in police remand, which causes their death later when they are sent to jail.
42. Allegations of overcrowding and inhuman and degrading treatment of inmates in jails across the country are common.<sup>68</sup> Human disasters are observed in jails due to the overcrowded situation as a result of arrest operations to suppress opposition political parties and dissenting voices.

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<sup>66</sup> The daily Manabzamin, 12 August 2018; <http://www.mzamin.com/article.php?mzamin=130392&cat=9/>

<sup>67</sup> The daily Prothom Alo, 21 August 2018;

<sup>68</sup> The Daily Star, 01 July 2018; <https://www.thedailystar.net/city/jails-overflowing-inmates-1598005>

## Public Lynching

43. **In August 2018, three persons were killed in public lynching.** Incidents of public lynching continue to occur due to a weak criminal justice system, lack of implementation of laws and impunity of law enforcement agencies, lack of confidence and poor faith in the police and judicial system. As a result, ordinary citizens are taking the law into their own hands and the tendency to resort to public lynching is common.

## Role of Election Commission and upcoming elections

44. The present Election Commission (EC) has become controversial due to its bias role and its subservience to the government. Allegations of various irregularities and rigging, including 'capturing' polling stations, snatching ballot papers, casting fake votes and ousting polling agents belonging to rival candidates, were found against the ruling Awami League nominated candidates during by-elections, Union Parishad, Upazila, Municipality and City Corporation polls conducted under the current Commission as in the previous Commission headed by Rakibuddin Ahmed.

45. The 11<sup>th</sup> Parliamentary elections are scheduled to be held in December 2018. The main responsibility to hold this election lies on the shoulders of the present Election Commission headed by KM Nurul Huda. The Election Commission is a constitutional body and holding free and fair elections are enshrined under fundamental rights of the Constitution. However, the current Commission's admiration towards the ruling party has already created 'no confidence' among public who question its role in the upcoming parliamentary elections. The level-playing field for all before the upcoming national elections is totally absent, as the opposition parties are unable to hold any public meetings and the filing of cases against and arrest of their leaders and activist under any pretext by the incumbent government. Without taking any measures to tackle this situation, the EC was seen attempting to justify electoral irregularities by taking sides with the government. On 7 August 2018, the Chief Election Commissioner (CEC) KM Nurul Huda said that there is no scope to assure that irregularity will not be occurred anywhere during the National elections.<sup>69</sup> Through this statement, the Chief Election Commissioner, in fact, denied publicly to protect one of the main structures of the Constitution. As a result, in principle, he does not deserve to remain in this position. Meanwhile, other four Commissioners disagreed with

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<sup>69</sup> The daily Prothom Alo, 10 August 2018; <https://www.prothomalo.com/bangladesh/article/1550916/>

the statement of the CEC but they were not seen playing any notable role in order to prevent electoral irregularities.<sup>70</sup>

46. Elections under Electronic Voting Machines (EVMs) system in many countries of the world have been cancelled, due to various technical flaws and no confidence.<sup>71</sup> Recently, in the all-party meeting of the Election Commission of India, all the opposition parties alleged that the elections have been rigged through the EVM.<sup>72</sup> During a dialogue between political parties and the Election Commission, most of the opposition parties, including BNP gave their opinion against using EVM in the upcoming parliamentary elections. Only the ruling Awami League and its alliance gave their opinions in favour of using EVM. Earlier the CEC KM Nurul Huda had said several times that EVM will not be used during the National Parliamentary polls if all parties do not agree. However, the EC has already sent a project proposal to the Planning Ministry to buy 150,000 EVMs on an urgent basis for 44 thousand polling centres in the forthcoming polls.<sup>73</sup> On 28 August 2018, the EC Secretary Helaluddin Ahmed informed that this time EVMs will be used in 100 constituencies.<sup>74</sup>
47. On 30 August 2018, the Election Commission decided to amend the Representation of the People's Order (RPO) of 1972, incorporating the provision of using EVMs in the next Parliamentary Elections. However, Election Commissioner Mahbub Talukder walked out of the meeting after giving a note of dissent in protest of the decision of the EC. In the note of dissent Mahbub Talukder highlighted some matters, including deficit in technical test of the EVMs to be purchased without a tender, that the polls conducted using EVMs could possibly be questioned, doubts and inconvenience among voters about use of EVMs and lack of adequate training on using EVMs.<sup>75</sup> The decision of using EVM in the upcoming national elections, by ignoring the opinions of the opposition political parties, will make the EC even more controversial.

## Acts of Corruption

48. A state of anarchy has been established in the country due to an absence of democracy. As a result, acts of corruption have widely expanded and allegations

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<sup>70</sup> The daily Prothom Alo, 10 August 2018; <https://www.prothomalo.com/bangladesh/article/1550916/>

<sup>71</sup> India Today, 11 March 2017; <https://www.indiatoday.in/india/story/election-result-uttar-pradesh-election-evm-mayawati-965228-2017-03-11>

<sup>72</sup> The daily Manabzamin, 28 August 2018; <http://www.mzamin.com/article.php?mzamin=132581&cat=2/>

<sup>73</sup> The daily Jugantor, 18 August 2018; <https://www.jugantor.com/todays-paper/first-page/81736/>

<sup>74</sup> The daily Naya Diganta, 29 August 2018; <http://www.dailynayadiganta.com/first-page/344349/>

<sup>75</sup> The daily Prothom Alo, 31 August 2018 and the Daily Star, 31 August 2018; <https://www.thedailystar.net/news/politics/ec-rpo-amendment-pave-way-evm-use-natl-polls-1626643>

of money laundering are reported against influential persons affiliated with the government. A US-based economic journal, Forbes Magazine has recently published a list of rich people of Singapore. In that list, the name of a Bangladeshi citizen, Aziz Khan<sup>76</sup>, Chairman of Summit Group of Bangladesh has appeared. Summit Group acknowledged this matter by claiming that it is legally investing there. However, Deputy Governor of Bangladesh Bank, Abu Hena Mohammad Razi Hassan said in this regard, that there is no scope to take money out of the country without permission. Furthermore, a source of the National Board of Revenue has confirmed that the information relating to investment of Summit Group in Singapore has not been mentioned in the income tax file of the Group.<sup>77</sup> The Anti Corruption Commission has not been able to play any effective role despite the fact that money laundering continues in different ways.

49. On 20 August 2018, the Cabinet approved the draft of the “Civil Service Act 2018”, keeping the provision that prior permission of the government or the recruiting authority is needed for arresting a civil servant for involvement in any criminal or corruption cases before submission of charge sheet.<sup>78</sup> Experts believe that such provision will encourage the government officers to commit corruption. If the draft law is passed, it would create discrimination, which is contrary to the Constitution.<sup>79</sup>

## Situation of Workers’ Rights

50. Incidents of closing down factories without notice, termination of workers and not paying wages on time, are occurring regularly in the readymade garment (RMG) industries and as a result workers’ unrest continues. Rights of workers were violated in August 2018 and RMG workers gathered to demand their unpaid wages and to reopen the closed down factories.
51. On 14 August 2018, workers of a RMG factory named Badhon Corporation blocked the Abdullahpur-Bipail road and demanded the payment of salary and bonus and for the reopening of the factory which was shut down without any notice at Jamgara area in Ashulia, Savar.<sup>80</sup>
52. On 16 August 2018, a clash occurred between police and workers when Alhaj Jute Mill workers blocked the Sharishabari-Dhaka road in protest of the non-

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<sup>76</sup> Elder brother of former Minister and currently Awami League MP, Colonel (retd.) Faruk Khan.

<sup>77</sup> The daily Jugantor, 19 August 2018; <https://www.jugantor.com/todays-paper/first-page/82162/>

<sup>78</sup> The daily Observer, 21 August 2018; <http://www.observerbd.com/details.php?id=154551>

<sup>79</sup> The Naya Diganta, 21 August 2018; <http://www.dailynayadiganta.com/first-page/343086/>

<sup>80</sup> The daily Prothom Alo, 15 August 2018;

payment of due wages and bonus in Sharishabari under Jamalpur District. Five women workers were injured during altercation.<sup>81</sup>



*Workers of Alhaj Jute Mill blocked the Sharishabari-Dhaka road in protest of the non-payment of due wages and bonuses. Photo: Prothom Alo, 16 August 2018.*

53. In August 2018, according to information gathered by Odhikar, six workers in the informal sector were killed in the workplace. Among them, four were construction workers and two were painters.

## Neighbouring States

### ***India's Aggression on Bangladesh***

54. India is benefitting from holding political, economic and cultural supremacy over Bangladesh.<sup>82</sup> The Indian government has been forced to withdraw its aggressive hands from various countries in South Asia because the political parties and people of these countries are united against India's supremacy in the region, but India continues its aggression in Bangladesh due to the role of the incumbent government and political leaders. As a result, Bangladesh has been established as the fourth remittance income country for India. Many Indian citizens are working in high positions in various sectors of Bangladesh, despite

<sup>81</sup> The daily Prothom Alo, 16 August 2018 (online), <https://www.prothomalo.com/bangladesh/article/1553873/>

<sup>82</sup> Before conducting the controversial and farcical January 5, 2014 National election, almost all political parties of Bangladesh decided to boycott it. At that time, the then Indian Foreign Secretary Sujata Singh visited Bangladesh and succeeded to convince Jatiya Party to join the election. Members of the Jatiya Party are now in the government (Ministers of the current government) and at the same time are the opposition in Parliament, which has made peculiar and inactive parliament. <http://www.dw.com/bn/নির্বাচন-না-হলে-মৌলবাদের-উত্থান-হবে/a-17271479>

having a huge number of educated but unemployed Bangladeshi youth in the country. According to a Foreign Ministry report, about five hundred thousand Indian citizens are living illegally in Bangladesh since the present government assumed power in 2009.<sup>83</sup>

55. There are fears that a large majority of Bangla-speaking Muslims of the Indian North-East province of Assam will lose their citizenship and they might be pushed in Bangladesh like the Rohingya of Myanmar. On 31 July 2018, National Registration of Citizens (NRC) of India organised a press conference where the ruling party BJP chief Amit Shah said that illegal Bangladeshis will be deported from India.<sup>84</sup> India's Prime Minister Narendra Modi during an interview said that preventing illegal migrants from entering India, was one of the commitments of the 1972 Agreement signed by Sheikh Mujibur Rahman and Indira Gandhi. According to that Agreement, he indicated that four million Bangla-speaking people whose citizenship has been excluded will be deported.<sup>85</sup>
56. Apart from the Indian aggression and supremacy over Bangladesh, incidents of the BSF killing, torturing and robbing Bangladeshi citizens after illegally trespassing into Bangladesh territory continue.

### ***Acts of Genocide against Rohingyas***

57. Rohingya community people have been subject to acts of genocide committed by the Myanmar military. The latest example of such operation was conducted on 25 August 2017. According to UNHCR, about nine hundred thousand<sup>86</sup> Rohingyas have fled to Bangladesh since 25 August 2017, leaving everything behind. Odhikar has been monitoring the incidents of violence/massacre on Rohingya population committed by the Myanmar government since 2012.
58. Odhikar came to know about the 'killing fields' in various villages in the Rakhine (previously known as Arakan) state of Myanmar after speaking with Rohingya people who fled the genocide and took refuge in Bangladesh after the military crackdown on 25 August 2017. Furthermore, Odhikar interviewed victims and their families and collected their testimonials and submitted documented cases to the UN fact finding team, different national and international human rights organisations and the International Criminal Court. Odhikar has learnt the Myanmar Military with the direct assistance from Buddhist extremists torched

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<sup>83</sup> The daily Jugantor, 3 July 2018; <https://www.jugantor.com/national/66051/>

<sup>84</sup> The daily Jugantor, 2 August 2018; <https://www.jugantor.com/todays-paper/last-page/76345/>

<sup>85</sup> The daily Manabzamin, 13 August 2018; <http://www.mzamin.com/article.php?mzamin=130631&cat=2/>

<sup>86</sup> [https://data2.unhcr.org/en/situations/myanmar\\_refugees](https://data2.unhcr.org/en/situations/myanmar_refugees)

Rohingya villages. They were involved in horrible incidents of killing, rape and kill after gang rape, torture, burning and shooting to death of Rohingya men, women and children; the perpetration of enforced disappearances; and the detaining of young women in the Army camps. Rohingya victims also informed Odhikar that they have been deprived from all civil and political rights, including rights to freedom of movement and freedom of religion since a long time while living in Myanmar.

59. Rohingyas who fled Myanmar took shelter in refugee camps located at different areas of Teknaf and Ukhia Upazila in Cox's Bazar of Bangladesh. There they survived with humanitarian aid given by various national and international organisations. From 5 to 8 August 2018, Odhikar fact-finding team visited Rohingya refugee camps in Cox's Bazar. At that time, information about the problems of the survival of the Rohingyas arose. Among the problems they face are insufficiency of daily essential items and medication. For example, Rohingyas are regularly given rice, lentils and oil as aid. But most of the Rohingya families (particularly in families where male members are not alive) cannot afford fish or meat or vegetables as they do not have any means of income generation. As a result they are suffering from malnutrition. Although in some camps, some families are provided small amounts of these commodities.
60. Rohingyas are living in huts on the slopes of the hills with the risk of life. The environment inside the camps has become more unhealthy due to the scarcity of drinking water and sanitation system. Inadequacy of health care is increasing in camps. Furthermore, an important issue of Rohingya's psychological health service still remains unfulfilled. Victims of direct violence, such as women and children, especially women who have been raped and children who lost all family members, are still going through trauma. They do not have enough psychosocial counselling arrangements. As a result, they are suffering from mental agony, which is putting them in more risky conditions. Although some psychosocial counselling centres have been built, in most cases they lack adequate expertise and the work and location of these centres are not properly known to victims.
61. The Ontario International Development Agency published a research report titled "Forced Migration of Rohingya: The Untold Experience". The report says that at least 114872 Rohingyas were beaten, 41,192 were victims of gunshot, 23,962 were killed, 34,436 Rohingyas were thrown into fire, and 17,718 Rohingya women and girls were raped since August 2017. The report also mentioned that 93% of Rohingya people had experienced of discrimination in Myanmar and of

them about 90% Rohingyas informed that they were always victims of discrimination.<sup>87</sup>

62. The United State has imposed sanctions on three Myanmar military commanders (Aung Kyaw Zaw, Khin Maung Soe and Khin Hlaing) and one police commander (Thura San Lwin), and two army units (33rd and 99th Light Infantry Divisions), accusing them of “ethnic cleansing” against Rohingya and widespread human rights abuses. On 17 August 2018, the US Treasury Under Secretary for Terrorism and Financial Intelligence, Sigal Mandelker said that Burmese security forces have engaged in violent campaigns against ethnic minority communities across Burma, including ethnic cleansing, massacres, sexual assault, extrajudicial killings, and other serious human rights abuses. Thus, the Treasury has sanctioned units and leaders overseeing this horrific behaviour as part of a broader US government strategy to hold accountable those responsible for such wide-scale human suffering.<sup>88</sup>

## Violence against Women

63. In August 2018, women have become victims of rape, sexual harassment, dowry related violence and domestic violence. Incidents of child rape have alarmingly increased. In many cases members of law enforcement agencies stand against rape victims and try to protect the rapist if he is a member of the ruling party. Despite widespread incidents of violence against women and girls, the status of the trial and punishment of perpetrators is very frustrating.<sup>89</sup> Although women are being sexually harassed in public transport, there is no preventive measures or action against such violence. Furthermore, section 19 of the Child Marriage Restraint Act 2017 is still in place. In effect, section 19 of this Act legalizes the marriage of minor girls under unspecified and undefined ‘special circumstances’.
64. **According to information gathered by Odhikar, in August 2018, a total of seven women and children were victims of sexual violence.**
65. On 21 August 2018, some youths including students of Dhaka Commerce College Monju and Shyamol were stalking a young girl in Rajabari area of Savar

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<sup>87</sup> Forced Migration of Rohingya: The Untold Experience,

<sup>88</sup> Al-Jazeera, 18 August 2018; <https://www.aljazeera.com/news/2018/08/sanctions-myanmar-military-rohingya-ethnic-cleansing-180818061447427.html>

<sup>89</sup> The daily Prothom Alo gathered primary information of 7,864 cases of rape, gang rape, attempt to rape, killings and provocation to suicide in dowry violence and sexual harassment filed under five Tribunals of Dhaka District between 2002 to October 2016. Among them, 4,277 cases were resolved but punishment is given in only 110 cases. Only in 3% of the cases were perpetrators punished. On the other hand, in 97% cases, accused either withdrew before the trial or were acquitted after the trial.

in Dhaka. A college student named Maruf Khan protested this incident. The stalkers stabbed him and as a result he died.<sup>90</sup>

66. **According to Odhikar documentation in August 2018, a total of 14 women were subjected to dowry violence. Of these women, seven were allegedly killed and seven were physically abused due to dowry demands.**
67. On 22 August 2018, a housewife named Shapla Begum was allegedly burnt to death by her in-laws over dowry demands in Kalihati Upazila under Tangail District.<sup>91</sup>
68. **According to Odhikar documentation in August 2018, a total number of 50 females had been raped. Among them, nine were women and 41 were children. Of the women, two were victims of gang rape and one was killed after being raped. Out of the 41 girls, eight were victims of gang rape and two were killed after being raped. One girl was also the victim of attempted rape.**
69. On 14 August 2018, some unidentified criminals killed an 11-year old girl student of class VI after raping her and sexually harassed her mother, as alleged by her relatives. The police detained the mother of the victim for interrogation and prevented journalists from meeting her.<sup>92</sup>
70. On 17 August 2018, the Officer-in-charge of Dhunat Police Station freed an alleged rapist, who is a member of Dhunat Upazila unit Awami League, four hours after he was arrested. It was learnt that on 4 June 2017, Awami League activist Mohammad Al Helal went to the victim's house in a village under Sherpur Upazila and allegedly raped the 18-year-old girl when her parents were out. Victim's family went to Sherpur Police Station to file a case in this regard but the then OC Khan Mohammad Erfan did not register the case; rather tried to cover up the incident. As a result, the victim's family on 7 June 2017 filed the case against Helal with the Bogra Women and Children Repression Prevention Tribunal-2 and the Court issued the arrest warrant for Helal. Following the warrant, Dhunat police arrested Helal on 17 August 2018, but released him after four hours on the pretext of his incorrect address written in the warrant.<sup>93</sup>
71. **According to Odhikar documentation in August 2018, it was reported that six persons became victims of acid violence. Of them, two were girls and four were boys.**

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<sup>90</sup> The daily Manabzamin, 25 August 2018; <http://www.mzamin.com/article.php?mzamin=132040&cat=9/>

<sup>91</sup> The daily Manabzamin, 25 August 2018; <http://www.mzamin.com/article.php?mzamin=132077&cat=9/>

<sup>92</sup> The Daily Star, 16 August 2018; <https://www.thedailystar.net/news/frontpage/6th-grader-gang-raped-killed-1621513>

<sup>93</sup> The Daily Star, 20 August 2018; <https://www.thedailystar.net/news/backpage/rape-accused-let-go-technicality-1623265>

## Hindrance to Odhikar

72. The government continues to harass<sup>94</sup> Odhikar by barring the release of project related funds of Odhikar for more than four years, not renewing its registration and stopping the approval of new project for being vocal against human rights violations. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are harassed and victimised and under surveillance.

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<sup>94</sup> 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. 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 Bhola and in February 2017, another human rights defender associated with Odhikar, journalist Abdul Hakim Shimul, was shot dead by Shahjadpur Municipality Mayor and Awami League leader Halimul Huq Miru. Three human rights defenders associated with Odhikar from Kushtia and Munshiganj – Hasan Ali, Aslam Ali and Sheikh Mohammad Ratan – were sent to jail in cases filed under the ICT Act.

## Recommendations

1. Democracy must be restored by establishing an accountable government through free, fair and inclusive elections, under a 'caretaker' government or even under direct supervision of the United Nations. The Election Commission must be reformed after excluding subservient elements from it, to make it truly independent.
2. The police and the ruling party must stop suppression on students protesting for safe roads and reformation of the quota system in public service. All those arrested due to the student movements should be released and the cases filed against them be withdrawn. Criminals who attacked the peaceful protesters with the police must be arrested and brought to justice.
3. All repressive and abusive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 and 2013), and the Special Powers Act, 1974 must be repealed. The government should refrain from enacting the Bill of the proposed Digital Security Act. Arrests and cases filed against everyone including Shahidul Alam, under these repressive laws, during the safe road movement, must be withdrawn.
4. The Government must refrain from repressive, unconstitutional and undemocratic activities. Rights to freedom of expression and assembly of the opposition political parties and people who have alternative beliefs have to be respected. The government must stop harassment, including arrest operations against the opposition and dissenters. Cases filed against 'unknown persons', which are believed to be repressive, must be withdrawn. All political prisoners should be released.
5. Interference on the Judiciary must stop. The government must refrain from such activities to ensure Independence of the Judiciary.
6. Extrajudicial killings in the name of carrying out 'anti-drugs drives' or on any other pretext, must stop. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators must be brought 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.
7. 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”.

8. The Government must immediately accept and implement all recommendations given by the UN member states during the 3<sup>rd</sup> cycle of Universal Periodic Review of Bangladesh in the 30 session of the UPR Working Group at Human Rights Council in Geneva in May 2018.
9. 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 must accede to the International Convention for the Protection of All Persons from Enforced Disappearance.
10. Freedoms of speech, expression and the media must be ensured and protected. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel One must be removed. Incidents of attacks on journalists must be investigated and the attackers on journalists, including Amar Desh editor Mahmudur Rahman must be brought to justice.
11. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions. In order to stop sexual harassment in workplace a sexual harassment prevention committee needs to be created in every industry. A legal framework or policy must be made for all workers in the informal work sector, including construction site to prevent discrimination.
12. The Government must ensure effective implementation of laws to stop violence against women and children and the offenders must be effectively punished under prevalent laws. The ruling party affiliated criminals, who are attacking women, should not be given impunity. The Government should also execute mass awareness programmes in the print and electronic media, in order to eliminate violence against women and put perpetrators to justice.
13. India must refrain from acts leading to establishing political and economic hegemony over Bangladesh. Indian Border Security Force (BSF) must stop human rights violations, including killing and torturing Bangladeshi citizens along the border areas; and it must compensate the victims of violence.

14. In order to protect the right to life and human dignity of the Rohingya people, Odhikar demands peace and human rights be established immediately in the Rakhine state (Arakan) of Myanmar, with UN initiatives. Odhikar also urges that the UN take initiatives to ensure the right to self-determination of the Rohingya people. The international community must put effective pressure on the Myanmar government and support the establishment of the human rights of the Rohingya community in Myanmar. At the same time, all those responsible, including the Myanmar military and Buddhist extremists must be held accountable at the ICC for committing genocide.
15. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. The NGO Affairs Bureau must renew Odhikar's registration which is pending since April 2014. 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.