



October 1, 2017

## **Human Rights Monitoring Report**

September 1 – 30, 2017

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

The democratic legitimacy of the State is directly related to its willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. If the state does not ensure full participation in the decision making process at all levels – from the lowest level of administration to the highest level – it cannot be called a ‘democratic’ state. Citizens realise their rights and responsibilities through participation and decision making processes. The awareness about the rights of others and collective benefits and responsibilities, can be ensured and implemented through this process as well. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights through any means, as such rights are inviolable and are the foundational principles of the State.

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

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

Statistics: January-September 2017*												
Type of Human Rights Violation			January	February	March	April	May	June	July	August	September	Total
Extrajudicial killings	Crossfire		15	17	19	8	8	12	17	9	2	107
	Shot to death		1	0	0	0	0	0	0	0	0	1
	Tortured to death		0	0	1	1	1	1	1	1	2	8
	Beaten to death		0	0	0	1	0	0	0	0	0	1
	Total		16	17	20	10	9	13	18	10	4	117
Enforced Disappearances**			6	1	21	2	20	7	3	6	1	67
Death in Jail			1	5	4	2	4	6	7	4	8	41
Human rights violations by Indian BSF	Bangladeshis Killed		2	2	0	2	0	4	2	0	3	15
	Bangladeshis Injured		3	9	3	1	3	5	4	0	0	28
	Bangladeshis Abducted		5	1	1	4	1	2	9	1	1	25
	Total		10	12	4	7	4	11	15	1	4	68
Attack on journalists	Killed		0	1	0	0	0	0	0	0	0	1
	Injured		2	3	0	2	2	1	2	0	1	13
	Assaulted		0	1	0	1	0	0	1	0	3	6
	Threatened		0	4	3	0	0	2	0	1	0	10
	Total		2	9	3	3	2	3	3	1	4	30
Political violence	Killed		5	7	6	12	11	6	3	4	8	62
	Injured		217	325	428	595	575	325	308	255	428	3456
	Total		222	332	434	607	586	331	311	259	436	3518
Dowry related violence against women			17	14	20	26	22	29	24	18	19	189
Rape			44	51	69	54	83	79	73	88	75	616
Sexual harassment /Stalking of women			14	22	35	23	14	17	23	17	14	179
Acid violence			3	7	4	5	5	6	4	4	7	45
Public lynching			1	3	8	5	2	2	3	9	5	38
Situation of workers	Ready-made Garments workers	Killed	0	0	0	0	0	0	13	0	0	13
		Injured	0	20	21	70	15	50	70	17	25	288
		Terminated	1034	1733	43	0	0	0	0	37	0	2847
	Workers in other sectors	Killed	3	2	11	19	4	9	1	6	5	60
		Injured	7	8	16	22	0	0	2	23	3	81
Arrest under Information and Communication Technology Act***			0	3	1	4	1	4	6	2	2	23
*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 high officials of the government and their families.												

## PART I

### CROSS-BORDER ISSUES

#### **Genocide against Rohingya community in Myanmar continues**

1. Attacks on Rohingya people and the process to evict them from Myanmar is not a recent occurrence. Myanmar government has conducted several operations against the Rohingya on various pretexts, at different times. During these operations, Rohingya people experienced genocide, enforced disappearances, mass rape and became victims of torture and other violence.
2. At least 71 persons were killed on August 25, 2017 during an attack by Rohingya resistance fighters in Taung Bazaar Village of Buthidaung City of the Rakhine State of Myanmar and at 30 police outposts in some villages of Kawauk Pandu in Maungdaw and an Army camp located at Taung Bazaar Village<sup>1</sup>. After this incident, many Rohingya people were killed extra judicially, disappeared, raped and tortured during violent operations by Myanmar military and Buddhist extremists in the Rakhine state of Myanmar. Furthermore, several incidents of arson and mass arrests occurred. In order to save lives and to get a safe shelter, numerous Rohingyas fled to Bangladesh. More than half a million Rohingyas have fled to Bangladesh due to military operations in the Rakhine state of Myanmar since August 25, 2017. Odhikar carried out a fact-finding mission into this matter and interviewed many victims. Incidents of mass rape, torture, burning and shooting to death of several people including children and women; torching villages and planting landmines; enforced disappearances and arresting children and women by military all come to light.
3. A Rohingya woman named Senowara told Odhikar that a week before Eid-ul-Azha<sup>2</sup> they were living in fear as they came to know that the military had started operations in various villages. The local Buddhist Chairman informed the villagers that the military would not attack their village, so no one left. After two days at around 8:00 am, the military along with local Buddhist criminals attacked their village. They destroyed and torched houses by using 'Launsa' (a sort of rocket launcher). At one stage when the villagers tried to escape, the military opened fire at them. Senowara's husband Raiullah was caught by the military and beaten to death with their rifle butts. To save her children, she took them and hid in the bushes and watched helplessly.

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<sup>1</sup> At least 71 killed in Myanmar as Rohingya insurgents stage major attack; <https://www.reuters.com/article/us-myanmar-rohingya/at-least-71-killed-in-myanmar-as-rohingya-insurgents-stage-major-attack-idUSKCN1B507K>

<sup>2</sup> Eid-ul-Azha is one the biggest Muslim festival, which was celebrated on 2 September 2017.

4. Another Rohingya victim named Mohammad Zubair said that the military were not only torching the houses and shooting people to death, but are also planted landmines in the roads in his village so that Rohingyas would die while escaping. Zubair said that he witnessed the military planting landmines.



*Myanmar military planting landmines at the zero line along the Bangladesh-Myanmar border, the other side of Naikkhongchori in Bandorban. Photo: Prothom Alo, 30 September 2017.*

5. Among the fleeing Rohingya victims, a large number are children, whose situation is extremely vulnerable. The military and extremist Buddhists have killed these children's parents and siblings. Of the children, there were over 1300 who lost both parents. However, it is of serious concern that there remains a possibility that Rohingya children and women, who fled to Bangladesh alone, may be trafficked by traffickers from different shelter camps.
6. Many mothers fled from Myanmar with their new born babies to Bangladesh. Several pregnant women even gave birth while fleeing to Bangladesh. The infants and children below the age of one year are under serious threats to life. The mothers are not getting food or even a hygienic shelter to live in. Many of them are living in caves or crevices and under the open sky beside the road. Newborn and small children are affected with various diseases, including diarrhoea, pneumonia and dehydration. Odhikar fears that many children might die if necessary and effective measures are not taken immediately.
7. A nine-month pregnant Rohingya woman, Yeasmin (20) told Odhikar that she and her husband, with their two-year old son, were able to enter Bangladesh after walking for four days through the jungle. After arriving here they only had water and some dry food for three days. She was due to give birth any day.

8. The UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein commented that such operations against Rohingyas in Myanmar was a textbook example of 'ethnic cleansing'. He strongly criticised the atrocities on the Rohingya community. He said that the Myanmar authority is conducting military operations indiscriminately against Rohingyas, violating fundamental principles of international law.<sup>3</sup>
9. On August 22, 2017 the Law Faculty of the University of Malaya in Kuala Lumpur organised a Permanent People's Tribunal that accused the Myanmar government for committing genocide against Rohingyas. The Tribunal, comprising of seven members gave this verdict based on different documents and testimonies of 200 Rohingya victims. Different witnesses-evidence-information had been produced in the court regarding atrocities carried out by Myanmar government against Rohingya, Kachin and other minority communities in Myanmar.
10. Odhikar recognises that the on-going violence against Rohingyas by Myanmar government ought to be named as 'genocide' rather than 'ethnic cleansing'. Human Rights Watch (HRW) believes that Myanmar is committing crimes against humanity against Rohingyas in Rakhine. The US based international human rights organisation claimed that it has evidence-information of such crimes committed against Rohingyas. Odhikar has also carried out fact finding and has information showing the same. On September 25, 2017 HRW published a report where it identified four segments of crimes against humanity in the Rakhine state of Myanmar. Such as 1) forceful replacement or eviction of any community; 2) killing; 3) rape and other sexual violence; and 4) repressive acts under the Rome Statute of the International Criminal Court (ICC).
11. Odhikar urges the Bangladesh government take an active role in supporting the struggle for establishing peace in Rakhine and for the establishment of political rights of Rohingya people and their right to self-determination. In addition, the Bangladesh government should consider all entering Rohingyas as refugees, and ensure proper temporary shelter with accommodation, food, drinking water, healthcare, child health and education for the Rohingya children on temporary basis. Odhikar demands the government take effective measures to prevent trafficking of women and children from refugee camps. On August 28, 2017 the Bangladesh government proposed that the Myanmar government conduct a joint operation along Bangladesh-Myanmar border against 'Rohingya insurgents'. Fortunately, it has deviated from that position and opened its border to fleeing Rohingyas due to public demand. Odhikar condemns the government for obstructing the opposition political party BNP

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<sup>3</sup> UN News Centre, "UN human rights chief points to 'textbook example of ethnic cleansing' in Myanmar"  
<http://www.un.org/apps/news/story.asp?NewsID=57490#.WdDOsy60dkQ>



and its affiliated organisations to distribute relief to Rohingyas, seemingly due to political reasons. Furthermore, Odhikar also opposes the plan to rehabilitate Rohingyas in Thengar Chor, because various organisations reported that Thengar Chor is not a safe place for living as it is prone to flooding during high-tide.



*Two brothers are carrying their mother. Many Rohingya people are entering Bangladesh. Photo: Odhikar*



*A crying Rohingya child after losing her relatives and home (Left). Exhausted Rohingyas sleeping after walking a long way (Right). Photo: Bangladesh Protidin, 7 September 2017*



*Hundreds of Rohingyas line the narrow path that leads to Teknaf in Bangladesh. Photo: Dhaka Tribune, 11 September 2017*



*Rohingyas arrive at Teknaf crossing the Naf River. Photo: The Daily Star, 8 September 2017*

## **Aggressive policy of India towards Bangladesh**

### ***Health, livelihood and environment***

12. Aggressive policies<sup>4</sup> towards Bangladesh by the Indian government continue. India is depriving Bangladesh from the right of getting water in the dry season and creating artificial floods in Bangladesh by opening all the sluice gates of the Farakka and Gajalodoba Dams during the monsoon season.<sup>5</sup> The environmentally hazardous initiative to build the Rampal Power Plant with an Indian company, near the Sundarbans and a decision to implement an inter-river connection project, will lead Bangladesh to terrible human disaster and environmental catastrophe.<sup>6</sup> The Rampal coal-based power plant<sup>7</sup>, if

<sup>4</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. It is clear that India had played a major role in destroying democratic system in Bangladesh for keeping Indian political, economic and military supremacy on Bangladesh and gave unconditional support to the controversial election in January 5, 2014. India is taking transit facility through Bangladesh at almost no cost (the shipment fee for carrying goods is Tk 192.22 per ton) under an amended Protocol on Inland Water Transit and Trade (PIWTT) signed between India and Bangladesh on June 6, 2015; and is also taking advantage of other business and trade facilities.

<sup>5</sup> BBC, September 1, 2016, <http://www.bbc.com/bengali/news-37244367>

<sup>6</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>7</sup> It is to be mentioned that on July 12, 2016 an agreement of the much debated project of the Rampal Coal-based Power Plant was signed in Dhaka. The agreement was signed by the Managing Director of Bangladesh-India Friendship Power Company Limited (BIFPCL), Ujjal Kanti Bhattacharya; and the General Manager of the construction company Bharat Heavy Electric Limited (BHEL), Prem Pal Yadab. The Prime Minister's Advisor Toufiq Elahi Chowdhury; State Minister for Power, Nasrul Hamid; Principal Secretary of the Prime Minister, Mohammad Abul Kalam Azad; Secretary of the Ministry of Power, Monwar Islam; Indian Secretary for Power, Prodeep Kumar Pujari; and Indian High Commissioner to Bangladesh, Harshbardhan Shringla were present at the signing programme. Environment activists and human rights defenders have been and still are protesting against the construction of Rampal Coal-based Power Plant but their protests are falling on deaf ears. [www.iugantor.com/last-page/2016/07/13/44589/](http://www.iugantor.com/last-page/2016/07/13/44589/)



constructed, will reportedly be the largest source of air pollution in Bangladesh. The air pollution due to this coal-based power plant will cause the premature deaths of as many as 150 people every year and it will also cause some 600 babies to be born underweight every year.<sup>8</sup>

### ***Human right violations by BSF***

13. According to information gathered by Odhikar, in September 2017, three Bangladeshis were killed by the Indian Border Security Force (BSF). Among them, two were tortured to death and one was killed when the BSF members threw stones and crude bomb at him. Furthermore, one person was abducted by the BSF personnel.
14. The Indian Border Security Force (BSF) is killing and abducting Bangladeshi citizens indiscriminately along the border areas and entering Bangladesh and taking Bangladeshi citizens away; which is all a clear violation of international law and human rights. Two incidents are as follows:
15. On September 8, 2017 at night, some Bangladeshi cattle traders went to Chengrabandha Village of Kochbihar in India, to bring cows through the main pillar 843 of the Masterpara border at Budimari under Patgram Upazila in Lalmonirhat District. BSF members of Panishala camp of Kochbihar chased them when they entered India. One of the cattle traders named Sohel Rana was caught by BSF, although his associates were able to escape. BSF severely tortured Sohel Rana and left him unconscious at the border. Later Sohel Rana's associates rescued him and admitted him to Upazila Health Complex where he died on September 9.<sup>9</sup>
16. On September 12, 2017 a few Bangladeshi cattle traders were returning with cows from India through Patgram border in Lalmonirhat District. At that time, a BSF team of Himkumari Outpost under 61 BSF Battalion of Kochbihar in India threw stones and crude bombs. As a result, some people including Azhar Ali and his relative Lokman Hossain were seriously injured. Lokman Hossain and others were able to escape and returned to Bangladesh, but Azhar Ali fell into river and went missing. Later his body was recovered from Sajjan River beside the border.<sup>10</sup>

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<sup>8</sup> The Daily Star, 06/05/2017; <http://www.thedailystar.net/frontpage/6000-premature-deaths-40yrs-1401421>

<sup>9</sup> The daily Prothom Alo, 10/09/2017 / [www.prothom-alo.com/bangladesh/article/1317121/](http://www.prothom-alo.com/bangladesh/article/1317121/)

<sup>10</sup> The daily Jugantor, 16/09/2017 / <https://www.jugantor.com/news/2017/09/16/155869/>

## PART II

### NATIONAL ISSUES

#### Extrajudicial killings

17. According to documentation gathered by Odhikar, four people were reported as being extra judicially killed in September 2017.
18. The government constantly denies incidents of extrajudicial killing. As a result, the law enforcement agencies are enjoying impunity in this regard.

#### Type of death

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

19. Two persons were killed in 'crossfire/encounters/gunfights' allegedly by police.

##### *'Tortured to death'*

20. Two persons were allegedly tortured to death. Among them, one by police and another by RAB.

##### *The identities of the deceased:*

21. Of them, one was a madrasa superintendent, one was a farmer and two were alleged criminals.

#### Death in jail

22. According to information gathered by Odhikar, in September 2017, a reported eight persons died in prison due to 'illness'.
23. Deprivation of medical treatment in jail is a violation of human rights. It is alleged that due to lack of proper treatment facilities and negligence by prison authorities, many prisoners become ill and some die. Prisoners sometimes became ill due to the effects of torture in police remand, which cause their death later when they are sent to jail custody and not given medical attention or assistance.

#### Allegations of torture, degrading treatment and lack of accountability of law enforcement agencies

24. Allegations of torture, harassment and extortion against the police have been reported. Members of law enforcement agencies are enjoying impunity due to the government practice of using such agencies to suppress its political opponents, critics and dissenters. Despite the Torture and Custodial Death

(Prevention) Act, 2013, there is no change in the actual situation, due to lack of implementation of this law. Some reported incidents are as follows:

25. The family of Mazharul Islam (30) alleged that he died due to torture by RAB after being arrested in Koibortapur Village under Manda Upazila in Naogaon District. However, RAB claimed that he was an arms dealer and died after he was arrested due to an illness. Mazharul's relatives said that Mazharul was a farmer. On September 8, 2017 Mazharul was arrested by several members of RAB from a tea stall at Singarhat Bazar in Manda. According to witnesses, he was beaten by RAB immediately after he was arrested. Later he was taken to his village home and detained in a room where was tortured by RAB members. When Mazharul became unconscious and was bleeding, RAB took him away saying they were admitted him to hospital. It was learnt from Rajshahi Medical College Hospital that on September 9, 2017 at around 4:30 am, some men claiming to be members of RAB-5 brought in Mazharul's body and left. On that day an inquest report of the body was prepared. There were injury marks on Mazharul's wrist and elbow and bruises on his back and waist. His legs were swollen.<sup>11</sup> On September 18, Mazharul's wife Shamima Akhtar Swapna filed a murder case at Naogaon District Court accusing Syed Abdullah Al Murad, Company Commander of RAB-5 camp at Joypurhat and Kanshopara Union Parishad Chairman Saydur Rahman Molla; and local residents Shahidul Islam, Zahrul Islam, Abdul Mazid, Abdus Sattar, Razzak Hossain, Rafiqul Islam and Selim Uddin. The court of Senior Judicial Magistrate Mohammad Abdul Malek accepted the case and fixed September 21 for passing an order. On September 21, the court issues an order asking the police to produce all case documents relating to Mazharul Islam's murder. However, police failed to send the documents on time and the court fixed another date on October 18 for passing order on it.<sup>12</sup> It is to be mentioned that Mazharul Islam was in Malaysia and returned to Bangladesh seven years ago to look after his parents and their property. An outspoken person, he began to emerge as a community leader and protested anything unfair in his village, which apparently angered many. His family informed that his death was planned.<sup>13</sup> Shamima Akhter Swapna said that they were receiving threats after filing the case. The threats were that if the case was not withdrawn, her son would also be killed like her husband. Witness of the case, Abdul Motin said that he had been receiving threats from an unknown cell phone number by someone sometimes saying he was from RAB and sometimes saying he was the investigating officer. The callers threatened to kill him in 'crossfire'. Plaintiff Shamima Akhter Swapna and witness of the case, Abdul Motin filed

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<sup>11</sup> The daily Prothom Alo, 10/09/2017 / [www.prothom-alo.com/bangladesh/article/1317686/](http://www.prothom-alo.com/bangladesh/article/1317686/)

<sup>12</sup> The daily Prothom Alo, 29/09/2017 / <http://epaper.prothom-alo.com/view/dhaka/2017-09-29/5>

<sup>13</sup> The Daily Star, 19/09/2017; <http://www.thedailystar.net/frontpage/death-rab-custody-family-says-it-was-murder-1464187>

two separate General Diaries with Manda Police Station on September 23 and September 25 respectively over receiving threats.<sup>14</sup>



*Mazharul Islam. Photo: Prothom Alo, 10 September 2017*

26. On September 3, 2017, Abu Zahar (25) and his three friends Mamun Sheikh (24), Borhan Molla (23) and Abu Bakkar (16) were gossiping on the roof of Shilpa Government Primary School in Uttar Chondani Mahal area under Digholia Upazila in Khulna District. At that time, a patrol team of Assistant Sub-Inspectors Tamim Islam and Farhad and Constable Shimul, led by Senhata Police Outpost in-charge, Sub-Inspector Prakash Chandra Sarkar, was passing the school. The police asked them to get down from the school roof. Soon after they got down, police started beating them. The police beating resulted in the fracture of Abu Zahar's right leg and he was admitted to Khulna Medical College Hospital.<sup>15</sup>
27. On September 14, 2017 at around 1:30 am, a police team of Satkhira Police Station led by Sub-Inspector (SI) Asaduzzaman arrested Maulana Saidur Rahman, Superintendent of Hothatganj Madrassa in Kolaroa under two cases relating to vandalism. Maulana Saidur Rahman's wife Sajeda Khatun Moyna said that after arresting her husband, police took him to Kathonda Bazar and tortured him there. When his condition deteriorated, he was taken to a village physician for treatment. Saidur Rahman's nephew Muttasim Billah, requested police to release his uncle but police demanded one hundred thousand taka in exchange. When they could not pay, the police took him to Satkhira Police Station and tortured him again. Saidur Rahman's brother Rafiqul Islam alleged that on September 15, his brother became unconscious due to the repeated torture in custody. When he was taken to Court, the Court, observing his physical condition, refused to hear the police and their case. Later police treated him at the hospital and when his condition improved he was produced before the Court again and the Court ordered that he be sent to

<sup>14</sup> The daily Prothom Alo, 29/09/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-09-29/5>

<sup>15</sup> The daily Jugantor, 05/09/2017; <https://www.jugantor.com/city/2017/09/05/153030/>

jail. Superintendent of Satkhira District Jail, Hafizur Rahman informed that Saidur Rahman was admitted to Satkhira Sadar Hospital. Dr. Farhad Zamil, Residential Medical Officer of Satkhira Sadar Hospital, informed that Saidur Rahman died at midnight on September 16. Marks of injuries were found on his body.<sup>16</sup> On September 19, Saidur Rahman's brother Bozlur Rahman filed a case under section 302 of the Penal Code with Satkhira Sadar Cognisable Court-1, accusing Sub-Inspector Paik Delwar Hossain, ASI Sheikh Sumon Hassan, ASI Ashrafuzzaman and two unknown constables of Satkhira Police Station. Judicial Magistrate of the Court, Habibullah Mahmud took cognisance of the case and ordered the Police Bureau of Investigation (PIB) to submit an investigation report within the next 30 days.<sup>17</sup> On September 21 at night, a group of criminals came to the house of Bazlur Rahman (plaintiff of Saidur Rahman's murder case) on motorbikes and vandalised his house and threatened him of dire consequences if he did not withdraw the complaint within September 24.<sup>18</sup>

## Enforced disappearances

28. According to information gathered by Odhikar, from January to September 2017, 67 persons were allegedly disappeared. Among them, seven were found dead and 29 were later produced before the Court or surfaced alive. The whereabouts of 31 persons are still unknown.<sup>19</sup>
29. Many people have disappeared after being picked up by men claiming to be members of law enforcement agencies. The families of the disappeared and witnesses claim that members of law enforcement agencies, or men claiming to be from such 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 released in an unknown place or handed over to a police station and produced in Court, or the bodies of the disappeared persons are later recovered. Similarly, as per news reports and statements from families, many political leaders have disappeared in the last few years, the whereabouts of whom, are still unknown. The families of the disappeared face numerous problems in the absence of their relatives. Furthermore, many victim-families are being regularly harassed by ruling party activists and law enforcement agencies. The government has been repeatedly denying the incidents of enforced disappearance and claiming that the victims left voluntarily and do not want to be found. Although denials of

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<sup>16</sup> The daily Naya Diganta, 17/09/2017; <http://www.dailynayadiganta.com/detail/news/252353>

<sup>17</sup> The daily Jugantor, 20/09/2017; <https://www.jugantor.com/last-page/2017/09/20/156933>

<sup>18</sup> The daily Jugantor, 23/09/2017; <https://www.jugantor.com/news/2017/09/23/157742/>

<sup>19</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.



such incidents are made by the government and security forces, it has been proved in various inquiry reports that enforced disappearances exist and continue to occur in Bangladesh.

30. On September 18, 2017 a Bangkok based regional human rights organisation, the Asian Forum for Human Rights and Development (FORUM-ASIA), delivered an oral statement to the 36<sup>th</sup> Regular Session of the UN Human Rights Council (HRC), which stated that incidents of enforced disappearance in Bangladesh are increasing. It has been reported that 393 incidents of enforced disappearance allegedly took place between January 2009 and August 2017, by different law enforcement agencies, including the Detective Branch (DB) of Police and Rapid Action Battalion (RAB). Most of the disappeared victims belonged to opposition political parties and alternative or dissenting groups. Many incidents could not be reported due to intimidation and harassment by state security forces. Police regularly refuse to register complaints of enforced disappearances made against their colleagues or other law enforcers. In many cases, victims were found in different custody or detention places, despite the denial of law enforcement agencies. Victims of enforced disappearance and family members are not getting legal support due to severe challenges faced by the country's Judiciary and lack of an effective justice delivery system. The next Parliamentary election in Bangladesh is supposed to be held in 2018. A matter of concern is that there is a possibility of rising numbers of enforced disappearances during that period, centring around the elections. FORUM-ASIA urged the UN HRC to pay more attention on enforced disappearances in Bangladesh and it also demanded that the government of Bangladesh take necessary action and put a halt to enforced disappearance. FORUM-ASIA urged the government again to fully cooperate with UN human rights mechanisms and allow the Working Group on Enforced or Involuntary Disappearances to visit Bangladesh.<sup>20</sup>
31. On September 8, 2017 the Counter Terrorism and Transnational Crime (CTTC) unit of Police arrested two persons named Anwar Hossain and Nayem Ahmed Anas, labelling them as members of JMB, from the Nikunja area of Khilkhet in Dhaka. The CTTC unit informed that 30 detonators and some 'extremist ideological' books were recovered from them.<sup>21</sup> However, Anwar Hossain's family claimed that Anwar was arrested and taken by DB police one month and 11 days prior to this. His family lodged a General Diary (GD) with Savar Model Police Station soon after Anwar was arrested. Later, the investigating officer of the GD, Sub-Inspector Rafiqul Islam initiated an investigation by tracking the cell phone call list of Anwar Hossain and

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<sup>20</sup> <https://www.forum-asia.org/?p=24796>

<sup>21</sup> The daily Jugantor, 10/09/2017; <https://www.jugantor.com/city/2017/09/10/154224/>

informed the family that Anwar was taken by Detective Branch (DB) of Police and he was in the DB office at Minto Road in Dhaka.<sup>22</sup>



*Police produce two suspected members of a faction of banned extremist outfit JMB before the media at Dhaka Metropolitan Police media centre on 9 September. Photo: New Age, 10 September 2017*

## Public lynching continues

32. In September 2017, five persons were reportedly killed due to public lynching.
33. 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.

## ‘Extremism’ and human rights

34. Currently, Bangladesh is experiencing very difficult times. The State is using various means to take away the civil and political rights of the citizens. Hindrance to and repeated violations of the right to freedom of expression of alternative or dissenting voices, have created space for confrontation. Operations carried out in the name of ‘countering extremism’ have even caused the deaths of women and children.<sup>23</sup> Furthermore, there are reports of people becoming victims of enforced disappearance as well. Meanwhile, alleged ‘extremists’ are implicated in so-called suicide attacks. Regarding their operations against ‘religious extremism’, the narrative that the law enforcement agencies have started giving is similar in almost all the cases. This resembles the way the law enforcement agencies narrate the death of crime suspects in ‘gunfight’, ‘crossfire’ and ‘encounter.’ There are reports that some of those who were arrested during such operations later died in the

<sup>22</sup>The daily Bangladesh Pratidin, 12/09/2017; <http://www.bd-pratidin.com/city/2017/09/12/263241>

<sup>23</sup> The daily Prothom Alo, 01/04/2017; [www.prothom-alo.com/bangladesh/article/1130046/](http://www.prothom-alo.com/bangladesh/article/1130046/)

custody of law enforcement agencies. As a result what actually happened, or happens, in such operations is still unclear.<sup>24</sup> One example is as follows:

35. On September 4, 2017 at around 11:00 pm, RAB encircled a house named 'Kamol Probha' at Bordhanbari area in Mirpur Mazar Road of Dhaka City. RAB identified that 'extremists' were stationed in a flat on the fifth floor of the building. After that, electricity, gas and water lines were disconnected. RAB informed that they had carried out an operation on September 4 in Tangail and as a follow up of that operation, RAB conducted this operation in Mirpur Mazar Road.<sup>25</sup> Later on September 6, RAB said that a person called Abdullah detonated a bomb on September 5 at the house in Bordhanbari, which caused the death of his two wives and himself along with his two sons Osama (10) and Omar (3) and two unknown men.<sup>26</sup> Locals said that Abdullah's family had been living in this area for about 15 years. Abdullah ran an IPS business and owned a pigeon farm.<sup>27</sup>

## **Criminalization of politics and political violence**

36. In September 2017, according to information gathered by Odhikar, eight persons were killed and 428 persons were injured in political violence. Furthermore, 25 incidents of internal violence in the Awami League and two in the BNP<sup>28</sup> were also recorded during this period. Eight persons were killed and 299 were injured in internal conflicts of the Awami League while 20 were injured in conflicts within the BNP.
37. The ruling Awami League led alliance assumed power through controversial and farcical elections held on January 5, 2014 which deprived people from their right to vote.<sup>29</sup> As a result, the present government is not accountable to the people. It is running the country through an undemocratic and autocratic system by acts of repression on the leaders and activists belonging to the opposition political parties. As a result, the ruling party leaders-activists have become desperate. Across the country, leaders and activists of Chhatra League and Jubo League are involved in various criminal activities, violent acts and criminalisation. During the tenure of this government, they are also involved in incidents of internal conflict which are linked to vested interest and have attacked each other. They are involved in various criminal acts,

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<sup>24</sup> The daily New Age, 28/04/2017; <http://www.newagebd.net/article/14532/extremism-tackling-narrative-warrants-transparency>

<sup>25</sup> The daily Prothom Alo, 06/09/2017; <http://www.prothom-alo.com/bangladesh/article/1313646/none>

<sup>26</sup> The daily Prothom Alo, 07/09/2017; [www.prothom-alo.com/bangladesh/article/1314656/](http://www.prothom-alo.com/bangladesh/article/1314656/)

<sup>27</sup> The daily Prothom Alo, 06/09/2017; <http://www.prothom-alo.com/bangladesh/article/1313646/none>

<sup>28</sup> BNP: Bangladesh Nationalist Party.

<sup>29</sup> Most of the political parties registered with the Election Commission, including the then main opposition BNP led 18-Party Alliance boycotted the 10<sup>th</sup> Parliamentary elections held on January 5, 2014 as their demands for elections under an interim caretaker government were ignored. As a result, 153 MP's of the ruling Awami League and its alliance out of 300 constituencies were declared elected uncontested even before the polling commenced. The people of Bangladesh lost their voting rights through this election.

including extortion, forcefully acquiring tender bids, land grabbing, attacks on police, violence at educational institutions, attacks on ordinary citizens, violence against women, etc and in most cases they enjoy impunity. Some examples are given below:

38. On September 2, 2017 local Awami League leader and Union Parishad member Imdadul Huq stood at the place reserved for the Imam before the congregational Eid prayers commenced; and started giving a speech against his rivals in Hapania Village under Amoldanga Upazila in Chuadanga District. At that time leaders and activists of his rival group barred him from speaking, which resulted in a violent altercation between the two groups. Activists of both groups attacked each other with fire arms and bombs. At least 24 persons were injured in this incident and a man named Joynal Abedin was shot dead.<sup>30</sup>
39. On September 7, 2017 a clash took place between supporters of local Awami League leader Keramat Ali and supporters of Bakhtiar Hossain over establishing supremacy in Jhaudia Union under Kushtia Sadar Upazila in Kushtia. At least 12 people were injured and two farmers named Billal Hossain (33) and Enamul Huq (45) were killed during this incident.<sup>31</sup>

## **Hindrance to freedom of assembly**

40. Conducting peaceful meetings, assemblies and rallies are the democratic and political rights of everyone, as guaranteed in Article 37 of the Constitution. Due to lack of an accountable governance system in the country, the government is able to suppress the opposition and alternative or dissenting voices, by severely curtailing the right to freedom of expression, and preventing peaceful meetings and assemblies. Barring and attacking peaceful meetings, assemblies and rallies, means blocking the path of democracy and violating the constitutional and human rights of the citizens.
41. Taking permission from the police is now mandatory for any meeting, rally or even for indoor meetings; and in most cases police refuse to give permission to hold meetings of opposition parties and (what are considered to be) alternative or dissenting groups. Furthermore, police are also arresting leaders-activists of the opposition parties suspecting them of planning for destructive activities if they assemble in an informal meeting. Currently, discussions on holding the 11<sup>th</sup> Parliamentary elections with the participation of all political parties, are taking place. However, this inclusiveness is forgotten when leaders and activists of the opposition political parties are suppressed by law enforcement agencies and the ruling party leaders-activists under the present political context; and they are deprived from holding

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<sup>30</sup> The daily Jugantor, 05/09/2017; <https://www.jugantor.com/news/2017/09/05/152910/>

<sup>31</sup> Information sent by local human rights defender associated with Odhikar from Kushtia.

meetings and assemblies. Meanwhile, the ruling party leaders and activists are holding meetings without any hindrance; they are campaigning for the elections and asking for votes for their candidates. They, along with members of law enforcement agencies, attack the meetings and assemblies of the opposition parties and stop them. Some incidents are given below:

42. District unit president of BNP, Safiqur Rahman took an initiative to distribute money and relief to 300 families who were affected due to river erosion in Uttor Tarabunuia Union and Tarabunia under Bhedorganj Upazila in Shariatpur District. On September 3, 2017 a stage was erected in Tarabunia High School field to operate relief work. Police vandalised the stage the same night. On September 4, police attacked and beat BNP leaders-activists when they reached Shokhipur to join the relief distribution programme at Tarabunia. As a result of the police attack, they moved and started gathering at Tarabunia High School field. Police also attacked them there and beat them. Fifteen BNP leaders and activists were injured.<sup>32</sup>
43. On September 1, 2017 BNP leader and former MP, Zahiruddin Swapan went to his house at Sarikol Village under Gouranodi Upazila in Barisal to celebrate Eid-ulAzha and on September 3, he called a meeting of other leaders-activists to exchange Eid greetings. At around 12:00 noon on September 2, Sub Inspector Mohammad Sogir Hossain, Second Officer of Gouranodi Model Police Station, along with a force of several policemen, arrived at Zahiruddin Swapan's house and cautioned him. On September 3 after 10:00 am, BNP leaders and activists were going in groups to Zahiruddin Swapan's house. At that time, supporters of the ruling party Awami League and its affiliated organisations came out with sticks to stop them. They took position along the road towards Zahiruddin Swapan's house and attacked BNP activists. As a result, Eid programme of Zahiruddin Swapan had been stopped. At least 5 BNP activists were injured during the attack by Awami League men.<sup>33</sup>
44. In the afternoon of September 15, 2017 leaders and activists of BNP and its associated organisations assembled in front of the Sub Registrar's office for forming a new committee of Sonapur Union Swechchasebak Dal<sup>34</sup> in Sonaimuri Upazila under Noakhali District. In the evening they had to go to the Upazila unit office of BNP located a few hundred yards far from the Sub Registrar's office. The police arrested 27 leaders-activists from there and took them to the police station. Police claimed that they had gathered there to plan acts of destruction.<sup>35</sup>

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<sup>32</sup> The daily Prothom Alo, 05/09/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-09-05/13>

<sup>33</sup> The daily Manabzamin, 05/09/2017 ; <http://www.mzamin.com/article.php?mzamin=81513>

<sup>34</sup> Swechchasebak Dal is the volunteer wing of BNP

<sup>35</sup> The daily Prothom Alo, 17/09/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-09-17/2>



## Local government elections held with irregularities

45. Karnophuli Upazila Parishad election in Chittagong and elections in 12 Union Parishads in the country, which were suspended due to the floods, were held on September 24, 2017. Most of these elections were held with widespread irregularities.

### *Upazila election*

46. Karnaophuli Upazila election was marred with acts of capturing polling centres, crude bomb explosions, ousting of polling agents of the opponent candidates, vote rigging and attacks on opposition party candidates. Two hours after the polls commenced, the BNP-nominated candidate and candidates belonging to Jatiya Party and Islami Front boycotted the polls. At a press conference held in BNP-nominated Chairman candidate SM Solaima's house, the Upazila unit BNP president read out a written statement claiming that in the night of September 23, before the election day, hundreds of criminals were called from outside the area and gathered in the locality. They captured 42 polling centres on election day. In this election, Awami League-nominated Chairman candidate Farooq Chowdhury was declared elected with a huge margin of votes.<sup>36</sup>

### *Union Parishad elections*

47. Elections at Jirtoli Union Parishad under Begumganj Upazila in Noakhali District, was held with massive irregularities. Since 11:00 am, supporters of the ruling Awami League were casting fake votes in the polling centres after ousting polling agents of the candidates nominated by the opposition party. Stamped 'boat' symbol<sup>37</sup> ballot papers were found in Sonargaon Government Primary School polling centre in Kharera Union under Kasba Upazila in Brahmanbaria District. Assistant Presiding Officer Mohammad Mahbubur Rahman said that a Chhatra League leader named Monir Hossain stamped the ballot papers. They could not stop him out of fear. Furthermore, polling agents of the ruling party nominated candidate were seen stamping ballots in Mohammadia High School polling centre after snatching away ballot books.<sup>38</sup>
48. The electoral system in Bangladesh has entirely collapsed during the tenure of incumbent government and people are deprived from their right to vote. Such criminalisation begun through the controversial and farcical 10<sup>th</sup> Parliamentary elections held on January 5, 2014. Since then, all local government polls, except Narayanganj City Corporation election, were marked with widespread irregularities, violence and vote rigging. In the past,

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<sup>36</sup> The daily Jugantor, 25/09/2017; <https://www.jugantor.com/city/2017/09/25/158276/>

<sup>37</sup> The boat is the electoral symbol for the Awami League.

<sup>38</sup> The daily Jugantor, 25/09/2017; <https://www.jugantor.com/news/2017/09/25/158451/>

elections were generally conducted in a festive manner and people used to willingly participate in the elections. But there is no scope for the people to vote freely in the current political atmosphere. Voter turnout has also decreased significantly. Ensuring transparent, credible, free and fair elections is the Constitutional responsibility of the Election Commission (EC). After the tenure of the controversial Election Commission, headed by Rakib Uddin Ahmed in February 2017, people and political parties hoped that a fair and strong new Election Commission would be formed. Although the President of Bangladesh appointed a new Election Commission through a search committee in February 2017, the elections held under this new Commission have repeated the failures of its predecessor.

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

49. Interference on the media and freedom of expression, by the government and the ruling party members, has become a regular phenomenon. The incumbent government is severely suppressing people who criticise it and those who have alternative beliefs. Dissenters and critics are being accused under repressive cases filed under various sections of criminal law, including defamation and under section 57 of the Information and Communication Technology Act, 2006 (amendment 2009 & 2013), for their comments or opinions.

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

50. According to information gathered by Odhikar, in September 2017, two persons were arrested under the Information and Communication Technology Act 2006 (amended 2009 and 2013). Odhikar and members of civil society have been campaigning for a repeal of this repressive Act.
51. The imposition of section 57<sup>39</sup> of the Information and Communication Technology Act 2006 (Amended 2009 and 2013) has increased alarmingly. This Act is being used by the government as a weapon against human rights defenders, journalists, bloggers and public opinion. Filing cases and imprisoning people for writing comments against high-level persons in the government or/and their family members on social media, is becoming very common. As a result, many people who are writing in social media, including

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<sup>39</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.

on Facebook, are forced to remain silent to injustices. Currently, people including journalists and teachers, are being sued under Section 57 of this Act and many of them have been arrested.

52. The government recently said that sections 54, 55, 56 and 57 of the ICT Act will be repealed. But it has been learnt that these four sections will be included in the Digital Security Act, which has recently been drafted. Human rights defenders and journalists are demanding for the repeal of this new draft Law as well as the current Act, as both violate the right to freedom of expression and are contrary to the Constitution.
53. On September 4, 2017 an allegation was made against Mahbubur Rahman, Principal, of Abdul Jabbar College of Khetrai Union under Ulipur Upazila in Kurigram District, that he had posted an objectionable status on his Facebook against Prime Minister Sheikh Hasina. However, he withdrew that post after 16 hours. Following this incident, on September 5, Ulipur Municipality union Awami League General Secretary Abu Sayeed Sarkar filed a case with Ulipur Police Station against Mahbubur Rahman under section 57 (2) of the ICT Act. Accused Mahbubur Rahman had been in hiding ever since the case was filed against him.<sup>40</sup>
54. On September 17, 2017 a group of criminals beat and injured Meherpur Municipality unit Jubo Dal<sup>41</sup> Joint Secretary Imon Biawas at Mollickpara area in Meherpur District, for allegedly posting a comment on Facebook criticising Prime Minister Sheikh Hasina. Criminals also vandalised his house. Later police rescued him and admitted him to Meherpur General Hospital. The Officer-in-Charge (OC) of Meherpur Police Station, Rabiul Islam informed that Imon Biswas was receiving treatment while under police custody. He was shown as being arrested. The Police Headquarters had been informed about the case to be filed against him under section 57 of the ICT Act.<sup>42</sup> After getting approval from the Police Headquarters on September 20, 2017 a case was filed against him under section 57 of the ICT Act.<sup>43</sup>
55. On September 26, 2017 police arrested Chhatra Dal<sup>44</sup> activist Raihan of Ramgati Upazila in Lakshmipur for allegedly posting a 'derogatory remark' on his Facebook account about Prime Minister Sheikh Hasina and her father former President Sheikh Mujibur Rahman. On September 27, Mezbah Uddin Helal, Convener of Ramgati Upazila unit Jubo League, filed a case against Raihan with Ramgati Police Station under section 57 of the ICT Act.<sup>45</sup>

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<sup>40</sup> The daily Prothom Alo, 07/09/2017; [www.prothom-alo.com/bangladesh/article/1314581/](http://www.prothom-alo.com/bangladesh/article/1314581/)

<sup>41</sup> Youth wing of the Bangladesh Nationalist Party (BNP).

<sup>42</sup> The daily Manabzamin, 19/09/2017 ; [www.mzamin.com/article.php?mzamin=83618&cat=9/](http://www.mzamin.com/article.php?mzamin=83618&cat=9/)

<sup>43</sup> Information sent by human rights defender associated with Odhikar from Kushtia.

<sup>44</sup> Student wing of BNP

<sup>45</sup> The daily Manabzamin, 28/09/2017; [www.mzamin.com/article.php?mzamin=85027&cat=9/](http://www.mzamin.com/article.php?mzamin=85027&cat=9/)

## Workers' rights

56. According to information gathered by Odhikar, in September 2017, five workers died. Among them, three construction workers died after falling from a 10-storey under construction building, one mason died after fall from the roof of a nine-storey under-construction building and one rice mill worker died after falling into a heap of boiling rice. Furthermore, three belt factory workers were burnt in a factory fire caused by an electric short circuit. Apart from this, six ready-made garment workers were killed, as a fire swept through a textile factory. Fifteen workers were injured by the police and 10 workers by the garment authority, when they were protesting unpaid wages and other allowances.
57. It is also to be noted that workers in the informal sector face blatant discrimination as they do not fall under any labour laws or policies.
58. In Bangladesh, various factories, including readymade garment industries, have been constructed without any plan. These factories have infrastructural problems, including lack of security measure fire escapes and/or sub standard facilities. As a result, many industrial accidents occur which cause many casualties. There are massive allegations of corruption and irregularities against relevant persons who are involved in inspecting these factories.

### ***Six die in textile mill fire***

59. On September 20, 2017 six persons died due to fire at Ideal Textile Mill in Chor Muktarpur area of Panchshar Union under Munshiganj Sadar District. The deceased were Mohammad Babu Mia (22), Mohammad Nazmul (22), Mohammad Ratan Mia (20), Mohammad Sajib Hossain (17), Mohammad Israfil (26) and Hasina Begum (60). All except Hasina Begum, were workers of that factory. The fire fighters primarily identified that the fire initiated from sparks during iron welding work at a room which was used to store chemicals. Initially fire broke out at ground floor and the first floor. Local eye-witnesses informed that the factory was a five-storied building. At around 10:00 am, local people rushed to the spot to rescue workers hearing screams and seeing smoke emanating from the factory. But the factory authority barred them from entering the factory. About 400 workers were working in the factory. However, about 15 workers had come to work on that day as it was a weekly holiday. There was only one flight of stairs in the factory. Police arrested the General Manager Mohammad Idris Sarkar, Accounts Officer Mohammad Arman Ali, Security Guard Omar Ali and employees Mohammad Osman and Rubel in this regard. A five-member inquiry

committee headed by the Additional District Magistrate Shawkat Ali Majumder, was formed to investigate the incident.<sup>46</sup>

### ***Situation of workers in readymade garment industries***

60. 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, closing down factories without notice, harassment, sudden termination of workers and not paying wages on time are violations that are occurring regularly. As a result workers' unrest prevails.
61. On September 21, 2017 workers of Aiymon Textile and Hosiery Ltd stopped work and started to protest against the late payment of their due wages in Kaliakoir Upazila of Gazipur District. Police threw tear gas shells and opened fire at the workers to disperse them. At least 19 workers and four policemen were injured during this incident.<sup>47</sup>

### ***Condition of women construction workers***

62. Construction workers who fall in the category of the informal workforce, are being discriminated in various ways and also becoming victims of suppression and negligence. Their contributions are enormous but no minimum wage has been fixed for their work. As a result, construction workers, irrespective of gender, are victims of various discriminations, including inadequate wages. The condition of women workers is obviously more vulnerable.
63. Odhikar spoke with about 35 women workers who are involved in stone and brick chipping, carrying various construction materials (stones and bricks), and construction work in Dhaka, Narayanganj and Munshiganj. It was learnt that they had arrived in such places after losing their homes due to river erosion, lack of work in their home districts and poverty. Their wages vary from one place to another and they get less wages compared to their male counterparts for doing the same work. For example, women workers at Gulshan, Banani or Dhanmondi areas get 300 taka for their work from 9:00 am to 5:00 pm on daily basis, where the men workers get 340 taka for the same work. Women workers said that their physical condition has worsened due to carrying heavy materials. Most of them depend on pain killers almost every day. In many areas, there is no toilet facility near the workplace. As a result they drink less water despite back-breaking work under the sun throughout the day. Furthermore, women workers who have small children bring them with them and they have to work after putting them under a tree or any

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<sup>46</sup> Information sent by human rights defender associated with Odhikar from Munshiganj/ Prothom Alo, 21/09/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-09-21/1>

<sup>47</sup> The daily Naya Diganta, 22/09/2017; <http://www.dailynayadiganta.com/detail/news/253756>



shadow. Several women said that they suffer from kidney related diseases as they drink less water and cannot use toilet when needed. They do not get any medical allowance or treatment or any compensation for illness and/or accidents. As part of the informal sector, construction workers are regularly exploited due to the absence of any regulatory framework, and lack legal and administrative protection for their most basic rights to health and safety.

## **Human rights of religious minority communities**

64. Incidents of attacks on citizens belonging to religious minority communities and at their places of worship continue. Temples and other places of Hindu worship are attacked at different times and in various districts, their places of worship deliberately torched and/or effigies vandalized. Involvement of the ruling party men in such incidents was also observed and reported. One example is as follows:
65. On September 20, 2017 supporters of Awami League attacked Daspara temple and vandalized the idol of Durga in Durbachara Village in Kushtia. The Officer-in-Charge of Islami University Police Station, Ratan Kumar Sheikh, informed that an altercation took place between local union Parishad Chairman, Sanu Bin Islam and Union unit Awami League President, Sanowar Hossain Molla over Durga puja at Daspara temple in Durbachara village. Centring around this dispute, supporters of Sanowar Hossain Molla attacked the temple and vandalized idols.<sup>48</sup>

## **Children under cruel treatment**

66. Violence, inhuman and cruel treatment against children has increased. Children are becoming victims of various attacks, sexual harassment, abduction for ransom etc. Many children are involved in child labour and a large majority of them are working in dangerous and vulnerable conditions. It was observed that violence and cruelty against children has increased due to a degradation of society, lack of justice and worsening of law and order situation. A very small number of perpetrators were punished in a few incidents, but such incidents continue, which is a matter of grave concern. One example is as follows:
67. On September 25, 2017 a 16-year old boy named Sagor Mia was beaten to death while tied to a pole by some men including Akkas Ali, his brother Hasu, Abdus Sattar, Jewel Mia, Sohel Mia and Qaiyum, in Gouripur Upazila under Mymensingh District. Sagor used to collect waste paper and other material from the street and sell it to recyclers and he was earning for his

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<sup>48</sup> The daily Naya Diganta, 21/09/2017; <http://www.dailynayadiganta.com/detail/news/253494>

family. He was accused of being a thief by the men. Police arrested a man named Riazuddin over this incident<sup>49</sup> and RAB arrested the main accused Akkas Ali.<sup>50</sup>



*Main accused Akkas Ali, who killed Sagor in Gouripur. Photo: Jugantor, 30 September 2017*

## Violence against women

68. Incidents of violence against women continue, including incidents of rape, dowry related violence, domestic violence, sexual harassment and acid violence. Women are becoming victims of such violence due to non-implementation of laws, a prevailing culture of impunity in the government, the relevant authority and police administration; and also due to lack of awareness in society.

### Rape

69. In September 2017, Odhikar recorded a total number of 75 females who were raped. Among them, 20 were women and 55 were girls. Of the women, seven were victims of gang rape. Out of the 55 girls, 11 were victims of gang rape, four were killed after being raped and one committed suicide. Seven women and girls were also victims of attempted rape. One incident is as follows:

70. On September 3, 2017 a 14-year old girl was raped by District unit Chhatra League leader Koushik Sarkar Apu and his associates in Thakurkona Village under Netronoka Sadar District. When victim was brought home, one of the rapists came there and threatened her not to disclose this matter to anyone. On September 4, she committed suicide due to this incident. Police visited the family and victim's mother tried to file a case at the police station but police refused to take her complaint. Finally after seven days, police of Netrokona Model Police Station recorded the case and arrested Koushik and Mamun.<sup>51</sup>

<sup>49</sup> The daily Jugantor, 27/09/2017; <https://www.jugantor.com/last-page/2017/09/27/158841/>

<sup>50</sup> The daily Jugantor, 30/09/2017; <https://www.jugantor.com/first-page/2017/09/30/159618/>

<sup>51</sup> The daily Naya Diganta, 16/09/2017; <http://www.enayadiganta.com/news.php?nid=353501>



*Chhatra League leader Koushik Sarkar, the main accused of raping an adolescent. Photo: Naya Diganta, 15 September 2017*

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

71. According to information gathered by Odhikar, in September 2017, a total of 19 women were subjected to dowry violence. Of these women, it has been alleged that seven were killed and 12 were physically abused due to dowry demands. One incident is as follows:
72. On September 15, 2017 a pregnant housewife named Poly Akhter Mim (28) was killed by her husband Ismail Hossain due to demands for one hundred thousand Taka as dowry in Kadamtoli, Dhaka. Leaving the body inside the house, Ismail fled after locking the door.<sup>52</sup>

### ***Stalking***

73. According to information gathered by Odhikar, in September 2017, a total of 14 females were victims of stalking and violence. Of them, one committed suicide after failing to endure insults, four were injured, three were assaulted and six were victims of stalking. Furthermore, one woman was killed and two men and one woman were injured by the stalkers for protesting such incidents. One incident is as follows:
74. On September 5, 2017 a criminal named Abdul Hakim stabbed a 14-year old student of class VIII of Anwar Zahid High School when she protested against his stalking in Laxmikole Village of Jhenaidah District. She was admitted to Jhenaidah Sadar Hospital in a critical condition. Her mother, Rumi Khatun, alleged that Hakim had been stalking her daughter for three months. They tried to resolve this matter by talking to his family, however, Hakim became angry and attacked her daughter. Police have not arrested Abdul Hakim yet.<sup>53</sup>

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<sup>52</sup> The daily Jugantor, 16/09/2017; <https://www.jugantor.com/second-edition/2017/09/16/156060/>

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

## **Acid violence**

75. According to information gathered by Odhikar, in September 2017, four women, one girl and two men became victims of acid violence. One incident is as follows:
76. On September 5, 2017 at around 10:00 pm, a woman named Morium (22) with her younger brother Rashel (20) and younger sister Mohirun Akhter (14) were watching television at home in Kalapagla area under Haluaghat Upazila in Mymensingh District. At that time, Morium's ex-husband Sohel Rana (30) threw acid at them through a window. As a result, Morium, Rashel and Mohirun were burnt. The three victims of acid burn were admitted to Mymensingh Medical College Hospital. Police arrested Sohel Rana, his associate Al Amin and acid seller Ujjal Bonik.<sup>54</sup>

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

77. 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.
78. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are harassed and victimised. For instance, in March 2016, a journalist and human rights defender associated with Odhikar, Mohammad Afzal Hossain, was shot and severely wounded by police while he was observing the irregularities of a local government election in Bhola<sup>55</sup> 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.<sup>56</sup> Hasan

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<sup>54</sup> The daily Bangladesh Pratidin, 07/09/2017; <http://www.bd-pratidin.com/last-page/2017/09/07/261911>

<sup>55</sup> For details, please see Odhikar's monthly report of March 2016. <http://odhikar.org/human-rights-monitoring-report-march-2016/>

<sup>56</sup> For details, please see Odhikar's monthly report of February 2017. <http://odhikar.org/human-rights-monitoring-report-february-2017/>

Ali, Kushtia district correspondent of Bangla Vision TV and Aslam Ali, staff reporter of Dainik Kushtia Dorpan - both human rights defenders associated with Odhikar - were sent to jail in a case filed under section 57(2) of the ICT Act. They were released on May 29 on bail after 20 days detention in jail.<sup>57</sup> Police arrested Sheikh Mohammad Ratan, a human rights defender associated with Odhikar from Munshiganj and district correspondent of MyTV, under the ICT Act for 'liking' a news<sup>58</sup> on facebook. He is still detained in jail.<sup>59</sup>

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

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<sup>57</sup> Information gathered by Odhikar

<sup>58</sup> A few news items about allegations of forging LLB (Hons.) certificates were published in different online media against an apprentice lawyer Mir Nasiruddin. When the news was shared on facebook, Sheikh Mohammad Ratan liked the news along with some others. With regard to this, Mir Nasiruddin filed a case with Munshiganj Police Station under the ICT Act on February 3, 2017 against former President of Munshiganj Press Club and Editor of Munshiganj.com, Mohammad Selim and seven other journalists. Sheikh Mohammad Ratan has been accused because of liking the facebook post.

<sup>59</sup> Information sent by local human rights defender associated with Odhikar from Munshiganj.



## **PART III**

### **RECOMMENDATIONS**

#### **Recommendations**

1. In order to respect the right to life and human dignity of Rohingya people Odhikar demands peace and human rights to be established immediately in the Rakhine state of Myanmar with UN initiative. Odhikar also urges the UN take initiative to ensure the right to self-determination of 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, the Myanmar government must be made accountable for crimes against humanity.
2. Rohingya refugees must not be relocated to Thengar Chor, as planned by the Bangladesh government. According to reports this area is prone to flooding during the high-tide.
3. India must give Bangladesh its right to water and must stop all activities that are creating artificial flooding in Bangladesh immediately. The construction of the Rampal coal-based power plant must also be stopped to prevent ecological and human disaster in Bangladesh. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF) and initiatives must be taken to investigate and make the Indian Government accountable. BSF must stop atrocities on Bangladeshi citizens.
4. The Government must bring to effective justice, the members of the law enforcement agencies, involved in incidents of extrajudicial killings and torture. The Government must accede to the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013, and the High Court and Appellate Division directives contained in the matter of BLAST and Others Vs. Bangladesh and Others. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to end torture. The law enforcement agencies must also 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”.
5. The Government has to investigate and explain all incidents of enforced disappearance and post-disappearance killings, allegedly perpetrated by law enforcement agencies. The Government must take effective measures to recover the victims of enforced disappearance and return them to their families. The Government must bring the members of the security and law

enforcement agencies who are involved, before the law. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to criminalise enforced disappearance in the national laws. The government must sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly in 2006.

6. 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.
7. The Government must refrain from repressive, undemocratic and unconstitutional activities. Rights to freedoms of assembly and association of the opposition political parties, people who have alternative beliefs and dissenters, must be ensured, as per the Constitution and international norms.
8. 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.
9. The ready-made garment factories and all other factories need to be brought under synchronized security programmes and adequate wages must be given to workers; and all factories should be made with adequate infrastructural and other facilities. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions. In order to stop discrimination a legal framework or policy must be made for all workers in the informal work sector.
10. 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.
11. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF) and initiatives must be taken to investigate and make the Indian Government accountable. The victim-families must also be compensated. The Government must also ensure the safety and security of the Bangladeshi citizens residing along the border areas.
12. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009)

must be withdrawn. All repressive measures and harassment against human rights defenders associated with Odhikar should be ceased. The government must release the funds of Odhikar to enable it to continue its human rights activities.

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**Notes:**

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