



# Human Rights Monitoring Report on Bangladesh

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

**Prepared by Odhikar**

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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 July 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-July 2018*										
Type of Human Rights Violation		January	February	March	April	May	June	July	Total	
Extrajudicial killings	Crossfire	18	6	17	28	149	50	67	<b>335</b>	
	Shot to death	1	1	0	0	0	0	0	<b>2</b>	
	Torture to death	0	0	1	1	2	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>67</b>	<b>341</b>	
Enforced Disappearances		6	1	5	2	1	2	3	<b>20</b>	
Death in Jail		6	5	9	7	8	5	7	<b>47</b>	
Human rights violations by Indian BSF	Bangladeshis Killed	2	1	0	0	0	0	1	<b>4</b>	
	Bangladeshis Injured	3	5	1	2	0	1	0	<b>12</b>	
	Bangladeshis Abducted	2	0	0	3	4	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>25</b>	
Attack on journalists	Injured	12	6	1	2	3	1	3	<b>28</b>	
	Assaulted	1	3	3	0	0	0	0	<b>7</b>	
	Threatened	2	1	3	0	1	1	0	<b>8</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>43</b>	
Political violence	Killed	9	5	9	11	13	2	3	<b>52</b>	
	Injured	619	424	335	428	297	153	216	<b>2472</b>	
Dowry related violence against women		12	16	15	21	12	6	10	<b>92</b>	
Rape		46	78	67	69	58	48	52	<b>418</b>	
Sexual harassment /Stalking of females		15	14	25	24	19	6	11	<b>114</b>	
Acid violence		2	1	3	4	2	0	5	<b>17</b>	
Public lynching		5	6	8	2	5	2	4	<b>32</b>	
Situation of workers	RMG workers	Killed	0	0	1	0	1	0	0	<b>2</b>
		Injured	20	0	40	0	35	27	10	<b>132</b>
	Workers in other sectors	Killed	9	11	7	8	18	7	4	<b>64</b>
		Injured	8	4	0	3	4	3	9	<b>31</b>
Arrest under Information and Communication Technology Act 2006 (amended 2009 and 2013)**		2	1	0	0	3	0	2	<b>8</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.

1. The human rights situation of July 2018 has been analyzed in this report. The main element of democratic rule – the electoral system – has been destroyed through the farcical National elections of 2014 and the Awami League reassumed power for a second term, through this controversial election.<sup>1</sup> As a result, the unaccountable government has created a fearful environment in the country by recklessly violating human rights. Ahead of the upcoming 11<sup>th</sup> Parliamentary elections in December 2018, the ruling party has started a complete crackdown on the opposition<sup>2</sup> political parties and dissenting voices since the beginning of the year, which took a turn for the worse in July. During this period, rights to freedom of assembly and association of the opposition parties, alternative believers and dissidents were violated. Leaders and activists of the ruling Awami League affiliated student organisation Chhatra League and members of law enforcement agencies have attacked on protesting students who are engaged in the quota reform<sup>3</sup> movement. During such attacks, Chhatra League<sup>4</sup> leaders-activists beat and severely injured quota reform movement leaders and demonstrators, sexually harassed female protestors and also threatened to rape them. Furthermore, teachers of different universities, including Dhaka University were threatened and assaulted by Chhatra League activists. Members of law enforcing agencies arrested and tortured protestors and pro-government doctors forcibly ousted injured students, from public hospitals.

## **Election Commission and criminalisation in local government polls**

2. 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. Allegations of various irregularities and rigging, including ‘capturing’ polling stations, snatching ballot papers, casting fake votes and ousting the polling agents belonging to rival

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<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.

<sup>2</sup> Political parties which are out of the Parliament.

<sup>3</sup> Various university students stated demonstration for the reformation of the existing quota system in government jobs since February 2018. They were demanding reducing the quota from 56 percent to 10 percent at Bangladesh Civil Service.

<sup>4</sup> Student wing of Awami League.

candidates, were found against the ruling Awami League nominated candidates during by-elections, Union Parishad, Upazila and City Corporation polls conducted under the current Election Commission (EC) as in the previous Commission headed by Rakibuddin Ahmed. Furthermore, election officials and members of law enforcement agencies had played roles in favour of the ruling party candidates are covered and reported in the media with pictures. A lack of confidence has already been created among the public due to the biasness of the Election Commission towards the ruling party; and its failure to take any effective measure against this serious allegations and election rigging. Without taking any measures to tackle this situation before the next Parliamentary elections, the EC was seen attempting to justify electoral irregularities by taking sides with the government. On 1 July 2018, Election Commissioner Rafiqul Islam said that the EC was prioritising more importance on holding 'lawful elections' than fair elections. So, if elections were held in a 'lawful' manner it will be considered acceptable.<sup>5</sup> Due to the severe repressive policy of the current government, opposition parties are not able to hold any public meetings or gatherings. However, the ruling party is doing so and campaigning for their candidates without any obstruction. This proves that a level-playing field for all is totally absent before the upcoming national elections. The Election Commission has not taken any initiative for carrying out electoral reforms centring around the 11<sup>th</sup> Parliamentary elections. It must be noted here that the highest court of the country made specific observations in relation to holding elections under a caretaker government for at least two terms.<sup>6</sup>

3. On 25 July 2108, Awami League nominated candidate won the election by 'capturing' polling centres in Cox's Bazar Municipality poll, and the Election Commission, as in previous elections, failed to prevent it. During the polls, supporters of the ruling party 'captured' the polling centres in the presence of members of law enforcement agencies and stuffing ballot boxes after stamping the Awami League electoral symbol 'boat' on the ballot papers. They also forced the ordinary voters to vote for the Awami League nominated candidate. For example, at around 8:30 am on polling day, supporters of Awami League captured ABC Ghona Government Primary School polling centre and stamped the Awami League electoral symbol 'boat' on the ballots after forcibly ousting polling agents of other candidates.<sup>7</sup>

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<sup>5</sup> The daily Naya Diganata, 2 July 2018; [www.dailynayadiganta.com/city/329561/](http://www.dailynayadiganta.com/city/329561/)

<sup>6</sup> The daily Manabzamin and [http://www.supremecourt.gov.bd/resources/documents/1082040\\_C.A.6of17.pdf](http://www.supremecourt.gov.bd/resources/documents/1082040_C.A.6of17.pdf)

<sup>7</sup> The daily Naya Diganta, 26 July 2018; <http://www.dailynayadiganta.com/first-page/336139/>

4. The Awami League (AL) government has applied all kinds of illegal means and taken away the people's right to vote in every local government polls held during its tenure, after reassuming power through farcical elections in 2014; and there were also irregularities in Barisal, Rajshahi and Sylhet City Corporation elections held on 30 July 2018. Candidates nominated by the opposition political parties and members of civil society<sup>8</sup> alleged that there was no level-playing field before these elections. During the campaign period, MPs and Mayors campaigned for the ruling party nominated candidates by violating the election Code of Conduct.<sup>9</sup> Furthermore, police randomly arrested BNP leaders and activists, threatened them and conducted search operations in their houses before elections in these three cities. Several ward unit Presidents and General Secretaries of BNP in Rajshahi city were arrested. Police also went to the houses of BNP and Jamaat activists and told them not to go to the polling centres.<sup>10</sup> At that time police arrested family members of BNP and Jamaat activists who were not present during search operations and took them to the police station.<sup>11</sup> In seven areas of Sylhet, plainclothes police raided more than a hundred houses belonging to BNP leaders-activists<sup>12</sup> and arrested Jurez Abdullah Gulzar, chief of the campaign cell of the BNP candidate<sup>13</sup>; and Abdur Razzak, member of BNP's election management committee.<sup>14</sup> Members of law enforcement agencies in Barisal barred BNP's election campaigns<sup>15</sup> and till 28 July, 35 leaders and activists of BNP were allegedly arrested.<sup>16</sup> Even after so many complaints, the Election Commission, as a constitutional institution, was completely unresponsive and subservient to the government. The EC has been accused of being a trusted partner of all these election misdeeds. As a result, elections in Barisal, Rajshahi and Sylhet City Corporations held on 30 July were marred with various irregularities and vote rigging, including 'capturing' polling stations, casting fake votes and apprehending and ousting the polling agents belonging to rival candidates. Mayor candidates belonging to five political parties, including BNP,

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<sup>8</sup> On 25 July 2018, Sushasoneer Jonno Nagorik (SUJON) (Citizens for Good Governance) organized a press conference and said that no level-playing field is available in the three City Corporations.

<sup>9</sup> The daily Prothom Alo, 20 July 2018; <http://www.prothomalo.com/bangladesh/article/1536506/>

<sup>10</sup> The daily Prothom Alo, 22 July 2018

<sup>11</sup> Information sent by local human rights defender associated with Odhikar from Rajshahi; and the daily Naya Diganta, 30 July 2018

<sup>12</sup> The daily Prothom Alo, 22 July 2018

<sup>13</sup> The daily Jugantor, 25 July 2018; <https://www.jugantor.com/todays-paper/city/73784/>

<sup>14</sup> The daily Manabzamin, 29 July 2018; <http://www.mzamin.com/article.php?mzamin=128083&cat=37/>

<sup>15</sup> The daily Manabzamin, 22 July 2018; [www.mzamin.com/article.php?mzamin=126922&cat=2/](http://www.mzamin.com/article.php?mzamin=126922&cat=2/)

<sup>16</sup> The daily Manabzamin, 29 July 2018; <http://www.mzamin.com/article.php?mzamin=128077&cat=37/>

boycotted polls alleging massive election rigging.<sup>17</sup> For example, in Barisal all polling centres were ‘captured’ by supporters of the government after 8:00 am, who snatched voter’s slips and National ID cards from many voters and forced them to leave the centres. They then put stamps on the AL electoral symbol ‘boat’ on the ballots. In many of such incidents, at around 10:00 am, Advocate Obaidullah, President of Barisal District Bar Association and Nizamul Islam Nizam, Vice-President of Barisal City Awami League along with Chhatra League and Jubo League leaders-activists entered Barisal Government Girls Primary School polling centre and forcibly took ballot papers from the Assistant Presiding Officer; and started to stamp on the Awami League electoral symbol ‘boat’ on the ballots. While stamping the ballots they said to the Assistant Presiding Officer that as per order of the high-ups, voting would only be held for Councillors and reserved (women councillors) candidates. At approximately 9:45 am, supporters of the ruling party physically assaulted the Socialist Party of Bangladesh nominated mayor candidate Monisha Chakraborty when she protested the vote rigging at Barisal Sadar Girls polling centre.<sup>18</sup>

5. Polling centres in Rajshahi were under control of the ruling party supporters. At around 8:30 am, leaders and activists of Awami League captured Binodpur Islamia polling centre at Ward 30 and stuffed ballots after stamping on AL election symbol ‘boat’ on the ballot papers. At that time the daily Naya Dignata correspondent Shamsul Islam was assaulted by AL leader Saddam Hossain when present there.<sup>19</sup> At around 2:00 pm, about 30 voters, including Abul Kalam, Keramin, Rezaul, Dulal, Munnaf and Belal, who stood in the queue at Binodpur Islami College polling centre, alleged that they could not cast their votes. Abul Kalam said that he was standing in the queue since 10:00 in the morning, but could not vote. He was not allowed to enter the polling booth. A group of voters protested at 4:00 pm after voting ended, by blocking a road in front of the Atkoshi Government Primary School polling centre under Ward 16 of Mathuradanga, having failed to cast their votes.<sup>20</sup> BNP nominated mayor candidate Mosaddek Hossain Bulbul refrained from voting in protest of the rigging, fake votes and lack of ballot papers for the mayoral candidates. He alleged that more votes were cast than the number of voters in polling centre number 137 of Ward 30.<sup>21</sup>

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<sup>17</sup> The daily Naya Dignata, 31 July 2018; <http://www.dailynayadiganta.com/first-page/337626/>

<sup>18</sup> The daily Naya Dignata, 31 July 2028; <http://www.dailynayadiganta.com/more-news/337616/>

<sup>19</sup> The daily Naya Dignata, 31 July 2028; <http://www.dailynayadiganta.com/first-page/337624/>

<sup>20</sup> Information sent by local human rights defender associated with Odhikar from Rajshahi.

<sup>21</sup> The daily Naya Dignata, 31 July 2018; <http://www.dailynayadiganta.com/first-page/337620/>



6. Sylhet City Corporation poll was also under the ruling party control. At around 2:45 pm, some Chhatra League activists were casting fake votes in Dorga Jalalia Primary School polling centre. At that time, the daily Prothom Alo's Shahjalal Science and Technology University correspondent, Mizbah Uddin took pictures of that incident. Police and Chhatra League activists beat Mizbah Uddin leaving him seriously injured.<sup>22</sup> Furthermore, at around 11:20 am, the Daily Star correspondents Masuk Hirody and Doha Chowdhury were assaulted by Awami League and Chhatra League activists in Jamia Madinatul Ulum Darussalam Madrassa polling centre, who also snatched their cameras away. Police beat Abdullah Al Bappi, photojournalist of the daily Naya Diganta, in Shahjalal Jamia Islamia Qawmi Madrassa polling centre, for taking photos.<sup>23</sup>

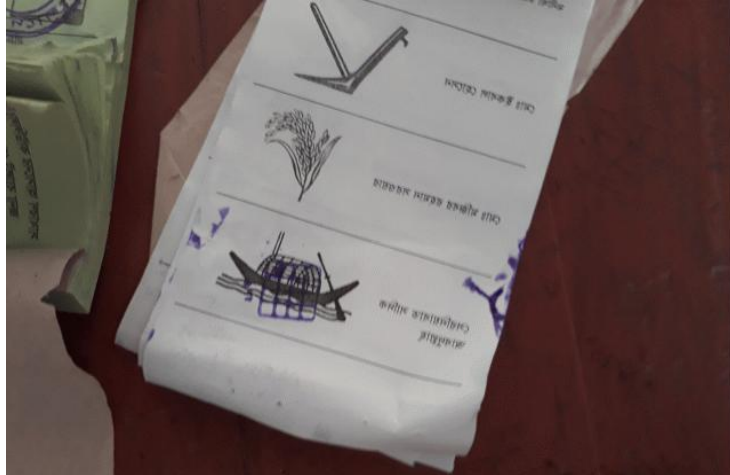


*Chhatra League activists stamping ballots in Syed Majidunnesa High School polling centre during Barisal City Corporation poll held on 30 July 2018. Photo: Prothom Alo, 31 July 2018*

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

<sup>23</sup> The Daily Star, 31 July 2018; <https://www.thedailystar.net/sylhet-city-election-2018/3-journalists-assaulted-in-sylhet-city-corporation-scc-election-1613374>



*Stamped Awami League electoral symbol 'boat' on the ballots are laid on the table at a polling centre in Barisal. Photo: Prothom Alo, 31 July 2018.*



*Socialist Party of Bangladesh mayoral candidate Monisha Chakrabarti with her supporters shows ballot papers illegally stamped in favour of ruling Awami League candidate at a centre in Barisal city. Photo: New Age, 31 July 2018*



*Stamped Awami League electoral symbol 'boat' on the ballots. Photo: Manabzamin, 31 July 2018*



*Voters are protesting in front of the Atkoshi Government Primary School polling centre in Rajshahi, after failing to cast their votes. Photo: Prothom Alo, 31 July 2018*

## **Hindrance and attacks on freedom of peaceful assembly**

7. In July 2018, right to freedom of peaceful assembly and meetings of the opposition<sup>24</sup> parties were violated. It has become a common trend that whenever the Bangladesh Nationalist Party (BNP) tries to hold any peaceful programme in the country, police either did not allow it to do so or barred or stopped the programmes in many places after attacking and conducting arrest operations. Police also randomly arrested activists of the opposition parties. On 14 July 2018, a meeting organised by Zia Parishad in the Engineers Institution, Dhaka was stopped due to the police. When BNP Secretary General Mirza Fakhrul Islam Alamgir reached the meeting venue, police did not allow him to enter.<sup>25</sup> On 20

<sup>24</sup> Political parties which are now out of the Parliament.

<sup>25</sup> The Daily Ittefaq, 15 July 2018; <http://www.ittefaq.com.bd/print-edition/second-edition/2018/07/15/289071.html>

July, police arrested 10 BNP and Jamaat-e-Islami leaders and activists during a meeting at a field in Satkhira Sadar Upazila under Satkhira District.<sup>26</sup> Despite massive rigging and irregularities in three city corporation polls, the Chief Election Commissioner K M Nurul Huda said that elections were good in all. They were satisfied.<sup>27</sup>

8. Students have been protesting for the reformation of the quota system since February 2018. When the protests spread, Prime Minister Sheikh Hasina, on 11 April, declared the removal of the quota system in Parliament although the students were demanding the reform and not the removal of the quota system in government jobs. On 30 June 2018, protesting students of the quota reform movement tried to organise a press conference in front of the Central Library of Dhaka University. Bangladesh Chhatra League (BCL) activists attacked them just before the conference commenced and injured some students, including Joint Convener of the General Student Rights Protection Council, Nurul Huq Nuru.<sup>28</sup> Nuru was forced out of Dhaka Medical College Hospital (DMCH)<sup>29</sup> while he was under treatment there by hospital authority and later admitted to a private hospital.<sup>30</sup> Police arrested 13 students including Rashed Khan<sup>31</sup>, joint convener of the quota reform movement; and they were allegedly tortured by police in remand.<sup>32</sup> Rashed's mother Saleha Begum, on 11 July 2018, organised a press conference and said that Rashed was tortured by police during remand.<sup>33</sup> On 2 July 2018, BCL activists attacked the quota reform movement students when they were organising programmes in Rajshahi University and at the Central Shahid Minar in Dhaka. At that time they beat another joint convener of the quota reform movement, Farooq Hassan leaving him severely injured and he was taken to an unidentified place. Later he was handed over to Shahbagh Police Station.<sup>34</sup> Female students, involved in the quota reform movement were sexually harassed by Chhatra League leaders and activists. One of the female students alleged that after the harassment, Chhatra League activists handed her over to Shahbagh Police Station and police tried to take a false confession from her that she was a drug addict.<sup>35</sup> A female student of Jahangirnagar University was threatened that

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<sup>26</sup> The Daily Ittefaq, 22 July 2018; <http://www.ittefaq.com.bd/print-edition/country/2018/07/22/290447.html>

<sup>27</sup> The daily Prothom Alo, 31 July 2018;

<sup>28</sup> Bangla Tribune, 30 June 2018/[www.banglatribune.com/others/news/338041-](http://www.banglatribune.com/others/news/338041-)

<sup>29</sup> DMCH is a government hospital

<sup>30</sup> The daily Manabzamin, 6 July 2018; [www.mzamin.com/article.php?mzamin=124436&cat=2/](http://www.mzamin.com/article.php?mzamin=124436&cat=2/)

<sup>31</sup> The daily Jugantor, 2 July 2018; <https://www.jugantor.com/todays-paper/first-page/65373/>

<sup>32</sup> The daily Naya Diganta, 9 July 2018; [www.dailynayadiganta.com/first-page/331289/](http://www.dailynayadiganta.com/first-page/331289/)

<sup>33</sup> The daily Jugantor, 12 July 2018; <https://www.jugantor.com/national/69283>

<sup>34</sup> The daily Manabzamin, 3 July 2018; [www.mzamin.com/article.php?mzamin=124043&cat=2/-](http://www.mzamin.com/article.php?mzamin=124043&cat=2/)

<sup>35</sup> The daily Naya Diganta, 6 July 2018; [www.dailynayadiganta.com/first-page/330619/](http://www.dailynayadiganta.com/first-page/330619/)

she would be raped for posting a facebook status in favour of quota reformation, by the university unit Chhatra League Vice-President Hamza Rahman and BCL activists Ishkat Harun, Zahid Hassan, Masud Rana and Rony Bhowmik.<sup>36</sup> Tariqul Islam, joint convener of the quota reform movement, was severely injured when BCL activists attacked him with knives, sticks and hammers.<sup>37</sup> Tariqul was admitted to Rajshahi Medical College Hospital in a critical condition but the hospital authority released him after a few days without completing his treatment. Later he took treatment in a private hospital.<sup>38</sup> On 4 July, many students were injured when police, Chhatra League and Jubo League<sup>39</sup> activists attacked the quota reform demonstrators at various places, including Rajshahi University, Jahangirnagar University and Begum Rokeya University; and in Barisal, Khulna and Narayanganj.<sup>40</sup> On 8 July, Progressive Students Alliance brought out a procession at Jagannath University in protest of the attacks on students of the quota reform movement. Chhatra League attacked the procession and approximately 15 persons, including five journalists, were injured.<sup>41</sup> Meanwhile, University authorities took sides with the criminals instead of taking action against the incidents of attacks on student demonstrators and the assaults on teachers.



*Tariqul Islam, joint convener of the quota reform movement, was severely injured when BCL activists attacked him with knives, sticks and hammers. Daily Star 09 July, 2018*

<sup>36</sup> The daily Prothom, Alo, 16 July 2018

<sup>37</sup> The daily Manabzamin, 6 July 2018; [www.mzamin.com/article.php?mzamin=124436&cat=2/](http://www.mzamin.com/article.php?mzamin=124436&cat=2/)

<sup>38</sup> The daily Manabzamin, 7 July 2018; [www.mzamin.com/article.php?mzamin=124572&cat=2/-](http://www.mzamin.com/article.php?mzamin=124572&cat=2/)

<sup>39</sup> Youth wing of Awami League.

<sup>40</sup> The daily Jugantor, 5 July 2018; <https://www.jugantor.com/todays-paper/last-page/66562/>

<sup>41</sup> The daily Naya Diganta, 9 July 2018; [www.dailynayadiganta.com/first-page/331285/](http://www.dailynayadiganta.com/first-page/331285/)



*Faruk Hossain, leader of the quota reform movement, was being beaten by Chhatra League activists.  
Photo: The Daily Star, 3 July 2018*



*BCL men attacking other protesters and snatching their banner in Dhaka. Photo: The Daily Star, 3 July 2018*



*Demonstrators of the quota reform movement attacked by BCL leaders-activists, when they brought out protest rally in Rajshahi University campus. Photo: Prothom Alo, 3 July 2018*



*A woman demonstrator of the quota reform movement was being attacked by BCL activists in Dhaka.  
Photo: Bangladesh Protidin, 3 July 2018*

9. 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. Due to incident when journalists asked the road transport labour leader and Shipping Minister Shahjahan Khan, he started to laugh and ignored the matter.<sup>42</sup> He compared to deaths of 33 persons in road accident in India with two students of Bangladesh. As a result students blocked 20 important roads of Dhaka City on 30 and 31 July, demanding 9-point demand, including the resignation of Shipping Minister Shahjahan Khan, punishment of the killer bus driver and safe road. During this period, police baton charged the protesting students to disperse them from different points in Mirpur and Uttara. As a result, several students were injured.<sup>43</sup> It must be mentioned here that road accidents in Bangladesh have become a serious matter due to the driving of vehicles by under aged and licence less drivers. 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, there is no attempt to improve the public transport system as such high level leaders are involved in the public transport business.

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<sup>42</sup> The daily Jugantor, 1 August 2018; <https://www.jugantor.com/todays-paper/first-page/75952/>

<sup>43</sup> The daily Jugantor, 1 August 2018; <https://www.jugantor.com/todays-paper/first-page/75952/>



*Police baton-charge students in Mirpur area of Dhaka City on 31 July 2018, when students of several colleges brought out the procession, demanding justice for the two college students who were killed in a road crash and for safe roads. Photo: The Daily Star, 1 August 2018*

## Imposition of repressive laws

10. Although section 57<sup>44</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 July 2018. Rashed Khan, Joint Convener of the quota reform movement was arrested under section 57 of the ICT Act for allegedly commenting on the Prime Minister on Facebook live. Police took him into 10-day remand twice.<sup>45</sup> BCL leaders-activists threatened Assistant Professor Mohammad Maidul Islam of Chittagong University for making a Facebook post in favour of the quota reform movement. Chhatra League declared him unwanted on campus. Maidul Islam left the campus for security reasons due to the threats from BCL activists. On 23 July, Chhatra League leader Iftekhar Uddin filed a case under section 57 of the ICT Act with Hathazari Police Station in Chittagong against Maidul Islam for the allegation of making derogatory remark

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<sup>44</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>45</sup> The daily Jugantor, 9 July 2018; <https://www.jugantor.com/todays-paper/first-page/67934/>



on Prime Minister Sheikh Hasina on Facebook.<sup>46</sup> Meanwhile the Bill of the Digital Security Act (DSA) was placed in Parliament by the Telecommunication and Information Technology Minister Mostafa Jabbar, after recommending that five sections be revoked, including section 57 of the ICT Act.<sup>47</sup> Such sections of the ICT Act have been incorporated into the proposed Digital Security Act. There are fears that section 32<sup>48</sup> of the approved DSA Bill relating to spying on computer and other digital crimes, can be used by the government as a weapon against human rights defenders, journalists, bloggers and against public opinion. As a result, civil society activists and journalists demand the repeal of this section. But the government does not pay any heed.

11. The government is imposing the Special Powers Act (SPA) of 1974 against opposition political parties to suppress them. After the downfall of Lt. Gen. Ershad in 1990, the then head of the government, Chief Justice Sahabuddin Ahmed had repealed section 16, 17 and 18 of the Special Powers Act through an Ordinance. However, cases are still being filed under such sections against the opposition leaders and activists. On 25 May 2018, police filed a case under sections 16(2) and 25(D) of the SPA, mentioning the names of 36 accused persons along with 50-60 unknown persons, for allegedly holding secret meetings for the destruction of Singair Police Station under Manikganj District. After hearing the ad-interim bail appeal of Sajedul Alam and Habibur Rahman, two of the 36 accused persons of this case, on 23 July a High Court Division bench issued an Order to the Inspector General of Police for 'not to file any new case under the repealed sections of the SPA'.<sup>49</sup> It is to be mentioned that the two other arrested persons under this case, Salauddin and Bashir are still detained in jail.<sup>50</sup>

## **Hindrance to freedom of opinion and expression**

12. Freedom of expression is severely violated due to an authoritarian rule in the country. Incidents of attacks and filing cases against dissenters continue for writing comments or giving statements critical of high-level persons in the

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<sup>46</sup> The daily Prothom Alo, 25 July 2018;

<sup>47</sup> The daily Jugantor, 10 April 2018; <https://www.jugantor.com/todays-paper/last-page/36851/>

<sup>48</sup> Section 32 states that if anyone collects, publishes or preserves or assists in preservation of any confidential information/reports through computer, digital device, computer network or any other electronic form, by illegally entering into an office of the government or a semi-government, autonomous or statutory body, it will be considered a crime of computer or digital spying. Due to this the accused person will have to face punishment of 14 years in jail or pay Tk. 2.5 million as fine or both. If such crime is committed twice by the same person, he/she will be sentenced life imprisonment or 10 million taka fine or both.

<sup>49</sup> The daily Prothom Alo, 24 July 2018;

<sup>50</sup> The Daily Star, 24 July 2018; <https://www.thedailystar.net/frontpage/section-162-special-powers-act-scrapped-yet-used-arrest-1610176>

government or/and their family members. 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 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. Thirty-six cases in relation to defamation and sedition were filed across the country against the acting Editor of the closed down newspaper daily Amar Desh, Mahmudur Rahman for allegedly commenting against the Prime Minister Sheikh Hasina, her father former President Sheikh Mujibur Rahman and the Prime Minister’s niece and British MP Tulip Siddiqui at a seminar on 1 December 2017. Among the 36 cases, one defamation case was filed by Kushtia District unit Chhatra League President Yasir Arafat Tushar. On 22 July 2018, Mahmudur Rahman appeared before the court of Kushtia Senior Judicial Magistrate, M M Morshed, under this case and at 12 noon he got bail. BCL leaders and activists confined Mahmudur Rahman till 4:30 pm, after surrounding the court premises when he was about to leave the court. Mahmudur Rahman waited in the courtroom for security reasons and appealed to the court to ensure his security. The Magistrate called on the Officer-in-Charge (OC) of Kushtia Model Police Station Nasir Uddin, but he refused to come in the courtroom. Later the Court (Police) Inspector re-assured Mahmudur Rahman about his safety and got him in a car outside the court, which was arranged by police. At that time Chhatra League activists vandalised the car that was carrying Mahmudur Rahman and attacked him with sticks and broken bricks leaving him seriously wounded. The OC Nasir Uddin arrived at the court with force after BCL activists left the court premises leaving Mahmudur Rahman with head and face injuries. The OC Nasir Uddin did not arrange any first aid for Mahmudur Rahman nor did he call an ambulance to take him to Jessore Airport to return to Dhaka. As a result, Mahmudur Rahman went to Jessore in an ordinary car and took first aid at a local hospital there. He returned to Dhaka by air and was admitted to United Hospital.<sup>51</sup> It is to be mentioned that Mahmudur Rahman was detained in jail for five years in two terms and tortured in remand for his free opinion and publishing reports during the period of the current government. The government and its affiliated persons have filed 125 cases against him.

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<sup>51</sup> Information received from local human rights defender associated with Odhikar in Kushtia; the daily Naya Dignata, 23 July 2018; <http://www.dailynayadiganta.com/first-page/335271>



*Bloodied Mahmudur Rahman is coming out of the court premises. Photo: Odhikar*



*Mahmudur Rahman was attacked by BCL activists in Kushtia court premises and later he was taken to a car. Photo: Prothom Alo, 23 July 2018*

## **Political Violence**

13. In July 2018, according to information gathered by Odhikar, three persons were killed and 216 persons were injured in political violence. Furthermore, 15 incidents of internal violence in the Awami League were recorded during this period. Two persons were killed and 184 were injured in internal conflicts within the Awami League.

<b>Political Violence</b>			
<b>Month</b>	<b>Killed</b>	<b>Injured</b>	<b>Total</b>
<b>July 2018</b>	<b>3</b>	<b>216</b>	<b>219</b>

14. Due to lack of accountability to the people, unlawful, mischievous and offensive activities of the Awami League leaders-activists have become extremely common. Criminalisation of the ruling party leaders-activists was significantly visible in July 2018. Acts of suppression on the ordinary students and teachers by BCL leaders and activists at the educational institutions had crossed all limits. Allegations of ‘capturing’ polling centres and casting fake votes during polls, extortion, forcefully acquiring tender bids, land grabbing, kidnapping, attacks on ordinary citizens and violence against women and sexual harassment were reported mainly against the Chhatra League and Jubo League. Furthermore, internal conflicts of the Awami League and its affiliated organisations over establishing supremacy continued and due to such conflicts they are now involved in killing each other. It is to be noted that the government did not take any action against criminals and in most cases perpetrators could not be brought to justice due to impunity. On 14 July 2018, 10/12 criminals led by Dhaka University’s Surjosen Hall unit BCL activists Sifatullah, Mohammad Al Imran and Mahmudur Rahman attacked and beat two students Gazi Lina and Asad.

## Extrajudicial Killings

15. From 15 May 2018, extrajudicial killings commenced indiscriminately across the country in the name of ‘anti-drug drives’. According to Odhikar documentation, from May 15 to 31 July 2018, 211 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, 23 persons were allegedly killed extra-judicially in July 2018 by law enforcement agencies.

Alleged extra-judicially killing by law enforcement agencies					
Month	RAB	Police	DB Police	BGB-RAB	Total
July 2018	26	30	9	2	<b>67</b>

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	<b>129</b>
June	8	28	0	2	<b>38</b>
July	5	16	2	21	<b>44</b>
<b>Total</b>	<b>15</b>	<b>138</b>	<b>2</b>	<b>56</b>	<b>211</b>

16. While examining the reasons behind the commissions of extrajudicial execution, it was found that such killings occurred in order to prevent the opposition and dissidents to mobilise or speak, to resist so-called 'extremists', to stop opposition on the pretexts of 'anti-drug operations' or to shield the main culprits from any criminal case by using law enforcement agencies in exchange of money. On 27 May 2018, a group of police led by Sub Inspector (SI) Arifur Rahman of Boalkhali Police Station picked up Samar Krishna Chowdhury, an assistant of a lawyer, from Chittagong Court Building area and took him to the police station. At around 1:30 am, SI Atiqullah and SI Arifur Rahman handcuffed and blindfolded Samar and took him to Charandwip Union on a van. After reaching there, the policemen removed his handcuffs, opened his blindfold and asked him to run for his life. Samar refused to run, assuming that he might be killed in the name of 'crossfire'. SI Arif received a phone call and then police took him to his ancestral home. Later Samar was taken to the police station again and police took photos of him with illegal Yaba pills and holding a firearm in his hands. Police showed him as arrested in two cases over the recovery of Yaba pills and the firearm.<sup>52</sup> Samar alleged that police had tortured him at the police station before attempting to kill him in "shootout". He disclosed this incident to a journalist on 16 July 2018.<sup>53</sup> Meanwhile, there were allegations of police killing BNP leaders-activists extra-judicially in the name of anti-drug operations. On 24 July, BNP activist Alamgir Hossain Badsha was allegedly shot dead by RAB in Sonargaon under Narayanganj District. RAB claimed that Badsha was killed in a counter attack when RAB was attacked during an anti-drug drive. Badsha's wife Suraiya Begum said that her husband was not involved in drug peddling. On 23 July, he was picked up by RAB from home and the family did not know where he was taken. The next day they got to know that he had been killed.<sup>54</sup>

## Enforced Disappearances

17. In addition to extrajudicial killings, incidents of enforced disappearance continue. It is feared that 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 and dissenters might be the victims of

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<sup>52</sup> The Daily Star, 20 July 2018/ <https://www.thedailystar.net/backpage/they-asked-me-run-1608313>

<sup>53</sup> The Daily Star, 20 July 2018/ <https://www.thedailystar.net/backpage/they-asked-me-run-1608313>

<sup>54</sup> The daily Naya Diganta, 25 July 2018; <http://www.dailynayadiganta.com/last-page/335909/>

such crime.<sup>55</sup> Despite claims from the families of the disappeared and various investigation reports that have proved that enforced disappearances exist, the government repeatedly denies that enforced disappearances occur. Currently it has become difficult to identify the exact number of enforced disappearances, because incidents are not reported in the media as the families of the disappeared face various kinds of pressure and threats from law enforcement agencies. On 17 July, the Home Minister Asaduzzaman Khan Kamal said, “incidents which are being called enforced disappearance are not exactly enforced disappearance. We are bringing them (the victims) in front of the public and it has been seen that they voluntarily disappeared after failing in love affairs or in business”.<sup>56</sup> In the early morning of 12 July, some men claiming to be members of the Detective Branch (DB) of Police picked up quota reform movement leader APM Suhel from a house at Chamelibagh in Dhaka. When the family of Suhel searched for him, police informed them that DB Police had not arrested him. Later, in the evening, police acknowledged the arrest of Suhel.<sup>57</sup> On 20 July, two BNP activists Sumon Ahmed and Rasel Ahmed of ward no. 26 had joined the election campaign for BNP-nominated candidate Ariful Huq in the Sylhet City Corporation polls. At around 3:30 am on 21 July, some plain clothed men, including uniformed police, picked them up from their house. The relatives of Sumon and Rasel saw them in the lock-up at Surma Police Station that night and the officer-in-charge asked them to come in the morning. When they went to the police station again in the morning, police informed them that no persons with these names had been arrested. Later police showed Sumon and Rasel as arrested in a case filed with Osmaninagar Police Station under the Special Powers Act, 1974 and produced them before the court.<sup>58</sup>

## Condition in Prisons

- 18. According to Odhikar, seven persons died in jail due to ‘illness’ in July 2018.** Human rights violations in prisons continued in July. Allegations of overcrowding, keeping more inmates than their capacity and inhuman and degrading treatment of inmates in jails across the country are common.<sup>59</sup> Human disasters are observed in jails due to the overcrowded situation as a result of

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<sup>55</sup> Joint oral statement on enforced disappearances in Bangladesh by the Asian Forum for Human Rights and Development (FORUM-ASIA) and the World Organisation Against Torture (OMCT) submitted to 36th Regular Session of the UN Human Rights Council. <https://www.forum-asia.org/?p=24796>

<sup>56</sup> The daily Naya Diganta, 18 July 2018; <http://www.dailynavadiganta.com/first-page/333810/>

<sup>57</sup> The daily Prothom Alo, 14 July 2018;

<sup>58</sup> The daily Prothom Alo, 22 July 2018

<sup>59</sup> The Daily Star, 01 July 2018; <https://www.thedailystar.net/city/jails-overflowing-inmates-1598005>

arrest operations to suppress opposition political parties and dissenting voices. Thus prisoners are living a miserable existence. Furthermore, many inmates allegedly die in jail due to lack of proper treatment facilities and negligence by prison authorities. On 19 July at around 11:00 pm, an under trial prisoner named Shamim Hossian (40) died due to a heatstroke in the soaring temperatures at Kishorganj District Jail, as the jail was overflowing with five times more inmates than its capacity causing serious discomfort in the heat wave.<sup>60</sup>

19. BNP claimed that its party Chairperson Khaleda Zia (73),<sup>61</sup> who has been detained in the old Dhaka Central Jail since 8 February 2018, was found to be ill and due to this, doctors recommended the prison authority to admit her to United Hospital immediately. However, the government refused to do so.<sup>62</sup> On 14 July, five family members, including Khaleda Zia's elder sister Selima Islam, went to jail with the authority's permission to see her. Selima Islam said that they had gone to see Khaleda Zia as she was seriously ill in prison, but the jail authority did not allow them to enter.<sup>63</sup> On 21 July, seven persons, including two lawyers of Khaleda Zia, visited her in jail and they said that her physical condition was bad and she was not able to walk.<sup>64</sup> Those who met her before in jail said that Khaleda Zia had had a mild stroke.<sup>65</sup> She could not move her left hand and could not walk properly. She is also suffering from eye problems.<sup>66</sup> It is to be mentioned that the current Prime Minister Sheikh Hasina was arrested under various corruption cases during the military backed caretaker government in 2007. During her illness, Sheikh Hasina was given treatment at the private hospital 'Square Hospital'.<sup>67</sup>

## Public Lynching

20. **In July 2018, four 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.

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<sup>60</sup> The official capacity for inmates in Kishorganj District Jail is 245. But there were 1318 prisoners in the jail during that period.

<sup>61</sup> The first female Prime Minister in Bangladesh, who had been elected as Prime Minister thrice.

<sup>62</sup> The daily Jugantor, 10 June 2018; <https://www.jugantor.com/todays-paper/first-page/58265/>

<sup>63</sup> The Daily Ittefaq, 15 July 2018;

<sup>64</sup> The daily Naya Diganta, 22 July 2018; <http://www.dailynayadiganta.com/first-page/335007/>

<sup>65</sup> The daily Jugantor, 10 June 2018; <https://www.jugantor.com/todays-paper/first-page/58265/>

<sup>66</sup> The daily Naya Diganta, 12 June 2018; [www.dailynayadiganta.com/politics/324980/](http://www.dailynayadiganta.com/politics/324980/)

<sup>67</sup> Reuters, 16 July 2018; <https://www.reuters.com/article/idINIndia-33256120080427>

## **‘Extremism’ and Human Rights**

21. The emergence of ‘extremism’ has been observed in the country due to massive repression in the absence of a democratic system and lack of an accountable government. In the night of 1 July 2016 a group of armed ‘extremists’ attacked a restaurant named ‘Holey Artisan Bakery’ in Gulshan, Dhaka and killed 17 foreigners and three Bangladeshis after holding hostage all the people in the restaurant. On 23 July 2018 the investigating organization of this case, the Counter Terrorism and Transnational Crime Unit (CTTCU) of police submitted a charge sheet before the Court, identifying 21 persons involved into this incident. Among the persons involved, eight were accused who are still alive. The remaining 13 accused persons were killed during operations carried out by law enforcement agencies. Police did not find any evidence regarding the involvement of Hasnat Karim in this incident, who had been detained in jail for the last two years.<sup>68</sup> On 16 March 2017, the UN Working Group on Arbitrary Detention had brought the matter of unlawful detention of Hasnat Karim to the attention of the Bangladesh government. It was mentioned in the report of the Working Group that although Hasnat Karim was arrested on 2 July 2016, he was officially shown as arrested on 4 August 2016. His family alleged at different times, that Hasnat Karim was not given an opportunity to meet his lawyer and the matter relating to his medical treatment had also been neglected.<sup>69</sup> Furthermore, the CTTCU did not find any evidence of the involvement of Holey Artisan Bakery’s kitchen assistant Zakir Hossain Shaon in this incident.<sup>70</sup> It is to be mentioned that on 8 July 2016, Shaon died in Dhaka Medical College Hospital while under police custody. According to a hospital morgue source, there were torture marks on the body of Shaon.<sup>71</sup>

## **Acts of Corruption**

22. 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 of money laundering are reported against influential persons affiliated with the government. Allegations of massive corruption in different institutions, including coalmines, various banks, including the reserve bank (Bangladesh Bank) were reported during this period. A huge amount of money which was earned through corruption has allegedly been laundered abroad every year in

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<sup>68</sup> The daily Prothom Alo, 24 July 2018

<sup>69</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23003>

<sup>70</sup> The daily Prothom Alo, 24 July 2018

<sup>71</sup> The Daily Star, 24 July 2018; <https://www.thedailystar.net/frontpage/no-qaeda-links-found-1610170>



the name of importing goods. For example, goods are not coming in the country despite regularly paying costs through Letter of Credit (LC) at the banks.<sup>72</sup> Many times, even if goods are available in the containers, the products are being abandoned as they are not the scheduled products. As a result, the banks are not getting the money due to the absence of products or different products in place of the declared goods. Thus, more than 10 Billions of Taka is being laundered every year through the banking channels.<sup>73</sup> Furthermore, many institutions are showing evidence of bringing the products by submitting a fake bill of entry in the bank against LCs. But in reality, the goods/products have not come into the country.<sup>74</sup> Many did not even submit the bill of entry. In this way, money has been laundered abroad in the name of import of goods and such allegations were made against companies own by the government's high-level persons.<sup>75</sup> The Anti Corruption Commission has not been able to play any effective role despite the long-running money laundering continues in the name of importing goods.<sup>76</sup>

## Situation of Workers' Rights

23. **According to information gathered by Odhikar, 10 workers in the RMG factory were injured by the factory authority during protests against the termination of factory staff in July 2018.** 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 July 2018 and RMG workers gathered to demand their unpaid wages and to reopen the closed down factories. On 1 July, workers of a garment factory named T&T Fashions blocked the Dhaka-Sylhet highway in protest of the non-payment of due wages and for the reopening of the factory which was shut down without any notice in Rupganj under Narayanganj District.<sup>77</sup> Fundamental rights of the workers are being violated frequently in Bangladesh, which is why many institutions including the International Trade Union Confederation (ITUC)<sup>78</sup>, are putting pressure on the European Union to carry out investigations into this matter.<sup>79</sup> A complaint has been submitted to the European Ombudsman against the European Commission

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<sup>72</sup> The daily Jugantor, 19 July 2018; <https://www.jugantor.com/todays-paper/first-page/71443/>

<sup>73</sup> Ibid

<sup>74</sup> Ibid

<sup>75</sup> The daily Jugantor, 19 July 2018; <https://www.jugantor.com/todays-paper/first-page/71443/>

<sup>76</sup> Ibid

<sup>77</sup> The daily Manabzamin, 2 July 2018; <https://www.jugantor.com/todays-paper/second-edition/65555/>

<sup>78</sup> ITUC is an alliance of international workers' organizations.

<sup>79</sup> [https://www.ituc-csi.org/IMG/pdf/bangladesh\\_ombudsman\\_complaint\\_final\\_2018\\_06\\_06\\_clean.pdf](https://www.ituc-csi.org/IMG/pdf/bangladesh_ombudsman_complaint_final_2018_06_06_clean.pdf)

for not conducting any investigation in Bangladesh as yet as per the trade policy with Bangladesh. It has been said in the complaint that GSP facility has been given to a country for the sake of sustainable development of the country concerned. Countries which enjoy GSP facility have to ensure and maintain specific labour standards and have to be respectful towards human rights. Workers rights in Bangladesh are systematically violated. The situation of millions of workers are not safe.<sup>80</sup> Furthermore, the existing labour law itself has created a barrier in terms of organising workers and regarding the organisation of trade unions. Allegations from workers against the factory authority show that they have been neglected regularly and suffer a lot as they do not have the power to bargain, which pushes them further in poverty.<sup>81</sup> The condition of construction workers in Bangladesh is worse as they are discriminated in various ways and are working under severe physical and economic risk. **According to information gathered by Odhikar, in July 2018, four construction workers were killed and nine other construction workers were injured while they were working.**

24. On 21 July 2018, 43 migrant women domestic workers were returned to Bangladesh from Saudi Arabia. They said they suffered various types of ill-treatment, including sexual harassment and rape. For instance, a woman domestic worker was raped there and returned to Bangladesh five-months pregnant. She has decided not to return to her family, as she said that her family will never accept her in such a state. Another woman worker lost her mental balance. She was not even able to tell the address of her family. She repeatedly said that injections were pushed in her waist. Another female worker said that she was not given food and was regularly beaten. From January 2018 to date, 1400 women domestic workers have returned home from Saudi Arabia after being victims of different kinds of violence. It is a matter of grave concern that women domestic workers are being sent to Saudi Arabia without ensuring their safety and security. The government cannot avoid the responsibility of the ongoing violence against them.<sup>82</sup> Meanwhile on 31 July 2018, a High Court Division Bench of the Supreme Court directed the government to submit a report in 30 days with a list of migrant workers who became victims of physical, mental and sexual abuse or died in Saudi Arabia and elsewhere.<sup>83</sup>

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<sup>80</sup> The Daily Ittefaq, 5 July 2018; <http://www.ittefaq.com.bd/print-edition/last-page/2018/07/05/287086.html>

<sup>81</sup> The Daily Ittefaq, 5 July 2018; <http://www.ittefaq.com.bd/print-edition/last-page/2018/07/05/287086.html>

<sup>82</sup> The daily Prothom Alo, 23 July 2018

<sup>83</sup> The daily New Age, 1 August 2018; <http://epaper.newagebd.net/01-08-2018/12>

## India's Aggression on Bangladesh

25. India is playing aggressive role towards Bangladesh. There were allegations that India had direct interference in the controversial 5 January 2014 elections by which the Awami League reassumed office for the second term.<sup>84</sup> Since then the Indian government hold political, economic and cultural supremacy over Bangladesh through various means and India gets benefited. The 11<sup>th</sup> National Parliamentary election of Bangladesh is expected to be held in December 2018. But it is a matter of concern that in view of this election, various activities of the Indian government and the top-level leaders of Bangladesh's two major political parties<sup>85</sup> have been attempting to gather India's support by visiting India. However, the people of Bangladesh are waiting for a free, fair and inclusive election. 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 current government and political leaders. As a result, Bangladesh has been established as the fourth remittance income country for India, which has been growing since 2014. The remittance in India from Bangladesh was 4.5 billion dollars in the year 2014, and it increased by 10 billion dollars in 2017.<sup>86</sup> Many Indian citizens are working in high positions in the private sector of Bangladesh, despite 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>87</sup> Many of them had arrived in Bangladesh with tourist visas and are engaged in different work in NGOs, garments, textiles and the IT sector. They transfer money in India through illegal means.<sup>88</sup>
26. On 30 July 2018, National Registration of Citizens (NRC) of India published a list of the names for national citizenship of the North-East State of Assam of India. Four million names are not on the lists. A large majority of those not on the list are Bangla-speaking Muslims and they are now afraid of losing citizenship. Human rights activists believe that what happened to Rohingyas in Myanmar

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<sup>84</sup> Before conducting the controversial and farcical 5 January 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>

<sup>85</sup> Awami League (AL) and Bangladesh Nationalist Party (BNP)

<sup>86</sup> The Daily Industry, 2 July 2018; <http://www.dailyindustry.news/bangladesh-becomes-4th-largest-remittance-source-india/>

<sup>87</sup> The daily Jugantor, 3 July 2018; <https://www.jugantor.com/national/66051/>

<sup>88</sup> The daily Jugantor, 3 July 2018; <https://www.jugantor.com/national/66051/>

might now happen to minority Muslims in Assam.<sup>89</sup> Meanwhile, BJP leader and members of the Legislative Assembly of the Indian State of Telengana, Raja Singh said that Bangladeshis and Rohingyas are threats to India. If they do not leave the country voluntarily, then they should be shot.<sup>90</sup> Odhikar is concerned that the Indian government might push out these Bangla-speaking Muslims from the Assam state of India, whose citizenship has been excluded.

27. Apart from Indian aggression and supremacy over Bangladesh, incidents of the BSF killing, torturing and robbing Bangladeshi citizens after illegally trespassing into Bangladesh territory continue. For example, on 21 July 2018 at night, a Bangladeshi school student named Ali Hossain (15) was shot dead by BSF members of Nargaon BSF camp at Kathaldangi border under Harirampur Upazila in Thakurgaon District.<sup>91</sup>

## Acts of Genocide against Rohingyas

28. On 19 July 2018, Fortify Rights published a 160-page report on the genocide and massacre conducted by the Myanmar Army on Rohingya Muslims in the Rakhine state of Myanmar. Fortify Rights stated that the Myanmar authorities made “extensive and systematic preparations” for attacks against Rohingya civilians during the weeks and months before militants attacked police on 25 August 2017. The report says there are “reasonable grounds” that the crimes against Rohingya constitute genocide and crimes against humanity.<sup>92</sup> It found at least 27 Myanmar Army battalions, comprising up to 11,000 soldiers, along with at least three combat police battalions, comprising of an estimated 900 police personnel, were involved in the attacks in northern Rakhine State.<sup>93</sup> Fortify Rights identified 22 military and police officials against whom there were recorded allegations of massacre and demanded these officials should be criminally investigated.<sup>94</sup> This report highlighted that the Myanmar authority has been carrying out various pre-planned activities in order to constitute genocide against Rohingyas.<sup>95</sup> Meanwhile, the UN Secretary-General Antonio Guterres, during a press briefing after visiting the Rohingya camp, said that the international community’s pressure on Myanmar to solve the Rohingya crisis was not satisfactory; adding that he said the world community will have a

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<sup>89</sup> The daily Prothom Alo, 31 July 2018

<sup>90</sup> The daily Prothom Alo, 1 August 2018; <http://www.prothomalo.com/international/article/1544426/>

<sup>91</sup> The daily Jugantor, 22 July 2018; <https://www.jugantor.com/todays-paper/news/72628/>

<sup>92</sup> Statement of the Fortify Rights, 19 July 2018/ <http://www.fortifyrights.org/publication-20180719.html>

<sup>93</sup> Statement of the Fortify Rights, 19 July 2018/ <http://www.fortifyrights.org/publication-20180719.html>

<sup>94</sup> Ibid

<sup>95</sup> Statement of the Fortify Rights, 19 July 2018/ <http://www.fortifyrights.org/publication-20180719.html>

stronger role to play in ensuring the rights of the oppressed Rohingya.<sup>96</sup> The UN Secretary-General has commented that many of the international community are divided in resolving the Rohingya problem.<sup>97</sup>

## Violence against Women

29. In July 2018, women have become victims of rape, sexual harassment, dowry related violence and domestic violence. Incidents of child rape have significantly increased. Despite widespread incidents of violence against women and girls, the status of the trial and punishment of perpetrators is very frustrating.<sup>98</sup> Women are being sexually and physically harassed in public transport, however, 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'. Bangladesh is a child marriage prone country. Child marriages could not be prevented despite the Child Marriage Restraint Act of 1929 where the minimum age for marriage for a female was fixed at 18 years and for a male at 21 years.<sup>99</sup> Therefore, the 'special provision' in the 2017 Act is a catalyst for increasing child marriages in the country.
30. **According to information gathered by Odhikar, in July 2018, a total of 11 women and children were victims of sexual violence. Of them, one later committed suicide, two were injured, one was assaulted and seven were victims of stalking/sexual harassment.**
31. **According to Odhikar documentation in July 2018, a total of 10 women were subjected to dowry violence. Of these women, six were allegedly killed and four were physically abused due to dowry demands.**
32. **According to Odhikar documentation in July 2018, a total number of 52 females had been raped. Among them, 16 were women and 36 were girls below the age of 18. Of the women, 10 were victims of gang rape and one was killed after being raped. Out of the 36 girls, six were victims of gang rape and two were killed after being raped. Six women and girls were also the victim of attempted rape.**

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<sup>96</sup> Report from the Voice of America, 3 July 2018/ <https://www.voabangla.com/a/un-wb-2july18/4463789.html>

<sup>97</sup> [Ibid](#)

<sup>98</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.

<sup>99</sup> The daily Jugantor, 28/02/2017; [www.jugantor.com/first-page/2017/02/28/104781/](http://www.jugantor.com/first-page/2017/02/28/104781/)

33. According to Odhikar documentation in July 2018, it was reported that five persons became victims of acid violence. Of them, two were female, two were men and one was girls.

## Hindrance to Odhikar

34. The government continues to harass<sup>100</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.<sup>101</sup> Odhikar is releasing human rights monitoring reports every month despite various challenges.

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<sup>100</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

<sup>101</sup> 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 Government should 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.
3. Attacks and suppression on students and teachers who are demanding the reformation of the quota system in public service, by the ruling party affiliated organisation Chhatra League must be stopped.
4. The Government must stop political violence. The government must also take legal action against the ruling party leaders and activists for criminal activities.
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 recommendation 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.
11. All repressive and abusive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 and 2013), the Foreign Donation (Voluntary Activities) Regulation Act 2016, and the Special Powers Act, 1974 must be repealed. The government should refrain from enacting the Bill of the proposed Digital Security Act.
12. 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. Women migrant workers should not be sent abroad without ensuring effective safety measures. All Bangladeshi missions in abroad, including in Saudi Arabia must take effective measures to monitor the safety and security of women migrant workers.
13. 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.
14. India must refrain from establishing political and economic supremacy over Bangladesh. Indian Border Security Force (BSF) must stop human rights violations, including killing and torturing Bangladeshi citizens along the border areas.
15. 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 Army and Buddhist extremists, must be held accountable at the ICC for committing genocide.

16. 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.