



# Human Rights Monitoring Report on Bangladesh

**Reporting Period: 1 - 30 September 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 September 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-September 2018

Statistics: 01 January- 30 September 2018*											
Type of Human Rights Violation		January	February	March	April	May	June	July	August	September	Total
Extrajudicial killings	Crossfire	18	6	17	28	149	50	69	24	35	396
	Shot to death	1	1	0	0	0	0	0	0	0	2
	Torture to death	0	0	1	1	2	0	0	0	1	5
	<b>Total</b>	<b>19</b>	<b>7</b>	<b>18</b>	<b>29</b>	<b>151</b>	<b>50</b>	<b>69</b>	<b>24</b>	<b>36</b>	<b>403</b>
Enforced Disappearances		6	1	5	2	1	3	5	5	30	58
Death in Jail		6	5	9	7	8	5	7	4	2	53
Human rights violations by Indian BSF	Bangladeshis Killed	2	1	0	0	0	0	1	0	1	5
	Bangladeshis Injured	3	5	1	2	0	1	0	1	7	20
	Bangladeshis Abducted	2	0	0	3	4	0	0	0	1	10
	<b>Total</b>	<b>7</b>	<b>6</b>	<b>1</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>35</b>
Attack on journalists	Injured	12	6	1	2	3	1	3	12	1	41
	Assaulted	1	3	3	0	0	0	0	10	1	18
	Threatened	2	1	3	0	1	1	0	1	0	9
	<b>Total</b>	<b>15</b>	<b>10</b>	<b>7</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>23</b>	<b>2</b>	<b>68</b>
Political violence	Killed	9	5	9	11	13	2	3	2	4	58
	Injured	619	424	335	428	297	153	216	252	261	2985
Dowry related violence against women		12	16	15	21	12	6	10	14	16	122
Rape		46	78	67	69	58	48	59	55	48	528
Sexual harassment /Stalking of females		15	14	25	24	19	6	11	8	16	138
Acid violence		2	1	3	4	2	0	5	6	1	24
Public lynching		5	6	8	2	5	2	4	3	6	41
Situation of workers	RMG workers	Killed	0	0	1	0	1	0	0	0	2
		Injured	20	0	40	0	35	27	10	0	133
	Workers in other sectors	Killed	9	11	7	8	18	7	4	6	75
		Injured	8	4	0	3	4	3	9	0	37
Arrest under Information and Communication Technology Act 2006 (amended 2009 and 2013)**		2	1	0	0	3	0	2	27	3	38

\*Odhikar's documentation

\*\* The cases of arrests under the Information and Communication Technology (ICT) Act that are documented are those where the presentations/statements in question are considered critical against high officials of the government and their families. In August, 22 arrests were taken place against those who allegedly provided "false and confusing information, spread rumours and anti-state" through facebook/social media during safe road movement.

## Introduction

1. The overall human rights situation in September 2018 has been reviewed in this report where violations of civil and political rights, including hindrance to freedom of expression, state repression, and deprivation from right to life of the citizens were exclusively highlighted. The absence of democracy and an accountable government in the country have been widely observed after the present government re-assumed power for a second term, through a controversial 2014 Parliamentary election.<sup>1</sup> The 11<sup>th</sup> Parliamentary Elections is expected to be held in December 2018, but a level-playing field for all political parties has not been created. The current (Awami League) government is trying to dominate the election ground by violating freedom of opinion, expression, assembly and association by suppressing the opposition and dissenting voices. In such a situation the Bangladesh Nationalist Party (BNP)-led 20 Party Alliance, Left Democratic Alliance and Juktafront, and other political parties have come together to demand a free, fair and inclusive election. In continuation of this movement, on 22 September 2018, many political parties, including BNP participated in a national unity process initiated by eminent lawyer Dr. Kamal Hossain. Despite being a constitutional body, the subservient current Election Commission (EC) has ignored objections from all opposition political parties in using Electronic Voting Machines (EVM) and the EC has shown its loyalty towards the government, prioritising government's interest of using EVM in the upcoming elections. The government has already decided to buy EVMs very soon by spending a huge amount of money as per the demand of the Election Commission. Meanwhile, the intelligence agencies, without the directives of the Election Commission, are gathering information about the political identity of government employees and teachers, including their family members, who will be on duty at the polling centres during elections.<sup>2</sup> However, the Election Commission did not object to this.
2. In September, the incumbent government passed the Digital Security Act (DSA), 2018 in Parliament, ignoring objections on some of the sections of this Act from

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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> The daily Manabzamin, 17 September 2018; <http://www.mzamin.com/article.php?mzamin=136006&cat=2/>

all stakeholders. Human rights organisations and media believe that such law will be imposed against citizens and dissenters in order to gag the voice of the media and violate freedom of expression. In this law, the police are entitled power to search, confiscate and arrest without warrant, which is highly susceptible to misuse. The contents of Section 57 of the Information and Communication Technology Act have been divided and included in various sections of the Digital Security Act, making the law more stringent. The contents of this Act are a clear violation to freedom of opinion and expression enshrined in the Constitution as fundamental rights.<sup>3</sup>

3. Interference with the media continued in September 2018 and journalists were arrested by law enforcement agencies while carrying out their professional duty. The government is exercising control over the Judiciary and has incarcerated ailing opposition leader and BNP Chairperson Khaleda Zia<sup>4</sup>, through a bias trial process. During this period, police arrested many students who were involved in the movement demanded safe roads; and the relatives of the 12 students alleged that they were detained illegally for five days in an unknown place and were also tortured by police.
4. Extrajudicial executions on the pretext of an 'anti-drug drive' commenced from 15 May 2018 and continued in September and since then 248 persons were reported killed extra judicially. The fear that opposition leaders and activists could be subjected to enforced disappearance ahead of the upcoming elections, are now taking place in reality. The bodies of three disappeared victims were recovered during this period. Incidents of torture in custody and impunity of law enforcement agencies occurred and the commissions of public lynching were also recorded.
5. Violence against women was persistent this month. A significant number of women and girls became victims of different kinds of gender-based violence, including dowry, rape, acid attacks, sexual harassment and domestic violence.
6. Human rights defenders and media activists remained under monitoring and their activities are hindered by the government.
7. Acts of Indian aggression and intervention on the political, economic and cultural affairs of Bangladesh and killing of Bangladesh citizens by BSF along the border areas continued during this period.
8. Rohingya people who fled genocide in the Rakhine (Arakan) state of Myanmar and took shelter in Bangladesh. The prosecutors of the International Criminal

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<sup>3</sup> The daily Prothom Alo, 15 September 2018

<sup>4</sup> The first woman Prime Minister in Bangladesh, who was elected Prime Minister three times

Court (ICC) began a preliminary investigation into the allegations of genocide on Rohingya Muslims in Myanmar.

## Upcoming National Elections: Suppression on Opposition Political Parties

### *Indiscriminate case file and mass arrest*

9. The repression of the government towards the opposition party leaders and activists and dissenters, before the upcoming national elections, has escalated alarmingly. In September, allegations of filing cases against leaders-activists of BNP and Jamaat-e-Islami and the searching of their houses, vandalism of property and mass arrests, were found across the country. Among the arrestees were many important leaders of the opposition political parties, including a district level party President and General Secretary. When leaders and activists of BNP-Jamaat organise a joint meeting or sit together for discussion, they are almost certain to be arrested on charges of 'vandalism' and 'planning sabotage'. Due to this suppression by the government, many BNP leaders and activists have gone into hiding. On 1 September 2018, the government started filing cases against BNP leaders-activists after the BNP held a peaceful rally. In addition to the central and local leaders of BNP, hundreds of unknown persons have had cases filed against them for vandalism and under the Explosives Act at different police stations in Dhaka. According to a press statement of BNP dated 20 September 2018, from 1 to 20 September, a total of 3,736 such cases were filed across the country, accusing BNP leaders-activists. Among the mentioned cases, there were 79,400 names of the suspected accused and 233,730 were 'unknown persons' and 3,690 persons were arrested. Filing cases accusing 'unknown persons' and subsequently showing any person as arrested under those cases is not an uncommon practice. The court also granted remand after the arrest of the accused. It was established that the death of those arrested occur in custody due to torture and inhuman treatment in police remand. The Appellate Division of the Supreme Court, on 10 November 2016, gave a 19-point instruction guideline<sup>5</sup>,

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<sup>5</sup> Shamim Reza Rubel, a student of Independent University of Bangladesh was arrested under section 54 of the Code of Criminal Procedure (Cr.PC) on 23 July 1998 and he died at the Detective Branch of Police office the day after his arrest. Bangladesh Legal Aid and Services Trust (BLAST) challenged sections 54 and 167 of the Cr.PC and filed a writ petition to the High Court Division of the Supreme Court regarding this incident. In 2003, the High Court Division declared that parts of sections 54 and 167 of the Cr.PC were contrary to some Articles of the Constitution. The High Court Division ordered the amendment of the existing rules of arresting someone and interrogating him in custody under section 54 of Cr.PC, within six months.

which the law enforcement agencies do not follow. Some incidents are given below:

10. On 1 September 2018, a case was filed accusing 35 leaders and activists of BNP and its affiliated organisations and 15 unknown persons, over the allegations of 'planning sabotage and vandalism' in various government and private institutions, including blowing up a rail line in Peerganj under Thakurgaon District.<sup>6</sup> On 3 September, a case was filed against 35 leaders-activists of the BNP and its associated organizations and also accusing 22 'unknown persons' over the allegations of 'planning sabotage and vandalism' in Rupganj under Narayanganj District.<sup>7</sup> On 4 September, cases were filed against 320 BNP leaders-activists in Chhagolnaiya under Feni District over the allegations of 'plotting destruction'.<sup>8</sup> BNP leader Nurul Islam was accused in a case filed under Kamrangirchor Police Station on 5 September, on charges of crude bomb explosions and vandalizing vehicles, however, Nurul Islam had died on 31 August. Another BNP leader Azizullah was accused in a case filed under Chokbazar Police Station on 5 September, although Azizullah had died in May 2016.<sup>9</sup> Rajarbagh unit BNP President Mintu Kumar Das died on 23 July 2007 at Dhaka Medical College Hospital due to kidney disease. However, on 11 September 2018, Sub Inspector Zahidul Islam of Paltal Police Station filed a case against him and other BNP leaders-activists on charges of blocking road and preventing traffic flow in front of the north gate of Baitul Mokarram mosque in Dhaka. Mintu Kumar Das was accused numbered 26 in the case.<sup>10</sup> On 7 September, Abdul Khalek (86), who is paralysed and bedridden, had been accused in the case filed with Dhunat Police Station under the Explosives Act. However, his age was mentioned as 38 years in the FIR.<sup>11</sup>

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<sup>6</sup> The daily Manabzamin, 3 September 2018; <http://www.mzamin.com/article.php?mzamin=133515&cat=9/>

<sup>7</sup> The daily Jugantor, 4 September 2018; <https://www.jugantor.com/todays-paper/second-edition/86764/>

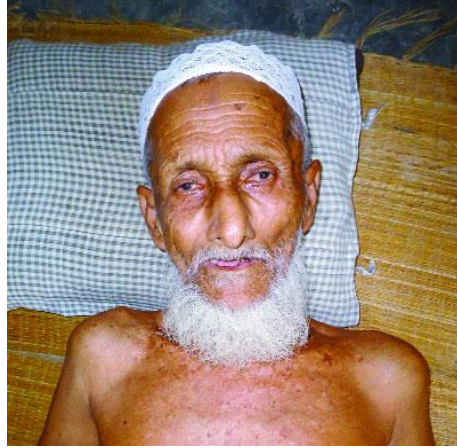
<sup>8</sup> The daily Naya Diganta, 5 September 2018; <http://www.dailynayadiganta.com/last-page/346360/>

<sup>9</sup> The daily Jugantor, 15 September 2018; <https://www.jugantor.com/todays-paper/first-page/90451/>

<sup>10</sup> The daily Manabzamin, 17 September 2018; <http://www.mzamin.com/article.php?mzamin=136007&cat=2/>

<sup>11</sup> The daily Manabzamin, 13 September 2018; <http://www.mzamin.com/article.php?mzamin=135304&cat=3/>





*Abdul Khalek (86), who is paralysed and bedridden, had been accused in a case under the Explosives Act. Photo: The daily Manabzamin, 13 September 2018*

11. On 30 September 2018, Dhaka Metropolitan Police gave permission to BNP, but with 22 conditions<sup>12</sup> for organising public meeting at Suhrawardy Udyan in Dhaka. However, police arrested many leaders and activists of BNP on the day before the meeting, by conducting operations across the country.<sup>13</sup> The police put check posts at the entry point of Dhaka including Gabtali and Siddhirganj and search all the buses heading to Dhaka. As a result, people suffered a lot due to heavy traffic.<sup>14</sup> Police stopped the vehicle carrying BNP activists when it was near Birulia Bridge in Savar and arrested 13 BNP leaders-activists when they were going to Dhaka City to join the meeting. Despite suppression, BNP activists participated in the meeting. BNP claimed that 250 BNP leaders and activists were arrested on the way home after attending the meeting. Among the arrestees was BNP's National Executive Committee Member Mujibur Rahman. Although the Organizing Secretary of Dhaka Metropolitan South unit BNP, Sohel Rahman, was arrested and taken to the Detective Branch of Police office, but police denied this allegation.<sup>15</sup>

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<sup>12</sup> Among 22 conditions, as per condition number 3, provocative remarks or distribution of leaflets with such statements will not be allowed. As the term 'provocative' is not defined, thus it can be interpreted in any statement.

<sup>13</sup> The daily Naya Dignata, 1 October 2018; <http://www.dailynayadiganta.com/last-page/353410/>

<sup>14</sup> The daily Prothom Alo, 1 October 2018;

<sup>15</sup> The daily Naya Diganta, 1 October 2018; <http://www.dailynayadiganta.com/last-page/353410/>



*A BNP activist, who was on his way to the rally, protests while being dragged away by police from Shahbagh area in Dhaka. Photo: Daily Star, 1 October 2018*

### ***Attacks on meetings and assemblies***

12. Hindrance to and attack on peaceful assemblies and meetings are obvious violations to Article 37<sup>16</sup> of the Constitution of Bangladesh and Article 21<sup>17</sup> of the ICCPR which Bangladesh ratified in 2000. Despite this fact, such violations continue to take place and have crossed all limits in September 2018. The government continues to obstruct meetings and assemblies of the opposition parties, using the law enforcement agencies and leaders and activists of the ruling Awami League and its affiliated organizations, so that they cannot be organized before the upcoming Parliamentary elections. They also attacked and stopped meetings. Cases have also been filed, accusing BNP leaders and activists. Furthermore, plainclothes police arrested BNP leaders-activists from peaceful gatherings. Meanwhile the ruling Awami League, with government support, continues to carry out electoral campaigns and organise rallies ahead of the upcoming National Parliament elections. It was reported that various kinds of transport, including motorbikes were used in such rallies. There are allegations that even government officials<sup>18</sup> are present in such election related rallies.

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<sup>16</sup> The right to freedom of assembly and the holding of peaceful meetings and processions are the democratic and political rights of every citizen.

<sup>17</sup> The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

<sup>18</sup> The Deputy Leader of the Parliament and MP of Faridpur-2 constituency Syed Sajeda Chowdhury led election related rally on 12 September. Faridpur Additional Deputy Commissioner, Mohammad Saiful Islam; Additional Police Superintendent, Jamal Pasha; Nagarkanda Upazila Executive Officer, Mohammad Badruddoza Shuvo participated in the rally. Source: Prothom Alo, 13 September 2018

Furthermore, Awami League leaders are even threatening to kill BNP leaders-activists.<sup>19</sup> Some incidents are as follows:

13. On 1 September 2018 police stopped the founding anniversary programme of BNP in Atrai under Naogaon District and baton charged its leaders and activists. Police filed a case accusing 30 BNP leaders-activists and other 400 unknown persons.<sup>20</sup> On 1 September Chhatra League and Jubo League<sup>21</sup> leaders-activists attacked the founding anniversary programme of BNP in Shariatpur, which caused a violent altercation between the two groups. A case was filed with Palong Model Police Station in connection with this incident, accusing 79 leaders and activists of BNP and its affiliated organisations, including a former BNP MP, Shafiqur Rahman Kiron. Moreover, 200-250 'unknown persons' have also been accused in that case.<sup>22</sup>
14. On 10 September 2018, a group of plainclothes police arrested some BNP leaders-activists from in front of the National Press Club, Dhaka while they were attending a peaceful human chain organised by BNP, demanding better treatment and release of BNP's imprisoned Chairperson Khaleda Zia. Among them, 53 were shown as arrested in different cases filed with Ramna, Shahbagh, Paltan and Motijheel Police Stations.<sup>23</sup> On 10 September at around 11:00 am, police baton charged at BNP's human chain programme in Gazipur City. Police filed a case of vandalism of vehicles during this incident and Gazipur District unit BNP General Secretary Kazi Saiyedul Alam was accused in that case. However, Saiyedul Alam had gone to Singapore at 8:00 am that same day for his son's treatment.<sup>24</sup>

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<sup>19</sup> Jhenaidah Sadar Upazila unit Awami League General Secretary and Porahati Union Parishad chairman, Shahidul Islam in a meeting said, "I told the BNP activists of Gharama that you have seven days time. If you do not surrender (abusive words) you will hand you over to police. All union level BNP leaders-activists will be beaten. The administration will be with us. The daily Manabzamin, 13 September 2018 <http://www.mzamin.com/article.php?mzamin=135305&cat=3/>

<sup>20</sup> The daily Naya Diganta, 4 September 2018; <http://www.dailynayadiganta.com/last-page/346082/>

<sup>21</sup> Youth wing of Awami League

<sup>22</sup> The daily Naya Dignata, 4 September 2018; <http://www.dailynayadiganta.com/last-page/346082/>

<sup>23</sup> The daily Prothom Alo, 11 September 2018

<sup>24</sup> The daily Prothom Alo, 12 September 2018; <https://www.prothomalo.com/bangladesh/article/1557205/>



*Arrested BNP leaders-activist, who had been demanding a better treatment and release of Khaleda Zia, produced in Dhaka Chief Metropolitan Court. Photo: Prothom Alo, 12 September 2018*

15. On 15 September 2018, the forthcoming plans of action of Dr. Kamal Hossain-led Jatiya Oikya Prokriya<sup>25</sup> (national unity process) was supposed to be announced from the Central Shaheed Minar, but police stopped this from happening. ASM Abdur Rob, a leader of the Jatiya Oikya Prokriya and President of Jatiya Samajtantrik Dal (JSD) said that they wanted to hold a press conference after laying flowers at the Central Shaheed Minar, but the police did not allow them to go there. Police informed them that they could not go to the Shaheed Minar and that it was cordoned off by police.<sup>26</sup>



*Juktafront and Jatiya Oikya Prokriya formally announce the formation of an alliance named "Greater National Unity" at a programme at the Jatiya Press Club. Photo: The Daily Star, 16 September 2018*

<sup>25</sup> A greater national unity was formed in the name of Jatiya Oikya Prokriya led by Bikalpadhara Bangladesh chief Badrudozza Chowdhury, the Juktofront Alliance comprised of ASM Abdur Rob's Jatiya Samajtantrik Dal (JSD) and Mahmudur Rahman Manna's Nagorik Oikya. Gonoforum President Dr Kamal is leading the other platform, Jatiya Oikya Prokriya for the demand of free, fair and participatory elections.

<sup>26</sup> The daily Jugantor, 16 September, <https://www.jugantor.com/todays-paper/first-page/90791/> and the Daily Star, 16 September 2018, <https://www.thedailystar.net/politics/news/badrudozza-chowdhury-dr-kamal-announce-formation-greater-natl-unity-1634230>

16. On 20 September 2018 at around 11:00 am, leaders and activists of the Left Democratic Alliance marched from the National Press Club to surround the Election Commission. When they reached Karwan Bazar intersection, police stopped them. They tried to continue ahead crossing the police barricade and police baton charged at them. During this attack, more than 50 protesters, including Convener of the Alliance and General Secretary of Revolutionary Workers Party, Saiful Huq; Chief Coordinator of Gono Shonghati Andolon, Jonayed Saki; Central leader of the Social Party of Bangladesh, Rajekuzzaman Ratan; General Secretary of the Communist Party of Bangladesh, Shah Alam; and women leader Luna Nur were injured. All of them were sent to Dhaka Medical College Hospital for treatment.<sup>27</sup> On 20 September police stopped a procession of Left Democratic Alliance heading towards District Election Office in Satkhira and arrested leaders of the Socialist Party of Bangladesh (Marxist), Advocate Khagendra Nath Ghosh and Proshanta Roy; and Nittananda Sarkar, District unit leader of the Socialist Party of Bangladesh. A case was filed against them under the Special Powers Act, 1974.<sup>28</sup>



*Police swoop on leaders and activists of Left Democratic Alliance, including Gonoshonghati Andolan's convener Jonayed Saki at Karwan Bazar in Dhaka as they were going to surround the Election Commission. Photo: Jugantor, 21 September 2018*

17. Under the given circumstances, there is no possibility that the upcoming national elections under the incumbent government will be free and fair. The government is not taking into consideration the issue of holding elections under a neutral or caretaker government as demanded by a large majority of political parties and

<sup>27</sup> The Daily Ittefaq, 21 September 2018; <http://www.ittefaq.com.bd/print-edition/last-page/2018/09/21/302189.html>

<sup>28</sup> Information gathered by Odhikar

civil society. Furthermore, the government has refused any dialogue in relation to this matter, with opposition political parties.

## **Election Commission: Attempts to use controversial EVM for the upcoming elections and intelligence activities**

18. The 11<sup>th</sup> Parliamentary elections will be held in December 2018. The main responsibility to hold this election lies on the shoulders of the present Election Commission, headed by KM Nurul Huda. The Election Commission (EC) is a constitutional body and holding free and fair elections are enshrined under the fundamental rights of the Constitution. However, the government is suppressing the opposition ahead of the forthcoming elections, while the EC is plying a silent role in this regard. The EC is seen to be active in implementing the political agenda of the government rather than taking any positive initiatives to conduct a free, fair and inclusive national election. During a dialogue between political parties and the Election Commission, most of the opposition parties, including BNP gave their opinion against using EVM in the upcoming parliamentary elections. Only the ruling Awami League and its alliance were in favour of using EVM. Thus, the EC has decided to use EVM in the elections. On 18 September 2018, the government at a meeting of ECNEC<sup>29</sup> approved the budget of 3,825 crore and 34 lac taka for buying 150,000 EVMs.<sup>30</sup>
19. The Election Commission did not give any letter or notice to collect political information of the polling officers, however, the intelligent agencies started collecting such information with the permission from the Home Ministry since August 2018. It was learnt that collecting such information will be completed in September. According to concerned persons such information is being collected ahead of the National Elections. Different agencies of law enforcement including the Special Branch of Police are involved in this activity. As a constitutional body, the EC should have taken a position against the ill motive of the intelligence agencies of the government. But the Election Commission did not ask for any explanation from the Home Ministry for this, nor did it seek any order to stop such activities.<sup>31</sup> Several government employees stationed in Sunamganj said that an intelligence agency had collected their information last month. The agency collected various types of information, including whether

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<sup>29</sup> Executive Committee of the National Economic Council under the Planning Commission, Ministry of Planning.

<sup>30</sup> The daily Naya Diganta, 19 September 2018; <http://www.dailynayadiganta.com/last-page/350334/>

<sup>31</sup> The daily Manabzamin, 17 September 2018; <http://www.mzamin.com/article.php?mzamin=136006&cat=2/>

they were involved in any political party in the past or if any of their family members were involved in politics, and if so which party. Based on such information, an initiative has already taken to reshuffle the administration. Gathering information relating to the political identity of government employees, teachers and their family members centring around the elections, is a matter of grave concern. According to the Election Commission, there will be 40,199 polling centres across the country during the next election. In these polling centres, there will be 260,540 polling booths. There will be a Presiding Officer in each polling centre and each booth will be manned by one Assistant Presiding Officer and two polling officers. Altogether more than eight hundred thousand electoral officers will be assigned for the election and a large number of them are the teachers of government and private schools and colleges.<sup>32</sup>

20. It is to be noted that due to excessive adherence to the ruling party, the role of the Election Commission is under question. Like the previous Election Commission led by Kazi Rakib Uddin Ahmed, all polls related to bi-elections of the National Parliament, the Union Parishad and the Municipality and the City Corporation elections, conducted under the current Election Commission were marked with large-scale irregularities, including capturing polling centres, casting fake votes, intimidation of voters, detaining and forcibly ousting polling agents of the opposition candidates.

## **Hindrance to Freedom of Expression and the Media**

21. Freedom of expression under the present regime is severely violated. The government has created a fearful atmosphere in the country by not only suppressing the opposition party leaders-activists but also by taking action against citizens, who took part in protests, including filing cases against them and taking them into remand.<sup>33</sup>
22. In August, students of various schools and colleges took to the streets demanding safe roads. Many students and ordinary citizens of different occupations were arrested and tortured in remand by police after being apprehended from the rallies. Furthermore, many students on the streets were attacked by the ruling party leaders and activists as well as by police. Jatri Kalyan Samity is an organisation which provides statistics on regular road accidents and also organises campaigns to prevent road accidents. On 4

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<sup>32</sup> The daily Manabzamin, 17 September 2018; <http://www.mzamin.com/article.php?mzamin=136006&cat=2/>

<sup>33</sup> This was the reality during the movement for safe roads and public transport. Police even physically assaulted school children.

September 2018, police of Mirpur Police Station arrested the Secretary General of this organisation, Mozammel Huq Chowdhury, in connection with an extortion case lodged by a transport worker named Mohammad Dulal. The plaintiff of the case, Mohammad Dulal reportedly said that he did not know Mozammel. He said that two employees of the Mirpur Branch of Malik Shramik Oikya Parishad (Owners Workers Unity Council) took his signature on a paper for opening a new transport company. Even Dulal's address was written wrong in the case filed by police. Subsequently, the police sought permission from the court to arrest Mozammel Haque in a case filed with Kafrul Police Station under the Explosive Act, 1908. On 11 September, Dhaka Metropolitan Magistrate granted Mozammel Haque's bail plea but he was sent to jail under another case filed under Kafrul Police Station.<sup>34</sup> Mozammel Haque was released from the Dhaka Central Jail in Keraniganj, when the court rejected the application to show that he was arrested on 13 September under the Explosive Act.<sup>35</sup> After being released from jail, Mozammel, in an interview, said that during the political violence in 2013, the said transport owners-workers association had become a favourite of the government and the Jatiya Kalyan Samity was removed from the meetings of the Ministry of Communications as per their suggestion. During remand, the Officer-in-Charge of Mirpur Model Police Station, Dadon Fakir threatened to file 40 cases against him for providing information to the media on road safety.<sup>36</sup>

23. Various repressive laws, including section 57<sup>37</sup> of the Information and Communication Technology Act 2006 (Amended 2009 and 2013) are being imposed against dissenting voices. Section 57 of the ICT Act 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, are occurring.

**24. According to information gathered by Odhikar, in September 2018, three persons were arrested under the Information and Communication Technology Act 2006 (amended 2009 and 2013). Some incidents are as follows:**

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<sup>34</sup> The daily Prothom Alo, 7 September 2018;

<sup>35</sup> The daily Naya Diganta, 14 September 2018;

<sup>36</sup> The daily Prothom Alo, 15 September 2018;

<sup>37</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.



25. On 23 July, Chhatra League leader Iftekhar Uddin filed a case under section 57 of the ICT Act under Hathazari Police Station in Chittagong against Maidul Islam, for the allegation of making derogatory remarks against Prime Minister Sheikh Hasina on Facebook.<sup>38</sup> On 6 August, a bench of the High Court Division of the Supreme Court comprising of Justice Enayetur Rahim and Justice Mohammad Mostafizur Rahman granted Maidul Islam prayer for ad-interim bail for eight weeks and asked him to surrender at the lower court. On 24 September, Maidul Islam appealed for bail after appearing before the Chittagong District and Session Judge Court, the judge Mohammad Ismail Hossain rejected his bail petition and ordered that he be sent to jail.<sup>39</sup>
26. On 26 September 2018, police arrested Akheruzzaman, Assistant Engineer of Titas Gas Transmission and Distribution Company Limited, Gazipur Zonal Office, on charges of sharing ‘derogatory remarks’ on his Facebook on various activities of the government including the Prime Minister and Local Government Minister. Sub-Inspector Shafiqul Islam of the Detective Branch (DB) of Police filed a case against him under section 57 of the ICT Act in Gazipur Sadar Police Station.<sup>40</sup>
27. Despite the objections from journalists, human rights organisations and civil society representatives, on 19 September the Digital Security Act, 2018 was passed in the National Parliament.<sup>41</sup> Before finalizing this law, the opinion given by the civil society was ignored. It was known that none of the proposals made by the representatives of the Editor Council, Bangladesh Federal Union of Journalists and other unions of journalists, were accepted by the government.<sup>42</sup> The Editors Council, an institution of the country’s national newspapers, expressed concern, disappointment and grievances after this Act was passed.<sup>43</sup> The media and journalist unions believe that the DSA has been passed in the Parliament in order to gag the voice of the media and violate freedom of speech and expression ahead of the upcoming National Parliament Elections. Leaders of 12 journalists unions, including factions of the Bangladesh Federal Union of Journalists (BFUJ) and Dhaka Union of Journalists (DUJ) urged the President not to sign the Bill.<sup>44</sup> Section 32 of the DSA is contrary to the Right to Information Act. In this section, it is stated that if anyone collects, publishes or preserves or

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<sup>38</sup> The daily Prothom Alo, 25 July 2018

<sup>39</sup> The daily Manabzamin, 25 September 2018; <http://www.mzamin.com/article.php?mzamin=137150&cat=3/>

<sup>40</sup> The daily Naya Dignata, 27 September 2018; <http://www.dailynayadiganta.com/more-news/352312/>

<sup>41</sup> The daily Jugantor, 20 September 2018; <https://www.jugantor.com/todays-paper/first-page/92399/>

<sup>42</sup> The daily Manabzamin, 15 September 2018; <http://www.mzamin.com/article.php?mzamin=135653&cat=2/>

<sup>43</sup> The daily Prothom Alo, 17 September 2018; <https://www.prothomalo.com/bangladesh/article/1557844/>

<sup>44</sup> The daily Mnanabzamin, 21 September 2018; <http://www.mzamin.com/article.php?mzamin=136622&cat=3/>

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. Moreover, sections 8, 25, 28, 29, and 31 of this Act are contradictory with the existing Code of Criminal Procedure. The contents of section 57 of the Information and Communication Technology Act has been divided and included in various sections of the Digital Security Act, making the law more stringent, which is a clear violation to freedom of opinion and expression enshrined in the Constitution as fundamental rights.<sup>45</sup>

28. The government controls most of the media, particularly the electronic media and it closed down pro-opposition electronic media – Diganta TV, Islamic TV – and the publication of the print media, the daily Amar Desh since 2013. The government also puts pressure on the media 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. Moreover journalists will face more hindrance due to the newly enacted Digital Security Act. Furthermore, supporters of the ruling party are attacking journalists, but the government is not taking any action against them. Journalists are also arrested for publishing reports against the members of law enforcement agencies.
29. On 3 September 2018, a group of police led by the Officer-in-Charge of Chhatak Police Station, Atiqur Rahman arrested Anwar Hossain Rony, General Secretary of Chhatak Press Club and the correspondent of the daily Jugantor, for publishing a report on corruption against traffic police in Chhatak under Sunamganj District.<sup>46</sup>

## Political Violence

30. In September 2018, according to information gathered by Odhikar, four persons were killed and 261 persons were injured in political violence. Furthermore, 17 incidents of internal violence in the Awami League were also recorded during this period. Two were killed and 225 were injured in conflicts

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<sup>45</sup> The daily Prothom Alo, 15 September 2018

<sup>46</sup> The daily Naya Diganta, 6 September 2018; <http://www.enayadiganta.com/news.php?nid=431278>

**within the Awami League and two were killed in internal conflicts of UPDF in Chittagong Hill Tracts.**

31. Leaders and activists of the ruling Awami league and its affiliated organisations are playing the main role in terms of criminalisation of politics in Bangladesh. Allegations of attacks and suppression on dissenters, extortion, forcefully acquiring tender bids, land grabbing, violence at educational institutions, attacks on students at educational institutions, fixing admissions at educational institutions, and acts of violence against women were reported against them. The Awami League leaders-activists continue to carry out offensive and criminal activities due to the absence of democracy and lack of accountability. Similar to months, they are involved in incidents of internal conflict which are linked to matters of vested interest and they are seen using various lethal weapons, including guns and killing each other.
32. On 13 September 2018, a procession was brought out in Kalemonkhali Bazar under the leadership of Dogachi Union Awami League President and former chairman of the Union Parishad Fayeze Ullah Foyez, in Jhenaidah Sadar Upazila. Fayeze Ullah's supporters beat members of the Hindu community in Panditpur Village – Sourav, Sanjay, Devbrata and Samaresh – as they did not participate in the procession.<sup>47</sup>
33. On 16 September, Tanore Upazila unit Awami League President Golam Rabbani, in Godagari of Rajshahi District, conducted a rally with jeeps and motorbikes, for nomination to Rajshahi-1 constituency in the forthcoming parliamentary elections. At that time, Chhatra League activists led by General Secretary Arab Ali and President of District unit Awami League, Omar Faruque Chowdhury, attacked the motor rally and vandalized several vehicles, injuring 13 people.<sup>48</sup>
34. On 19 September 2018, a clash took place between two factions of Awami League-backed Chhatra League at Haji Mohsin College in Chittagong over a dispute in the committee. Both groups opened fire and exploded crude bombs in the presence of police.<sup>49</sup>

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<sup>47</sup> The daily Ittefaq, 15 September 2018; <http://www.ittefaq.com.bd/print-edition/first-page/2018/09/15/300926.html>

<sup>48</sup> The daily Prothom Alo, 17 September 2018

<sup>49</sup> The daily Prothom Alo, 20 September 2018



*Chhatra League activists in front of Haji Mohsin College in Chittagong carrying firearms in the presence of police.  
Photo: Jugantor, 20 September 2018*

35. Omar Faruk, a student of the Marketing Department of Dhaka University and Joint Secretary of Salimullah Muslim Hall unit Chhatra League<sup>50</sup>, borrowed a calculator from Ehsan Rafiq, a second year student of Disaster Science and Management Department of the Dhaka University. On 7 February 2018, when Ehsan Rafiq wanted his calculator back, Chhatra League activists of Salimullah Muslim Hall unit of Dhaka University called him to the dormitory and forced Ehsan Rafiq to confess that he was an activist of Islami Chhatra Shibir and then severely beat him up. As a result, the cornea of his left eye was damaged.<sup>51</sup> In this incident, the university authorities expelled seven leaders and activists of Chhatra League (Mehdi Hasan, student of the Department of Urdu; Ruhul Amin Bepari, student of the Department of Mass Communication and Journalism; Ahsan Ullah, student of the Department of Philosophy; Samiul Huq, student of the Department of Social Science; and Fardin Ahmed, student of the Department of Public Administration; and two others) for different periods, but five of them are still present in the dormitory. Ehsan Rafiq received treatment at home and also in India and his eye was operated on. For security reason, he applied to the university authority to change his dormitory but the university authority has refused his appeal. As a result Ehsan Rafiq left the country in the last week of

<sup>50</sup> Student wing of Bangladesh Awami League, the ruling party.

<sup>51</sup> The daily Jugantor, 08/02/2018; <https://www.jugantor.com/todays-paper/news/15397/>

August and went to Malaysia to study in a private university due lack of his security.<sup>52</sup>

## Independence of the Judiciary and Trial of Khaleda Zia

36. The ruling Awami League government has been accused of interfering in the Judiciary. This intervention commenced when the Awami League came to power in January 2009, in the elections under the supervision of a military-backed caretaker government continued after the Awami League-led Alliance re-assumed power for the second term through controversial elections in 2014. In continuation of this, the then Chief Justice Surendra Kumar Sinha declared the Sixteenth Amendment<sup>53</sup> invalid, keeping the High Court verdict; and gave some observations and opinions<sup>54</sup> about the past and present condition of the country's politics in the verdict of the Appellate Division. A conflict with the government then started over the rules of jobs and discipline of the lower court judges. As a result, Surendra Kumar Sinha was forced abroad and later he was accused of resigning while staying abroad. Recently, the former Chief Justice wrote a book titled 'A Broken Dream: Status of Rule of Law, Human Rights and Democracy' from abroad and BBC Bangla took his interview. In this interview, he said that when he was completely under house arrest, a doctor from Bangabandhu Sheikh Mujib Medical University was sent to him every day to show him as unwell. Due to intimidation of an agency of the government and threats to his family, he left the country and submitted his resignation letter from abroad.<sup>55</sup> On 29 September, S K Sinha said at his book launching programme at the Washington National Press Club, that "The Chief Justice is the third highest ranking person as per the Constitution of Bangladesh. When the Chief Justice himself did not get any justice how would Khaleda Zia or others get justice? If I go back to Bangladesh at this moment, I will be killed. I do not have any security of my life since there is no justice in the country. The Judiciary is not independent. It is controlled by the government".<sup>56</sup> It is to be noted that this is the first time in the history of

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<sup>52</sup> The daily Prothom Alo, 25 September 2018

<sup>53</sup> The sixteenth Amendment to the Constitution Bill was passed on 17 September 2014, through which the power of the impeachment of judges of the Supreme Court has been given to the Parliament instead of the Supreme Judicial Council. The 16th amendment was declared illegal by the High Court Division on 5 May 2016. However, the government moved to the Appellate Division of the Supreme Court against the High Court verdict on 4 January 2017 and the Appellate Division declared the 16<sup>th</sup> amendment to the Constitution illegal on 3 July 2017. (Source: Dhaka Tribune, 3 July 2017)

<sup>54</sup> In the judgment, the Chief Justice said, human rights are in stake, corruption is uncontrolled, Parliament is ineffective and millions of people are deprived from health service.

<sup>55</sup> The daily Naya Diganta, 20 September 2018; <http://www.dailynayadiganta.com/first-page/350577/>

<sup>56</sup> The daily Naya Diganta, 1 October 2018; <http://www.dailynayadiganta.com/last-page/353466/>

Bangladesh that a forced resignation of a Chief Justice occurred. In this situation, six prominent lawyers of the country gave a statement, urging the government to create an environment that frees the Judiciary from the supremacy and interference of the Executive. Such behavior towards the Chief Justice of Bangladesh has created suspicion and questioned the independence of the Judiciary. As a result, there has been questions about the government's intervention in conducting and prosecuting cases filed against opposition political party leaders-activists.

37. On 8 February 2018, a Special Court Judge Mohammad Akhtaruzzaman sentenced BNP Chairperson Khaleda Zia to five years imprisonment in a verdict under the Zia Orphanage Trust corruption case. Furthermore, the court also sentenced five others to 10 years rigorous imprisonment, including Khaleda Zia's son and BNP's Senior Vice-President Tareque Zia. Since the sentence, Khaleda Zia has been detained in the Central Jail (now abandoned) in Old Dhaka. Khaleda Zia's lawyers alleged that she was kept in solitary confinement. BNP claimed that the 73-year-old former Prime Minister has been seriously ill in prison and for this, her doctors recommended the jail authority to admit her to the United Hospital, Dhaka immediately but the government did not send there.<sup>57</sup> There are 34 cases against Khaleda Zia.<sup>58</sup> Of them, the trial of the Zia Charitable Trust corruption case was being held in a special court established in the field of Aliya Madrasa in Old Dhaka. Khaleda Zia could not appear again in the case when she became seriously ill in prison. Later on 4 September, the Law Ministry through a notification, declared the room number 7 of the administrative building of the abandoned Dhaka Central Jail, to be a temporary court. On 5 September, Khaleda Zia, after appearing at the court, said, "I will not be able to come to court anymore, because, I am sick. I cannot move my left leg. The Judge can punish me as he decides. I will be punished as there is no justice here".<sup>59</sup> On 20 September, Judge Mohammad Akhtaruzzaman ordered the trial of the Zia Charitable Trust corruption case in the absence of Khaleda Zia in a temporary special court set up in the abandoned Central Jail. In the absence of the accused under section 540 of the Code of Criminal Procedure, the judge gave the order after granting the application of the Public Prosecutor to continue the trial. Trial in a court set up in prison is a violation to the Constitution of Bangladesh. Article 35 (3) of the Constitution of Bangladesh states that "Every

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<sup>57</sup> The daily Jugantor, 10 June 2018; <https://www.jugantor.com/todays-paper/first-page/58265/>

<sup>58</sup> The Daily Star, 8 February 2018, <https://www.thedailystar.net/backpage/34-cases-against-khaleda-zia-bnp-chairperson-bangladesh-1531510>

<sup>59</sup> The daily Prothom Alo, 6 September 2018

person accused of a criminal offence shall have the right to a speedy and public trial by an independent and impartial Court or tribunal established by law”.

## State Repression

### *Extrajudicial killings*

38. The justice delivery system of the country has come under question due to the persistence of extrajudicial killings. While analysing the reasons behind the commissions of extrajudicial killings, it was found that such killings occurred mostly in order to prevent the opposition and dissidents from mobilizing or speaking, to resist so-called ‘extremists’, to stop opposition on the pretexts of ‘anti-drug operations’ or to protect perpetrators of offences from any criminal case by using law enforcement agencies.
39. From 15 May of this year, extrajudicial killings took a dangerous turn on the pretext of nationwide anti-drug operations. Home Minister Asaduzzaman Khan said that this ‘all out war’ will continue until drug abuse comes under control.<sup>60</sup> Law enforcement agencies claim that every person who was killed extrajudicially was a drug dealer.<sup>61</sup> But many families of those killed in so-called “gunfight” complained that their relatives were killed in a planned manner and they were not involved in drug peddling.<sup>62</sup> The relatives of some victims said that the deceased were killed after they were picked up by members of law enforcement agencies. On 4 September 2018, Chittagong Metropolitan Police Commissioner (CMP) Mohammad Mahbubur Rahman stated in a meeting, “Drug dealers keep arms for their protection. The operations conducted by members of law enforcement agencies to retrieve the weapons, has killed many drug dealers. I think there is no other way. Life should be lost for peace. We will quell unrest forever for peace. If they face us with weapons, we have the right to use weapons. We will keep moving in this direction.”<sup>63</sup>
40. Odhikar is deeply concerned about this dangerous deterioration in the human rights situation of Bangladesh. This type of statement of a high-profile member of law enforcement and such operation is totally contrary to national and international law. The government constantly denies incidents of extrajudicial killing, despite repeated demands to bring the perpetrators to justice. There are

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<sup>60</sup> <https://bangla.bdnews24.com/ctg/article1536247.bdnews>

<sup>61</sup> The daily Manabzamin, 23 May 2018; [www.mzamin.com/article.php?mzamin=118520&cat=2/](http://www.mzamin.com/article.php?mzamin=118520&cat=2/)

<sup>62</sup> Ibid

<sup>63</sup> Bdnews24.com, 4 August 2018; <https://bangla.bdnews24.com/ctg/article1536247.bdnews>

allegations that members of these forces are enjoying immunity as they are being used to ruthlessly suppress political opponents and dissenters.

41. On 3 September 2018 at night, a youth named Sumon Pahad (25) was killed in 'gunfight' with police in Shariatpur. Police claimed that on that night police of Palong Police Station and Detective Branch of Police conducted an operation after getting information that some people were distributing the proceeds of the sale of drugs. At that time the drug peddlers threw crude bombs and opened fire at them and the police fired back in retaliation for self defense. The drug dealers escaped. Sumon was found there with injuries and the doctors declared him dead when he was sent to hospital. But Sumon's elder brother Rajan Pahad said that on 31 August 2018, Sumon and two other men in his village were picked up by the DB Police. Although the other two were sent to the court, his family had no trace of Sumon. The family went to the police several times, but police denied any knowledge of Sumon.<sup>64</sup>
42. **In September 2018 a total of 36 persons were reported killed extra-judicially. 14 were killed by RAB, 21 by police and one by DB police. One was tortured to death and the rest were killed in 'cross fire'.**
43. **From May 15 to 30 September 2018, 248 persons were reported to have been killed extra-judicially in the name of 'gunfight' or 'shootout' during the ongoing 'anti-drug drives' across the country.**

### ***Enforced Disappearances***

44. **In September 2018, 30 persons were allegedly disappeared<sup>65</sup> after being picked up by members of law enforcement agencies. Among them, the bodies of three disappeared victims were found, 26 were showed arrested or returned alive after being disappeared and the whereabouts of one person remains unknown.**
45. Enforced disappearance has become a trend since 2009. Despite several incidents that have proved enforced disappearances exist in the country, the Awami League government repeatedly denies that enforced disappearances occur. In some cases, although law enforcement agencies deny the arrest; days or months later, the arrested persons are produced before the public by the police or handed over to a police station or appear before a court. In many cases the bodies of the disappeared persons are found. Enforced disappearance is a grave

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<sup>64</sup> The daily Prothom Alo, 5 September 2018;

<https://epaper.prothomalo.com/?mod=1&pgnum=8&edcode=71&pagedate=2018-09-05>

<sup>65</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.



violation of Articles 9<sup>66</sup> and 16<sup>67</sup> of the International Covenant on Civil and Political Rights and Articles 31<sup>68</sup>, 32<sup>69</sup> and 33<sup>70</sup> of the Constitution of the People's Republic of Bangladesh. It was reported that leaders and activists of the opposition parties became victims of enforced disappearance before and after the controversial Parliamentary elections in 2014. Of them, many have still not returned.<sup>71</sup> Similarly, it is feared that leaders-activists of the opposition parties, civil society members and dissenters might be the victims of enforced disappearance ahead of the upcoming 11<sup>th</sup> Parliamentary Elections in December 2018.

46. On 12 September 2018 at around 8:30 pm, some plainclothes men claiming to be from Detective Branch of Police picked up intern lawyer and Dhaka Metropolitan unit Chhatra Shibir President, Shafiul Alam and his brother Manirul Alam, an employee in the private sector; their friends Mohammad Abul Hayat; Shafiullah, a student of Dhaka College; and a student of class IX, Mosharaf Hossain Ma'yaz from the Hajrat Shahjalal International Airport area in Dhaka. Their relatives made these allegations on 15 September at a press conference. Romisa Khanom, the mother of Shafiul Alam and Manirul Alam, said that after returning from Haj. Her sons came to receive her at the airport and they got into a microbus to go home. A group of men started to dragging her two sons out and away. At that time, the people in the area and on duty police personnel at the airport came forward. The men introduced themselves as the DB police and showed their identity cards to the police and thus police and the people went away. After that DB Police picked up her two sons and Manirul Alam's friend Abul Hayat. At midnight, they raided a house at Mirhajirbagh in Jatrabari, Dhaka with Shafiul and from there they also picked up Shafiul's roommate Shafiullah and Mosharaf Hossain Ma'yaz. The families of the

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<sup>66</sup> Article 9: Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

<sup>67</sup> Article 16: Everyone shall have the right to recognition everywhere as a person before the law.

<sup>68</sup> Article 31: To enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

<sup>69</sup> Article 32: No person shall be deprived of life or personal liberty save in accordance with law.

<sup>70</sup> Article 33 (1): No person who is arrested shall be detained in custody without being informed, as soon as may be of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice. (Continued.....)

<sup>71</sup> The families of the disappeared and witnesses claim that members of law enforcement agencies arrested and took away the victims and since then they have disappeared. Statements of many witnesses in this regard show that members of law enforcement agencies are involved in disappearance. In some cases, although law enforcement agencies deny the arrest; days or months later, the arrested persons are produced before the public by the police; or handed over to a police station and appear in Court, or the bodies of the disappeared persons are found.

disappeared contacted different police stations, DB office but police denied the arrest of the five.<sup>72</sup> Later on, on 27 September the five youth were produced before the court under a case filed at the Wari Police Station under the Explosives Act 1908.<sup>73</sup>



*The families of the disappeared organised a press conference to demand the whereabouts of the five youth allegedly picked up by DB Police. Photo: Naya Dignata, 16 September 2018*

47. On 14 September 2018, bodies of three persons, Mohammad Shohag Bhuiyan, Nur Hossain Babu and Shimul Azad, were recovered from under a bridge in Alampur area under Rupganj Upazila in Narayanganj District. There was allegations that on 13 September, they were picked up by men claiming to be from Detective Branch (DB) of Police while they were returning to Dhaka from Jhenaidah by bus. Shimul Azad's younger brother, Shah Alam said that his brother along with Shohag Bhuiyan and Nur Hossain went to their home on 10 September. On the night of 13 September, his father Abdul Mannan saw them off as they got on the Dhaka-bound bus, Purbasha Paribahan. The next day, when they did not reach Dhaka, the family contacted the Purbasha Paribahan company. The caretaker of the bus counter informed them that when the bus reached Paturia after crossing Dauladia-Paturia ferry ghat, two minibuses stopped the bus. 15-20 men in plainclothes identified themselves as the DB Police and got in the bus and took them away.<sup>74</sup>

<sup>72</sup> The daily Naya Diganta; <http://www.dailynayadiganta.com/last-page/349461/Jugantoro>, 16 September 2018; <https://www.jugantor.com/todays-paper/last-page/90803/>

<sup>73</sup> The daily Naya Diganta, 28 September 2018; <http://www.dailynayadiganta.com/first-page/352627>

<sup>74</sup> The daily Prothom Alo, 15 September 2018



*Relatives of Shohag Bhuiyan and Nur Hossain are on crying when their bodies were recovered. Photo: Prothom Alo, 15 September 2018*

48. On 15 September 2018 at around 10:30 pm, Narayanganj District unit Chhatra Dal President Mashiur Rahman Rony was picked up allegedly by DB Police from the Paltan area of Dhaka City. Rony's brother Majnu Rahman Rana said that at around 11:30 pm, a phone call came from an unknown number on his cell phone. He was told that Rony was put in a black microbus by 8/10 men claiming to be DB Police. On 17 September, the police produced Mashiur Rahman Rony along with arms and bullets and brought him to Narayanganj District Court.<sup>75</sup>

### ***Suppression, torture and lack of accountability of law enforcement agencies***

49. Members of the law enforcement agencies are enjoying impunity as the government is using the police and RAB to suppress all opposition. There are allegations against law enforcement agencies, especially members of police, for unlawful detention of the opposition and dissenters; and also

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<sup>75</sup> Information sent by local human rights defender associated with Odhikar, from Narayanganj.

for shooting them in the legs, filing false cases against them and acts torture and death.

50. On 5 September 2018, members of law enforcement agencies arrested 38 students from the Mohakhali, Tejkunipara and BG Press areas of Dhaka, for allegedly being involved in the 'quota reform' and 'safe road' movements. Police informed their guardians that they had been taken to Tejgaon Police Station. When the guardian contacted Tejgaon and Tejgaon Industrial Police Stations, police told them that the students were at the Detective Branch (DB) office. Later the guardians contacted the DB Police Office located at Mintu Road but the DB Police did not provide them with any information.<sup>76</sup> On 6 September, 26 of the arrestees were released but 12 were kept confined. The guardians/parents of those who were released said that everyone was tortured at the DB office and they were interrogated about the quota reform and safe road protests. One of the parents alleged that his son's hands were tied behind him he was beaten.<sup>77</sup> On 9 September, the parents of 12 detained students said in a press conference that they have been waiting in front of the DB Office for four days to learn about their children.<sup>78</sup> In accordance with the existing legal framework of the country, no one can be held more than 24 hours in the custody of the law enforcement agencies.<sup>79</sup> However, the students were detained for 5 days.<sup>80</sup> Finally, on 10 September, they were presented to the court which granted the police two-day remand for questioning the 12 students. The police had charged them with blocking government work.<sup>81</sup>

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<sup>76</sup> The daily Naya Diganta, 7 September 2018; <http://m.dailynayadiganta.com/detail/news/347916>

<sup>77</sup> The daily Prothom Alo, 10 September 2018

<sup>78</sup> The daily Manabzamin, 10 September 2018; <http://www.mzamin.com/article.php?mzamin=134793&cat=2/>

<sup>79</sup> According to section 61 of the Code of Criminal Procedure, 1898.

<sup>80</sup> The daily Prothom Alo, 10 September 2018;

<sup>81</sup> The daily Prothom Alo, 11 September 2018; <https://www.prothomalo.com/bangladesh/article/1557057>



*The 12 students allegedly detained in DB office. Photo: Prothom Alo, 10 September 2018*



*Some of the 12 students produced before the Chief Metropolitan Magistrate Court on allegations of blocking government work. Photo: Prothom Alo, 11 September 2018*

51. On 11 September 2018, Sub-Inspector Abdul Malek of Sreepur Police Station filed a case in connection with bomb blasts and the torching of motorcycles on 10 September at 9:00 pm, in the Naogaon area of Rajendrapur under Gazipur District. Six local BNP activists were arrested in this case. Some tea-seller vendors, who wished to remain anonymous, said that they did not see or hear any bomb blasts at the place of occurrence or its adjacent area, but saw a motorcycle burning. At that time they saw some police vehicles near the motorcycle. Police did not let

anyone come near the spot. Later, police took the signature from an individual on a piece of paper.<sup>82</sup>

52. Sub-Inspector Abdul Haque Shikder of Sonargaon Police Station, arrested four juveniles named Abu Nayeem, Emon, Shakib and Shanto at 8:30 pm on 8 May 2018, while they were going to Dariyakandi Village under Narayanganj District. He demanded Taka 400,000 for their release. As the families could not pay, SI Abdul Haque Shikder shot Abu Nayeem and Emon in the right knee. They were admitted to hospital in critical condition. The other two boys, Shakib and Shanto were sent to court. Later SI Abdul Haque Sikder filed two cases against them at Sonargaon Police Station for preparing to commit robbery. The four were detained in jail under these cases and they were released on bail after three month. The families of Abu Naeem and Emon cannot bear the expenses of their medical treatment due to poverty.<sup>83</sup>



*School student Emon who was shot by police is under treatment in hospital. Photo: Jugantor, 20 September 2018*

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

53. According to Odhikar, two persons died in jail due to ‘illness’ in September 2018.

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<sup>82</sup> The daily Jugantor, 13 September 2018; <https://www.jugantor.com/todays-paper/last-page/89807/>

<sup>83</sup> The daily Jugantor, 20 September 2018; <https://www.jugantor.com/todays-paper/city/92418/> Although this incident took place in May, it was published in September. Therefore, this has been mentioned in Odhikar’s monthly report of September.

54. Jails are overcrowded with inmates beyond its capacity, as a result of mass arrest operations to suppress opposition political parties and dissenting voices. The total capacity of prisons across the country is 36,614, but there were 89,682 inmates as of 30 September 2018.<sup>84</sup> Many inmates allegedly die in jail due to the lack of proper treatment facilities and negligence by prison authorities.

## Public Lynching

55. **In September 2018, six 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.

## Labour Rights

56. Incidents of closing down factories without notice, retrenchment and termination of workers and not paying wages on time, continue to occur in the readymade garment (RMG) industries and as a result workers' unrest continues. Rights of workers were violated in September 2018 and RMG workers protested to demand their unpaid wages and to reopen the closed factories.

57. On 15 September 2018, workers of NTKC garment factory blocked Dhaka-Tangail highway and protested in demand of their unpaid wages in Konabari area under Gazipur District.<sup>85</sup>

58. On 13 September 2018, the government announced a minimum wage of Tk. 8,000 for garment workers. It is to be noted that after the review of the wage structure of the garment industry in the country in 2013, the minimum wage was fixed at Tk 5,300 from December of that year. According to the Labour Act, the wage structure will be reviewed every five years. For the last few years, labour organisations have been demanding the minimum wage of 16 thousand taka. In January, the government formed a wage board to fix the new wage and announced the minimum wage would be Tk 8,000. Meanwhile garment workers organisations organised a rally in protest of the government's decision.<sup>86</sup>

59. **In September 2018, according to information gathered by Odhikar, five construction workers in the informal sector were killed in the workplace. Six**

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<sup>84</sup> Prison Directorate, <https://www.prison.gov.bd/profile/prison-directorate>

<sup>85</sup> The daily Prothom Alo, 16 September 2018

<sup>86</sup> The Daily Ittefaq, 15 September 2018; <http://www.ittefaq.com.bd/print-edition/first-page/2018/09/15/300921.html>

workers were injured. Among them, two were construction workers and four were automobile factory workers.

## Violence against Women

60. In September 2018, many women became victims of rape, sexual harassment, dowry related violence and domestic violence. Incidents of child rape have increased. In many cases members of law enforcement agencies took a stand against victims of such violence. The police have even compromised with the rapists without taking a case against child gang rape. Despite widespread incidents of violence against women and girls, the status of the trial and punishment of perpetrators is very frustrating.<sup>87</sup> Women are even being subjected to sexual violence on public transport, but there is no preventive measures or action against such violence. Furthermore, section 19 of the Child Marriage Restraint Act 2017 is still in place. Section 19 legalizes the marriage of minor girls under unspecified and undefined 'special circumstances'.
61. **According to information gathered by Odhikar, in September 2018, a total of 16 women and children were victims of sexual violence.**
62. Sukhi Akhtar (14), a girl student of class VIII committed suicide on 20 September 2018, as she had been sexually harassed by a youth named Sabbir Ahmed in Kathalia under Jhalkathi District.<sup>88</sup>
63. **According to Odhikar documentation in September 2018, a total of 16 women were subjected to dowry violence. Of these women, 11 were allegedly killed and five were physically abused due to dowry demands. During the time, a mother was killed with her four month old daughter.**
64. A housewife named Asmani was often beaten by her husband Rubel and her in-laws over dowry demands in Sirajganj Sadar Upazila. Rubel demanded one hundred and forty thousand taka from his father-in-law to buy a motorcycle. On 2 September 2018, Asmani was beaten to death by her husband Rubel and her father and mother in-laws because the demanded money had not been given.<sup>89</sup>
65. **According to Odhikar documentation in September 2018, a total number of 48 females had been raped. Among them, 12 were women and 36 were children. Of the women, seven were victims of gang rape and one was killed after being**

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<sup>87</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>88</sup> The daily Manabzamin, 23 September 2018; <http://www.mzamin.com/article.php?mzamin=136736&cat=9/>

<sup>89</sup> New Age, 4 September 2018; <http://www.newagebd.net/print/article/49820>



**raped. Out of the 36 girls, 13 were victims of gang rape and two were killed after being raped. 11 women and girls were also the victim of attempted rape.**

66. On September 2, a fourth-grade student of Nazarpur Union under Narshingdi Sadar Upazila, was picked up by three youths named Saddam (25), Sajib (22) and Farhad (23) while on her way back home. They took the girl to the river Meghna and raped her on a boat. Local UP member Mustafa and her relatives rescued the girl after getting the news. Later, the UP member Mustafa in a mediation, fined the three rapists taka 150,000 each. At the same time the victim's family members were instructed not to file any complaint to the police station. But on 5 September, the family of the child went to Narsingdi Sadar Police Station as they were not paid the fine. Instead of recording their complaint, the Officer-in-Charge (OC) of the police station Syeduzzaman and the OC (Investigation) Salauddin negotiated with the rapists for five hundred thousand taka.<sup>90</sup>
67. **According to Odhikar documentation in September 2018, it was reported that one woman became a victim of acid violence.**

## Hindrance to Odhikar

68. The government continues to harass<sup>91</sup> Odhikar by barring the release of project related funds for more than four years; not renewing its registration; and stopping the approval of new projects. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are harassed and victimised and under surveillance.

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<sup>90</sup> Bangladesh Protidin, 7 September 2018; <http://www.bd-pratidin.com/country-village/2018/09/07/358505>

<sup>91</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 5-6 May 2013 in Shapla Chattor at Motijheel, Dhaka. Adilur and Odhikar's Director ASM Nasiruddin Elan, were later charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were detained in prison and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies. In March 2016, a journalist and human rights defender associated with Odhikar, Mohammad Afzal Hossain, was shot and severely wounded by police while he was observing the irregularities of a local government election in Bhola and in February 2017, another human rights defender associated with Odhikar, journalist Abdul Hakim Shimul, was shot dead by Shahjadpur Municipality Mayor and Awami League leader Halimul Huq Miru. Three human rights defenders associated with Odhikar from Kushtia and Munshiganj – Hasan Ali, Aslam Ali and Sheikh Mohammad Ratan – were sent to jail in cases filed under the ICT Act.

## Neighbouring States

### *India's Aggression on Bangladesh*

69. India played a major role in destroying the democratic system in Bangladesh through direct interference in the controversial 5 January 2014 elections.<sup>92</sup> After the elections of 2014, Indian aggression on Bangladesh increased because of the incumbent government's weak foreign policy. On 17 September, Bangladesh's Cabinet approved the draft of a five-year agreement to transport Indian goods to its northeast provinces using Chittagong and Mongla ports. The proposed agreement mentioned several routes.<sup>93</sup> Although India is widely benefited by the use of the port and infrastructure of Bangladesh, the Bangladesh Government has not given any clear idea of what kind of gain or profits it can get through this. India has been enjoying commercial advantages and other business and trade facilities from Bangladesh for a long time. 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.<sup>94</sup> Furthermore, there remains in place an 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.<sup>95</sup> Thousands of people living along the banks of the Teesta River are in danger due to the refusal of water by India to Bangladesh through the Gajaldoba Barrage. The issue of acquiring the right to water of Bangladesh through the Teesta Agreement is very important, but the Indian government has not signed this agreement with the government of Bangladesh.<sup>96</sup> Moreover, the Indian government is taking away the citizenship of Bangla-speaking Muslims from different Indian provinces and there are fears that they might be pushed in Bangladesh by Indian government. This fear has been created after statements of different leaders of the Indian ruling party.<sup>97</sup>

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<sup>92</sup> Before conducting the controversial and farcical January 5, 2014 National election, almost all political parties of Bangladesh decided to boycott it because the caretaker government system had been replaced through the 15<sup>th</sup> Amendment to the Constitution. 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>93</sup> The daily Naya Dignata, 18 September 2018; <http://www.dailynayadiganta.com/first-page/350033/>

<sup>94</sup> The Daily Star, 14 June 2016; <http://www.thedailystar.net/backpage/transit-gets-operational-1239373>

<sup>95</sup> The daily Prothom Alo, 24 September 2016; <http://en.prothom-alo.com/environment/news/122299/Unesco-calls-for-shelving-Rampal-project>

<sup>96</sup> BBC, 1 September 2016; <http://www.bbc.com/bengali/news-37244367>

<sup>97</sup> The daily jugantor, 2 August 2018; <https://www.jugantor.com/todays-paper/last-page/76345/>

70. Apart from the Indian aggression and supremacy over Bangladesh, incidents of killing, torture and robbing Bangladeshi citizens by the Indian Border Security Force (BSF), after illegally trespassing into Bangladesh territory, still persists.
71. **According to Odhikar documentation in September 2018, one Bangladeshi citizen was gunned down, seven Bangladeshis were shot and injured and one was abducted by BSF.**
72. On 19 September 2018, some Bangladeshi farmers went to q field for grazing cows near the border pillar 2048 at Madla Gopinagar of Bayek Union under Kasba Upazila in Brahmanbaria District. At that time members of Indian BSF entered Bangladesh territory and took a cow. A clash took place between BSF members and farmers when they tried to stop BSF. Within a few minutes, 20/30 BSF members entered into Bangladesh, opened fire indiscriminately and vandalized several houses and electric meters, after sending messages to their BSF camp through wireless. As a result, Shahjahan Mia (58), Rasel Mia (22), Nanu Mia (50) and Faruq Mia (22) were shot by BSF members.<sup>98</sup>
73. On 29 September 2018, a Bangladeshi cattle trader Shahidur Rahman along with some of his associates went to bring cows near 382/5 sub pillar at Rantai border under Baliadangi Upazila in Thakurgaon District. At that time, BSF members of 171 BSF Sonamoti Camp fired at them. Shahidur Rahman was shot and his associates returned to Bangladesh in fear of their lives, leaving him there. Later Shahidur Rahman's body was recovered from Nagor River.<sup>99</sup>

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

74. On 18 September 2018, the prosecutors of the International Criminal Court (ICC) began a preliminary investigation into the allegations of murder, sexual assault and forced deportation of Rohingya Muslims in Myanmar. This is the first step in a full investigation against the operation carried out by the Myanmar Army. On 6 September 2018, the judges gave their opinion that although Myanmar is not a state party to the ICC, and since Bangladesh is, the International Criminal Court will be able to prosecute Myanmar. The ICC Chief Prosecutor Fatou Benshouda said in a statement that "I have decided to commence the next step of this process and start the full investigation of the situation".<sup>100</sup>
75. Meanwhile, the UN's Independent International Fact Finding Mission on Myanmar said that the Myanmar army wanted to execute genocide against the

<sup>98</sup> The daily Manabzamin, 10 September 2018; <http://www.mzamin.com/article.php?mzamin=136796&cat=9/>

<sup>99</sup> Report from local human rights defender associated with Odhikar, from Thakurgaon; and the daily Naya Diganta, 1 October 2018

<sup>100</sup> BBC Bangla, 19 September 2018; <https://www.bbc.com/bengali/news-45570093>

Rohingyas, because Rohingya Muslims in Rakhine province of Myanmar were 'protected people'. But the country's army committed all kinds of crimes, including murder, arson, physical and mental torture and persecution. The fact-finding mission has drawn up a list of alleged perpetrators who it believes must be prioritized for investigation and prosecution. The Fact Finding Mission members made some recommendation to the UN and the international community that the commander in chief of the Myanmar Army and five senior Generals ought to be prosecuted on charges of genocide and crimes against humanity against Rohingya people.<sup>101</sup>

76. Even in September 2018, the remaining Rohingyas from Rakhine tried to enter Bangladesh. Regrettably, the Border Guard Bangladesh (BGB) did not allow them to enter. In the early morning on 14 September 2018, about 20 Rohingyas tried to enter Bangladesh through Shahporir Dwip border in Teknaf by two boats. Most of them were women and children. Major Shariful Islam Jamaddar, Deputy Commander of BGB Teknaf Battalion 2 said, some Rohingyas crossed the Naf River and tried to intrude into Bangladesh by crossing the border in Shahporir Dwip. At that time the BGB barred them from entering at Gholar Chola area of Shahporir Dwip.<sup>102</sup>

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<sup>101</sup> The Washington Post, [https://www.washingtonpost.com/world/un-report-calls-for-myanmar-generals-to-be-investigated-prosecuted-for-genocide-and-war-crimes/2018/08/27/fbf280a6-a9b5-11e8-8f4b-ae063e14538\\_story.html?noredirect=on&utm\\_term=.d5cf6188958c](https://www.washingtonpost.com/world/un-report-calls-for-myanmar-generals-to-be-investigated-prosecuted-for-genocide-and-war-crimes/2018/08/27/fbf280a6-a9b5-11e8-8f4b-ae063e14538_story.html?noredirect=on&utm_term=.d5cf6188958c)

<sup>102</sup> The daily Samakal, 14 September 2018; <http://samakal.com/whole-country/article/1809845/>

## Recommendations

1. Democracy must be restored by establishing an accountable government through free, fair and inclusive elections, under a 'caretaker' government or even under direct supervision of the United Nations. The Election Commission must be reformed after excluding subservient elements from it, to make it truly independent.
2. The police and the ruling party must stop suppression on left-wing political parties, students protesting for safe roads and for reformation of the quota system in public service and other peaceful protestors. All those arrested due to joining these protests, should be released and the cases filed against them be withdrawn. Criminals who attacked the peaceful protesters with the police must be arrested and brought to justice.
3. All repressive and abusive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 and 2013), and the Special Powers Act, 1974 must be repealed. The government must review the Digital Security Act, considering the demands of the human rights defenders and journalists and the principles of justice. Arrests and cases filed against everyone under these repressive laws, during the safe road and quota system reform movement, must be withdrawn.
4. The Government must refrain from repressive, unconstitutional and undemocratic activities. Rights to freedom of expression and assembly of the opposition political parties and people who have alternative beliefs have to be respected. The government must stop harassment, including arrest operations against the opposition and dissenters. Cases filed against 'unnamed persons', which are believed to be repressive, must be withdrawn. All political prisoners should be released. The opposition political party leader and former Prime Minister Khaleda Zia must be referred to a hospital of her choice for better treatment.
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-drug 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 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.
9. Freedoms of speech, expression and the media must be ensured and protected. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel One must be removed. Incidents of attacks on journalists must be investigated and the attackers on journalists, including Amar Desh editor Mahmudur Rahman must be brought to justice.
10. 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 committees need to be created in every industry.
11. 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. Police must stop informal arbitration of offence relating to violence against women. Police must investigate reports of such crimes and bring the perpetrators to justice. 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.
12. India must refrain from acts leading to establishing political and economic hegemony over Bangladesh. Indian Border Security Force (BSF) must stop human rights violations, including killing and torturing Bangladeshi citizens along the border areas; and it must compensate the victims of violence. The hazardous Rampal Power Plan must be stopped to save Bangladesh’s environment and ecology.

13. 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. Odhikar appreciates the ICC for the consideration of the issue regarding genocide against Rohingyas committed by the Myanmar military, Buddhist extremists and relevant authorities. Odhikar also urges the ICC to prosecute all perpetrators for committing genocide.
14. 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.

**Tel: +88-02-9888587, 01711-405166**

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

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

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

**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.