



11th Parliamentary Elections: Pre-Election Situation Report

26 December 2018

Odhikar

1. Introduction

This report has been prepared based on an analysis of the overall pre-electoral situation leading up to the 11th National Parliament elections. Odhikar has been under severe state-level oppression and harassment¹, due to its strong protests and campaigns against human rights violations and for publishing reports on the inactions of the Election Commission and on election related violence. The Organisation is also being attacked by State machinery for being an established and credible election observer. As part of the state repression, the Election Commission, on 6 November 2018, abruptly cancelled the registration of Odhikar as an election observer, with total disregard to election law and election observation rules. On 29 November, Odhikar filed a Writ Petition to the High Court Division of the Supreme Court. A bench of the High Court Division on 12 December issued a stay Order on the letter issued by the Election Commission regarding the cancellation of registration; and the Court also issued a Rule to the concerned authorities as to why the cancellation of Odhikar's registration should not be declared illegal. The Appellate Division upheld the High Court Order on 18 December. Although Odhikar retained its right to observe polls through the Court, it is not able to observe elections due to a government barrier placed on receiving funds and lack of time for assigning constituency-wise observers. Under such circumstances, Odhikar has prepared this pre-election situation report based on reports sent by its field-level volunteer human rights defenders, information gathered from victims of human rights violations and their families and by reviewing relevant reports published in the National daily newspapers.

¹ As a human right organisation, Odhikar has always been under severe scrutiny and criticism from the government, due to its straight forward activism and denouncement of human rights violations. However, the Organisation has faced severe harassment and repression by the Awami League government since 2009. On 10 August 2013 late at night, Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of Police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. Adilur and Odhikar's Director ASM Nasiruddin Elan, were later charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were detained in prison and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies. Furthermore, human rights defenders associated with Odhikar are also under monitoring by intelligence agencies and their activities are hindered.

2. Overview

The Awami League led Grand Alliance reassumed power through controversial and farcical national elections² on 5 January 2014, after unilaterally removing the Caretaker Government system through the 15th Amendment to the Constitution of the People's Republic of Bangladesh in 2011, ignoring objections from all opposition political parties and without a referendum. Awami League promised to hold re-elections as early as possible with the participation of all political parties, terming that election a constitutional obligation. However, they remained in power by breaking such promise and violated the constitutional rights of the citizens, including freedoms of expression, assembly and association. The tenure of the Awami League is going to end, but the 11th parliamentary elections are to be held under the Awami League government too – in which all political parties are now participating.³

After the Awami League (AL) assumed power in 2009, almost all elections conducted under the incumbent AL-led government were marred with reports of 'capturing' polling centres, casting fake votes, rigging and widespread election irregularities against the ruling party leaders and activists; and reports of the ruling party candidates allegedly being elected through illegal means.⁴

There is widespread trepidation among the people regarding the upcoming 11th parliamentary elections, on whether they will be free and fair. Ahead of this election, the opposition, especially the BNP leaders and activists, have been accused and arrested in fictitious cases, attacked have become victims of enforced disappearance and oppression. In September 2018, 578 cases relating to vandalism were filed in 50 police stations in Dhaka City alone. 76 such cases were filed in October and 43 cases of vandalism were filed in November 2018. Thousands of BNP leaders-activists had been accused in those cases.⁵ People living in the areas shown as the place of occurrence in the cases, said that no incident of destruction or vandalism took place there. On the condition of anonymity, an Assistant Commissioner of Dhaka said that new cases were being filed by replacing the names, dates and venues in old cases that were based on political conflict. He said that they are forced to do this on the orders of the 'senior authority'.⁶

² In 2011, the caretaker government system were removed unilaterally by the Awami League government through the 15th 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 10th 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. Incidents of capturing polling centres, snatching ballot boxes, casting fake votes and intimidation to voters were remarkable in the election.

³ In the 2014 national elections (Parliamentary elections) the main opposition alliance, led by the Bangladesh Nationalist Party (BNP) boycotted the polls in protest of the removal of a caretaker government system to oversee the elections.

⁴ See Odhikar's monthly human rights monitoring reports at www.odhikar.org

⁵ All data from the daily Prothom Alo, 20 December 2018; <https://www.prothomalo.com/bangladesh/article/1570837/>

⁶ Ibid

Before the announcement of the election schedule, the government held dialogues with the Jatiya Oikya Front⁷ twice and another dialogue with other political parties and alliances, including the Left Democratic Alliance. However, the government did not accept any of the recommendations – even the recommendation for holding elections under a election period neutral government – made by the Jatiya Oikya Front and Left Democratic Alliance, to ensure free and fair polls. At the meeting with the Jatiya Oikya Front, the government promised not to file any fictitious cases or conduct arrest operations against the opposition party leaders and activists. However, the ruling party leaders-activists and members of law enforcement agencies continue to file cases against the leaders and activists of the opposition, run mass arrests, cause enforced disappearance and carry out attacks, violating all promises. Analyzing the dialogue of the opposition political parties with the government, it seems that the ruling party had agreed to sit in dialogue with the opposition as a show to the people and the international community. The activities of the ruling party and its supporters proves it does not have any interest in making the election free, fair and peaceful.

3. The Antics of the Election Commission

The Election Commission has become a subservient institution, despite being a Constitutional body. A level-playing field for all in the upcoming polls is totally absent due to the controversial and bias role of most of the members of the current Election Commission, led by Chief Election Commissioner, KM Nurul Huda. Allegations of widespread irregularities, (including casting fake votes, ‘capturing’ polling stations and arresting and forcibly ousting polling agents of candidates nominated by the opposition) were made against the ruling Awami League-nominated candidates during local government elections under this current Commission. Thus, it is rightly feared that the obedient, groveling and biased attitude of several Commissioners, including the Chief Election Commissioner (CEC), towards the government will violate the neutrality of the elections. On the other hand, the comments and attitudes of one of the Election Commissioners, Mahbub Talukder, carry the assumption that he seems to be the only Commissioner who had been protesting the controversial activities of the Commission. On 17 December, he said, “I do not think there is anything called a level playing field in the elections. ‘Level playing field’ is a meaningless phrase. If the election is not acceptable and credible then it is useless calling it, participatory”.⁸ He also expressed doubts about how much the law enforcement members were under the control of the Election Commission.⁹ But the Chief Election Commissioner KM Nurul Huda said, on 18 December, that the statements of Mahbub Talukder were his personal observations and untrue allegations. Nurul Huda said that there is a level playing field in the election.¹⁰

⁷ The Jatiya Oikya Front (National Unity Front) is a political alliance of primarily four parties – Gono Forum, BNP, Jatiya Samajtantrik Dal, Nagorik Oikya – led by Dr. Kamal Hossain. The Oikya Front was formed on 13 October 2018 at the National Press Club, with the demands of a national election under a neutral government after dissolution of parliament and release of BNP chairperson Khaleda Zia from jail.

⁸ The daily Manabzamin, 18 December 2018; <http://www.mzamin.com/article.php?mzamin=150267&cat=2/>

⁹ The daily Jugantor, 18 December 2018; <https://www.jugantor.com/todays-paper/first-page/123124/>

¹⁰ Ibid

It is to be noted that an Awami League candidate of Patuakhali-3 constituency, SM Shahjada Saju, is the nephew of the Chief Election Commissioner. The Jatiya Oikya Front candidate of this constituency, Golam Maula Rony sent a letter to the Chief Election Commissioner stating that supporters of SM Shahjada Saju vandalized his cars, office, megaphones and other election campaign materials. His supporters were also arrested in cases of terrorism, attacks and arson.¹¹ No action was taken by the Election Commission to investigate Rony's allegations; but the Secretary of the Local Election Coordination Committee of Awami League, Mehedi Masud filed a case with Galachipa Police Station against Golam Maula Rony along with five supporters and relatives, under the repressive Digital Security Act.¹² In view of the CEC's 'level playing field', the former Caretaker Government Adviser M Hafizuddin said, "where everyone is watching and knowing that the opposition candidates are being attacked and suppressed throughout the country, I do not understand how he [the CEC] said such words. The government-Cabinet and the MPs remain in power, and they can still use their power. They have the opportunity to influence. It is not understandable how a level playing field is confirmed".¹³

After taking responsibility, the current Election Commission (EC) conducted dialogues with different political parties ahead of the eleventh parliamentary elections, but did not take any steps to implement the recommendations coming out of those dialogues. Suppression against the opposition activists by the incumbent government and AL and its affiliated members, continued before the election schedule was announced on 12 November 2018. The Election Commission was also silent on these incidents.¹⁴

At the time of selection of nomination papers for the 30 December elections, the Deputy Commissioners appointed during the current government's tenure, who are now serving as Returning Officers, cancelled the nomination papers of candidates from opposition parties, especially the candidates nominated by the Jatiya Oikya Front, on various pretexts. This seems to be a form of harassment, since after appealing to the Election Commission in most of these cases the nominations were declared valid.

On behalf of BNP, it is said that 154 Awami League candidates were elected unopposed due to the BNP boycott of the 2014 election in protest of the repealing of the Caretaker government system. However, this time, the Awami League government cancelled BNP candidacy by using state machinery against its archrival.¹⁵ The cancellation of the candidature of the opposition in this manner is unprecedented in the history of Bangladesh. There are also allegations of the appointment of polling officials who are loyal to the ruling party candidates, in different places

¹¹ The daily Jugantor, 17 December 2018; <https://www.jugantor.com/eleventh-parliament-election/123117/>

¹² The Daily Star, 21 December 2018; <https://www.thedailystar.net/bangladesh-national-election-2018/news/rony-5-others-sued-under-digital-security-act-1676947>

¹³ The daily Jugantor, 20 December 2018; <https://www.jugantor.com/todays-paper/first-page/123886/>

¹⁴ The daily Jugantor, 13 November 2018; <https://www.jugantor.com/todays-paper/first-page/111078/>

¹⁵ The Daily Star, 22 December 2018; <https://www.thedailystar.net/bangladesh-national-election-2018/news/ec-police-trying-destroy-democracy-fakhrul-1676923>

of the country. In Dhaka-1 constituency, persons who are loyal to the ruling party have reportedly been appointed as presiding officers and polling officers after excluding skilled and experienced candidates.¹⁶ It is to be mentioned that the Awami League-led Grand Alliance government came to power through the ninth parliamentary elections held under the military-backed caretaker government in 2009. After coming to power, the ruling party started to make different government, constitutional and autonomous institutions partisan, which became more widespread after it came to power for a consecutive second term in 2014.

4. Hindrance to election observation

Election observers from the Bangkok-based regional election monitoring organisation, the Asian Network for Free Elections (ANFREL) have not been granted visas and accreditation to observe the 30 December polls. Therefore, they have been forced to cancel the election observation mission to Bangladesh. ANFREL issued a statement¹⁷, expressing its dissatisfaction and condemnation in this regard. In the statement, ANFREL said that the presence of election observers is an important indicator of public confidence and transparency in the electoral process; and that the sincerity of the Bangladesh government in conducting transparent elections has come under question, due to its barring of observers. It is to be noted that the government of the United States of America financed ANFREL through the National Democratic Institute (NDI) to monitor Bangladesh's general elections. The United States also expressed disappointment in a statement¹⁸, after the cancelation of the election observation mission of ANFREL. In response to this statement issued by the US State Department, the Bangladesh Foreign Ministry issued a statement¹⁹ mentioning that Odhikar, a founding member of ANFREL, and a Bangladeshi human rights organisation, is biased against Bangladesh and the Awami League and that such evidence is clear in many of its reports. A senior official of Odhikar was the Deputy Attorney General during BNP-Jamaat government. Based on this, application for the election monitoring of Odhikar and its associates has been canceled.²⁰ Odhikar rejects and strongly condemns this statement of the government. After establishment in 1994, Odhikar has been monitoring the election process and election violence since 1996, with the objective of ensuring the people's right to vote. Odhikar has been working with different activists, including human rights defenders in different countries of the world, to establish democracy and human rights through international networks. It has even been part of international election observation teams in various countries. Since no government of Bangladesh is respectful of human rights, Odhikar has been subjected to harassment and obstruction by the different governments due to its human rights activities. However, since 2013, harassment and repression of the government on Odhikar exceeded all levels. The only reason for this was that Odhikar is regularly highlighting

¹⁶ The daily Jugantor, 23 December 2018; <https://www.jugantor.com/todays-paper/first-page/125010/>

¹⁷ https://anfrel.org/anfrel-statement-on-the-termination-of-its-mission-in-bangladesh/?fbclid=IwAR29TX0w0vqXvVU0Pe5bf7bdtWxjhhy49_VI3K1KFpPbUseDZKRjqfA8

¹⁸ <https://bd.usembassy.gov/upcoming-election-in-bangladesh/>

¹⁹ https://mofa.gov.bd/site/press_release/3bee6ae0-bb45-43cc-a469-76f086ff6f50

²⁰ The daily Prothom Alo, 24 December 2018

the human rights violations perpetrated by the government and state machinery. In protest of this statement issued by the Foreign Ministry, Odhikar wants to categorically emphasise on the fact that it has been publishing reports of human rights violations equally for over 23 years. Therefore, the allegations of adverse biasness against the Awami League government is baseless and ill-motivated. Odhikar recalls that after the BNP-led Alliance government came to power in 2001, Odhikar had to face reprisals from the government at different times due to playing a vocal role against human rights abuses. Furthermore, during the military-backed caretaker government of 2007, Odhikar became a victim of persecution for being vocal against human rights violations. In the present Foreign Ministry statement, it has been mentioned that a high level official of Odhikar was Deputy Attorney General during the BNP-Jamaat government. This is a poor attempt to show a sign of loyalty to a political party. Odhikar reiterates that the position of Deputy Attorney General is a constitutional position (although there is sufficient suspicion about the present situation). In 2001, the BNP-led alliance government appointed senior lawyer A F Hassan Ariff (former adviser of the Caretaker Government in 2007-2008) as Attorney General. At that time, Advocate Adilur Rahman Khan, a non-partisan person, was appointed a Deputy Attorney General (DAG) because he was a junior lawyer in the firm of A F Hassan Ariff and was preferred by the latter as a DAG. ANFREL is an independent regional organisation that monitors elections in different countries across Asia. It is to be mentioned that ANFREL also observed the parliamentary elections of Bangladesh in 2001 and 2008.

5. Reports of violence

The eleventh parliamentary elections, due on 30 December 2018 are being considered very important for the democratic transition of Bangladesh. A level playing field is completely absent, as the ruling Awami League has established unilateral supremacy in the electoral field through state repression in the country; and civil society and the people and analysts believe that there is no possibility of the upcoming elections to be held in a free, fair and credible manner. News is being published every day that the leaders-activists of Awami League and members of law enforcement agencies are preventing the campaigns of opposition candidates, attacking, arresting and filing new cases against leaders and activists of the opposition. The situation worsened when election campaigns commenced after the allocation of electoral symbols on 10 December. In addition to the Jatiya Oikya Front candidates, the Left Democratic Alliance and other party candidates and independent candidates are facing obstacles and attacks during election campaigns across the country. The Awami League leaders-activists are carrying out acts of suppression along with the law enforcement agencies. However, the ruling Awami League MPs and Ministers are campaigning freely and using government property, vehicles and police protocol.²¹ Some incidents are as follows:

²¹ The daily Prothom Alo, 21 December 2018; <https://www.prothomalo.com/bangladesh/article/1571003>



Four government vehicles were being used in the motorcade campaign of Roads and Bridges Minister and Awami League candidate Obaidul Kader at Muchhapur Banglabazar in Companiganj of Noakhali. Photo: Prothom Alo, 21.12.2018

5.a. On 12 December 2018, BNP candidate for Dhaka-9 constituency Afroza Abbas came under attack twice by Bangladesh Chhatra League activists in Dhaka's Kamalapur and Madartek areas. At least 15 persons, including 10 women supporters of the BNP candidate were injured and a vehicle vandalized in the attacks.²²



BNP candidate Afroza Abbas speaks to police officials after she and her supporters were attacked allegedly by Chhatra League activists in Dhaka's Kamalapur area. Photo: Dhaka Tribune, 12.12.2018

²² The daily Dhaka Tribune, 12 December 2018; <https://www.dhakatribune.com/bangladesh/election/2018/12/12/bnp-chhatra-league-men-attacked-afroza-abbas-s-campaign>

5.b. The motorcade of Jatiya Oikya Front candidate Abu Sayeed, for Pabna-1 constituency, came under attack in Pabna's Santhia Bazar on 13 December, leaving four people injured. Abu Sayeed said that a group of supporters of his electoral opponent attacked his motorcade at around 11:00 am, when he was going to Dhopadaho Village in the Upazila from his village in Bera Upazila. He said the attackers damaged his vehicle badly and beat his supporters, leaving Zakir Hossain, Monwar Parvez, Nazmul Hossain and Saiful Islam, injured.²³



Jatiya Oikya Front candidate for Pabna-1 constituency, Abu Sayeed's motorcade was attacked twice while on the way to a public meeting at Joragachha area of Santhia. Photo: Prothom Alo, 14.12.2018

5.c. On 14 December, the Oikya Front candidate for Sirajganj-2 constituency Rumana Mahmud went to the BNP office for a meeting. When other BNP leaders and activists arrived there, Awami League activists came on several motorcycles and threw crude bombs at them. When the BNP activists chased them, police came and baton charged the BNP activists and opened fire at them. In this incident, Rumana Mahmud was injured in the police firing and the eyes of Merina, the Women Affairs Joint General Secretary of City unit Mahila Dal²⁴ were damaged due to her being hit in the face by shotgun pellets.²⁵

²³ The daily Prothom Alo, 13 December 2018; <https://en.prothomalo.com/bangladesh/news/188003/Abu-Sayeed%E2%80%99s-motorcade-attacked-in-Pabna>

²⁴ Women wing of BNP

²⁵ The daily Manabzamin, 15 December 2018; <https://www.jugantor.com/todays-paper/last-page/122139/>



Wounded BNP candidate Rumana Mahmud. Photo: Jugantor, 15 December 2018

5.d. On 15 December, the Jatiya Oikya Front nominated candidate for Noakhali-1 constituency Barrister Mahbub Uddin Khokan, was attacked by Awami League and Jubo League leaders-activists as he campaigned at Sonaimuri Bazar. At that time, leaders and activists of the Oikya Front formed a counter-resistance and the police, led by Sonaimuri Police Station Officer-in-Charge, Abdul Majid fired shotguns at them. 11 people including Mahbub Uddin Khokan were shot with rubber bullets and injured in this incident.²⁶



Hit by rubber bullets, Mahbub Uddin Khokon, JOF candidate for Noakhali-1 constituency being treated at a hospital. Photo: Daily Star 16.12.2018

5.e. On 15 December, Communist Party candidate Jolly Talukdar of Netrokona-4 constituency was attacked by Awami League leaders-activists while he was campaigning with his supporters. During the campaign, two candidates, including a female candidate of the Jatiya Oikya Front, were injured due to firing by Awami League leaders-activists and police.²⁷

²⁶ The Jugantor, 16 December 2018; <https://www.jugantor.com/todays-paper/first-page/122520/>

²⁷ The Jugantor, 17 December 2018; <https://www.jugantor.com/todays-paper/news/122867/>

5.f. On 15 December, Awami League activists hit mentally disable Zahir in the head while he was chanting slogans in favour of ‘sheaf of paddy’²⁸ in Chandpur-2 constituency.²⁹

5.g. On 16 December, Victory Day, eight candidates in different constituencies, including the Jatiya Oikya Front candidates, Abdul Moin Khan in Narsingdi, Abdullah Al Noman in Chittagong, Joynal Abedin Farooq in Norshindi, and Sabina Yasmin in Natore, were attacked by Awami League leaders and activists. At least 130 people were injured of which 10 had sustained rubber bullet wounds.³⁰

5.h. In Tangail-2 constituency, on 16 December, supporters of Awami League-nominated candidate Hasan Imam Khan Sohel, attacked the motorcade of independent candidate Latif Siddiqui (a former Awami League government minister) at Kalihati and vandalized cars belonging to his election campaign. Latif Siddiqui went on hunger strike in front of the Tangail District Returning Officer's Office in protest of this incident and later was admitted to hospital in Dhaka when his condition deteriorated.³¹ On 23 December, Latif Siddiqui pulled out from the elections in protest of the absence of a level-playing field. He said, “To contest in this election, candidates must get crushed under the boot of the police and get beat up by criminals. Culprits have demolished my office in Tangail”.³²

5.i. On 17 December, Awami League activists attacked the motorcade of the Jatiya Oikya Front candidate for Feni-3 constituency, Mohammad Akbar Hossain, when he was on his way to Takia Bazar under Sonagazi Upazila on the campaign trail. At least 20 supporters of Mohammad Akbar Hossain were injured. Furthermore, the Detective Branch (DB) of the Police arrested Awami League leader Alauddin in relation to an incident of setting fire to houses belonging to the Hindu religious minority citizens in Alampur, under Sonagazi.³³ Ramkrishna Saha and Ratan Kumar Das were injured during the attack by a group of miscreants led by Purbadoir Union unit Awami League General Secretary Zakir Hossain, who participated in the campaign on behalf of the Jatiya Oikya Front candidate in Comilla-3 constituency on 17 December.³⁴

²⁸ The ‘sheaf of paddy’ is the electoral symbol of the BNP.

²⁹ The daily Naya Diganat, 17 December 2018.

³⁰ The Jugantor, 17 December 2018; <https://www.jugantor.com/todays-paper/first-page/122772/>

³¹ The daily Manabzamin, 18 December 2018; <http://www.mzamin.com/article.php?mzamin=150254&cat=3/>

³² The daily Dhaka Tribune, 23 December 2018

³³ The daily Jugantor, 18 December 2018; <https://www.jugantor.com/todays-paper/last-page/123125/>

³⁴ The daily Naya Diganat, 18 December 2018;



Injure Ramkrishna Saha. Photo: Naya Diganta, 19 December 2018

5.j. On 22 December, a group of masked criminals attacked the election camp and party office of the Jatiya Oikya Front candidate for Narsingdi-3 constituency, Manjur Elahi. Ten people, including a second-grade student called Mahia, were shot and injured.³⁵



Mahia, a student of class II, was shot during an attack at the election camp of BNP nominated candidate Manjur Elahi for Norshingdi-3 constituency. Photo: Jugantor, 23.12.2018

5.k. On 24 December, two people were killed and more than 30 sustained injuries in separate attacks launched on election campaigns in Khagrachari, Shariatpur and Lakshmipur. In Khagrachari, two persons died as unidentified attackers opened fire on an election camp of the United People's Democratic Front (UPDF)-backed independent candidate Natun Kumar Chakma

³⁵ The daily Jugantor, 23 December 2018

at Pujgang of Panchari. The dead were identified as Chikko Chakma (24) and construction worker Mohammad Rana (35). Meanwhile in Shariatpur, BNP candidate for Shariatpur-3 constituency Mia Nuruddin Ahmed sustained injuries in the head and neck in an attack launched on his campaign entourage at Patti in Shariatpur. In Lakshmipur, BNP candidate for Lakshmipur-3 constituency Shahid Uddin Chowdhury Anni and 30 more were injured in an attack at Shantihat Bazar.³⁶



The election campaign entourage of BNP candidate for Lakshmipur-3 Shahid Uddin Chowdhury under attack at Shantirhat Bazar in Lakshmipur. Photo: New Age, 24.12.2018

5.1. On 25 December, BNP standing committee member and the party's candidate for Dhaka-3 constituency, Gayeshwar Chandra Roy and 30 others were injured in an attack allegedly carried out by Awami League (AL) activists during his campaign at Keraniganj in Dhaka.³⁷ Meanwhile BNP candidate for Dhaka-9 constituency, Afroza Abbas, alleged that officers-in-charge of two police stations asked her to stop campaigning on 'security' grounds. The ruling AL candidate for Natore-2 constituency, Shafiqul Islam Shimul, during his election campaign, publicly warned BNP activists not to go to polling centres to cast votes or face dire consciences; while an activist at an election office of AL candidate for Barishal-1 constituency, Abul Hasnat Abdullah warned opposition activists to leave the area on election day or face attacks. Two video clippings³⁸ on such incidents went viral on social media.³⁹

³⁶ The daily New Age, 24 December 2018; <http://www.newagebd.net/article/59733/two-killed-candidates-attacked-in-polls-violence-at-places>

³⁷ New Age, 26 December 2018; <http://www.newagebd.net/article/59891/fear-tears-oppositions-apart-as-attack-arrest-mount>

³⁸ <https://www.youtube.com/watch?v=3PGVVQHTwwg&feature=youtu.be>

³⁹ New Age, 26 December 2018; <http://www.newagebd.net/article/59891/fear-tears-oppositions-apart-as-attack-arrest-mount>



Bloodied Gayeshwar Chandra Roy. Photo: Manabzamin, 26.12.2018

According to information gathered by Odhikar, four people were killed and at least 2325 were injured in election-related attacks from 10 to 24 December 2018. Despite Army deployment, election violence and attacks on opposition candidates show no sign of abating. At least 51 Jatiya Oikya Front candidates have been attacked allegedly by Awami League, activists since election campaigns officially began on 10 December.⁴⁰

6. Other incidents of harassment and arrests

A large number of leaders and activists of Jatiya Oikya Front are being arrested every day. Police are conducting raids in the houses of leaders and activists of the Jatiya Oikya Front and threatening them to make them leave the area. As a result, leaders and activists have left their houses and gone into hiding.⁴¹ A number of ‘unnamed’ people are being accused in new cases filed. Because of this, the possibility of harassment by arresting any opposition leader-activist or a member of the ordinary public in a case, is very real. The court also granted remand several times to the police against arrestees in such cases. The police also arrested candidates of the Jatiya Oikya Front despite them being free on bail, granted by the High Court Division of the Supreme Court. Family members of the opposition party leaders have also been arrested by the law enforcement agencies. Some incidents are as follows:

6.a. On 14 December, the leaders of the Jatiya Oikya Front led by Dr. Kamal Hossain, were attacked by ruling party (Awami League) leaders and activists on the way back from paying tribute at the Shaheed Intellectuals Memorial at Mirpur in Dhaka, on the occasion of Martyred

⁴⁰ The Daily Star, 26 December 2018; <https://www.thedailystar.net/bangladesh-national-election-2018/bnp-candidate-goyeshwar-chandra-roy-hurt-in-keraniganj-attack-1678705>

⁴¹ The daily Ittefaq, 20 December 2018, <http://www.ittefaq.com.bd/politics/11865>

Intellectuals Day and about 14 leader-activists of the Jatiya Oikya Front were injured.⁴² In this incident, the candidate of the Jatiya Oikya Front from Dhaka-14 constituency Abu Bakar Siddique, filed a case with Darussalam Police Station against 14 leaders-activists of Awami League. The police did not arrest anyone over this incident. On the contrary, there are now allegations of harassment and arrests of the supporters of Abu Bakar Siddique.⁴³



Dr. Kamal Hossain's motorcade comes under attack near the gate of Martyred Intellectuals' Memorial in Mirpur, Dhaka. The attackers also beat a number of Jatiya Oikya Front activists. The opposition alliance blamed ruling party men for the attack. Photo: Daily Star 15.12.2018

6.b. Jamaluddin's wife Maya Chowdhury alleged that the police of Jatrabari Police Station in Dhaka arrested Jamaluddin, a BNP activist, on 15 December 2018 in relation to five fictitious cases of vandalism and tortured him in police custody till he died.⁴⁴

6.c. On 19 December 2018, Hanif, BNP Publicity Secretary of Dhaka Metropolitan North, was picked up by some people who identified themselves as members of the Detective Branch (DB) of Police. Hanif's wife, Romana Hanif said that after the arrest of her husband by these DB police, she went to the Detective Branch office but could not find him.⁴⁵

6.d. From 10 to 19 December 2018, 3300 leaders and activists of the Jatiya Oikya Front were reported as arrested.⁴⁶ According to reports published in different media, from 20 December to 25 December 2018, around 700 leaders-activists of the Jatiya Oikya Front have been arrested. Furthermore, arrest warrants have been issued against many leaders and activists of the BNP.

⁴² The daily Nayadiganta, 15 December 2018

⁴³ The daily Prothom Alo, 18 December 2018

⁴⁴ The daily Jugantor, 17 December 2018; <https://www.jugantor.com/todays-paper/news/122858/>

⁴⁵ The daily Manabzamin, 20 December 2018; <http://www.mzamin.com/article.php?mzamin=150621&cat=1/>

⁴⁶ The daily New Age, 20 December 2018; <http://www.newagebd.net/article/59320/crackdown-on-opposition-widens>

6.e. There are allegations that many candidates of the Jatiya Oikya Front are unable to enter their electoral areas for campaigning and many candidates are confined to their houses by threats from ruling party armed leader-activists and members of law enforcement agencies.⁴⁷ Advocate Abdul Majid, a candidate of the Jatiya Oikya Front from Jhenaidah-2 constituency, Major (Retd.) Hafizuddin Ahmed of Bhola-3 constituency, Sarwar Jamal Nizam of Chittagong-3 constituency, Dr. Jalal Uddin of Chandpur-2 constituency, are all allegedly confined to their houses by ruling party leaders and activists. The Jatiya Oikya Front candidate from Sirajganj-1 constituency, Rumana Morshed Konokchanpa, could not enter her electoral area either. She complained in a press conference in Bogra that a black car was always following her and she feared she will be either disappeared or killed.⁴⁸ It is to be noted that in her constituency, the Awami League candidate is the current Health Minister, Mohammad Nasim. Although the candidates are repeatedly complaining to the returning officers, the latter are yet to take any action in this regard.

6.f. So far, 17 candidates of the Jatiya Oikya Front have been arrested and detained in jail.⁴⁹ Among them, candidate from Comilla-10 constituency, Monirul Haque Chowdhury, has become seriously ill in Comilla jail as alleged by his daughter, a teacher of Dhaka University Dr. Chowdhury Saima Ferdous.⁵⁰ Shayesta Khanam, mother of imprisoned candidate Dr. Shahdat Hossain from Chittagong-9 constituency, said in a press conference that police harassed family members while searching his house.⁵¹ Arresting Jatiya Oikya Front candidates by using the repressive new Digital Security Act continue. On 19 December, the Senior Judicial Magistrate Muhammad Masuduzzaman ordered Kumarkhali Police Station to take the FIR of a matter filed by Awami League leader Akram Hossain Dulal under sections 25 and 31 of the Digital Security Act against Jatiya Oikya Front nominated candidate from Kushtia-4 constituency, Syed Mehedi Ahmed Rumi and BNP leader Nur Hossain.⁵² The Detective Branch (DB) of Police arrested Fazlul Haq Milon, a candidate of the Jatiya Oikya Front from Gazipur-5 constituency from his house on 13 December. Police said that 33 cases had been filed against him under different allegations. Milon's wife Shampa Haque said that Milon had previously been granted bail from the High Court Division in all the cases.⁵³

7. Analysis and conclusion

Election analysts believe that the kind of repression that is going on against opposition candidates and opposition leaders and activists, has never been seen in Bangladesh's election history. The election system has broken down because of the mischief created in the election

⁴⁷ The daily Manabzamin, 18 December 2018; <http://www.mzamin.com/article.php?mzamin=150270&cat=2/>

⁴⁸ The daily Manabzamin, 18 December 2018; <http://www.mzamin.com/article.php?mzamin=150270&cat=2/>

⁴⁹ Information gathered by Odhikar.

⁵⁰ The daily Manabzamin, 18 December 2018; <http://www.mzamin.com/article.php?mzamin=150255&cat=3/>

⁵¹ The daily Prothom Alo, 18 December 2018

⁵² The daily Manabzamin, 19 December 2018; <http://www.mzamin.com/article.php?mzamin=150377&cat=6/>

⁵³ The daily Naya Diganta, 14 December 2018

process under the present government. In Bangladesh, elections in the past⁵⁴ were usually held in a festive manner and people participated in the elections spontaneously. It is to be noted that after the downfall of Lieutenant General H M Ershad in 1990, through a mass upsurge, national elections were held in a democratic process. The Caretaker Government system was incorporated in the Constitution through the 13th Amendment and as a result of a people's movement⁵⁵ led by the then Opposition Awami League, Jatiya Party and Jamaat-e-Islami between 1994 and 1996. Later this system received huge public support. However, in 2011 the Awami League government repealed the caretaker government system and enacted provisions to hold national elections under the incumbent government, without any referendum and ignoring public protest. As a result, a one-sided election was held in 2014 where people lost their right to franchise. The human rights situation of the country has also severely deteriorated and the country and its people are under the pressure of biased policies and repressive laws that curtail civil and political rights.

That is why, if the upcoming election is not participatory, free, fair and acceptable; there is a possibility of rising extremism in Bangladesh to counter the present severe repressive situation. If that happens, it may trigger massive human rights abuses and will force victims of human rights violations to leave the country. All this will create a political and economic crisis in Bangladesh, which will also adversely affect the regional and international community.



Arrest of BNP leaders and activists continues as campaigning began on 10 December. Photo: New Age, 12.12.2018

⁵⁴ Since 1991 to the cancellation of caretaker government system which was started in 1996.

⁵⁵ It is to be noted that in 1986, Awami League and Jamaat-e-Islami participated in the elections held under the dictator Ershad. But BNP boycotted that election. Later, when Jamaat-e-Islami and BNP established an alliance, the Awami League took a strong stand against Jamaat-e-Islami and demanded it be banned. Awami League did not ban Jamaat while they were in power in 1996 and in 2009 and 2014. The ruling party Awami League's policy makers believe that if the Jamaat is banned, Awami League does not have the advantage in the field of politics. Because, after the ban of Jamaat, its votes will go to BNP's boxes. Rather, if this party remains in the alliance of the BNP, the Awami League will have the opportunity to put pressure on the main rival alliance as a patron of 'anti-liberation forces'. (The daily Prothom Alo, 22 December 2018, www.prothomalo.com/bangladesh/article/1571168).



JOF candidate for Jashore-3 constituency, Aninda Islam came under attack during election campaigns in the town. The criminals also attacked journalists when they took photographs of this incident. Photo: Prothom Alo, 14.12.2018



Munshiganj District unit BNP office came under attack and was vandalized. Photo: Prothom Alo, 14.12.2018



*Dhaka-8 BNP candidate Mirza Abbas (in white Panjabi), tries to save a party activist during an attack, allegedly by ruling party men, in Segun Bagicha, Dhaka. The incident happened when Abbas was campaigning in the area.
Photo: Daily Star 16.12.2018*



*The broken rear windshield of a vehicle sporting the poster of BNP Bagerhat-2 nominee MA Salam in the District's Horinkhana. Salam and six of his supporters was left injured in an attack allegedly by Awami League activists.
Photo: Daily Star 17.12.2018*



Abul Kalam Azad, Senbagh Upazial Chairman and BNP vice-president injured when the BNP office came under attack in Noakhali. Photo: Prothom Alo, 17.12.2018



Election campaign of BNP candidate for Dhaka-9 constituency, Afroza Abbas was attacked in Goran, Dhaka. Photo: Prothom Alo, 19.12.2018



Miscreants abducted a local Jubo Dal leader in Rajshahi's Mohanpur upazila and shot him in both legs, reports UNB. Photo: Prothom Alo, 19.12.2018



Attack on BNP candidate for Barishal-4 constituency, KM Nurur Rahman Jahangir. Photo: 20.12.2018



BNP leader Abul Kalam Azad was injured during an attack by ruling party activists in Natore. Photo: Jugantor 21.12.2018



Arrested BNP activists looking out of a prison van window near the Chief Metropolitan Magistrate's Court in Dhaka. Photo: Daily Star, 21.12.2018



An elderly man bleeding after being injured in an attack on an election campaign of a Jatiya Party candidate in Chambal Bazar area of Banshkhali in Chittagong. Photo: Daily Star, 22.12.2018