

December 01, 2011



Human Rights Monitoring Report

November 1-30, 2011

Mayor killed in Political Violence

Meetings and Assemblies obstructed through imposition of Section 144
Demand for cancellation of agreement for construction of Tipaimukh Dam
Infringement of Human Rights by the BSF
Attacks on Freedom of Media
Violence against Women

Odhikar defends the civil, political, social, economic and cultural rights of the people and as part of its mission, observes reports and analyses the human rights situation of Bangladesh. Odhikar documents and records violations of human rights and receives information from its network of local human rights defenders and by monitoring media reports in twelve national daily newspapers. Odhikar conducts detailed fact-finding missions into incidents of serious human rights violations. In line with this campaign, an account of the human rights situation of Bangladesh covering the month of November 2011 is presented below:

Mayor of Narshingdi killed in Political Violence

- 1) According to information gathered by Odhikar, in November 2011, 15 persons were killed and 759 injured in political violence. 27 incidents of internal violence in the Awami League and 10 in the BNP were also recorded during this period. In addition to this, 04 persons were killed and 267 people were injured in Awami League internal conflicts while 163 were injured in BNP internal conflicts.
- 2) In this persistently violent political atmosphere, the Mayor of Narshingdi municipality and General Secretary of the town Awami League, Lokman Hossain, was shot and killed by a gang of miscreants on November 01, 2011. In this regard the deceased's brother, Mohammad Kamruzzaman, filed a complaint with the Narshingdi Sadar Police Station against Salauddin, the local Awami League leader

and younger brother of Rajiuddin Ahmed, the Post and Telecommunications Minister; and 14 others.¹ Till date, the police have arrested 7 persons in relation to this murder. Narshingdi district unit President of BNP, Khairul Kabir Khokon, had also been arrested as a suspect. He was later acquitted from the case after filing of the FIR by the deceased's brother.

- 3) Evidence suggests that tension and violence between the two major political parties and the internal conflicts within the parties are the primary source of such political violence.
- 4) Odhikar is concerned about the persistent culture of violence in the main political parties despite their rhetoric of tolerance and democracy. Odhikar demands that the government must take effective measures to put an end to this violence and that immediate legal action be taken against those involved in such acts.

Meetings and Assemblies disrupted through imposition of Section 144

- 5) In the month of November section 144 of the Code of Criminal Procedure was imposed in order to obstruct meetings and assemblies. Complaints have been received that most of these incidents have been initiated by the ruling party Awami League. In the month of November 11 meetings have been obstructed across the country through the imposition of this section of the law.
- 6) On November 09, 2011, local members of the BNP arranged a pre-announced meeting at Shorshak Cheriara High School field in Shahrasti upazilla, Chadpur district; the local Awami League also called a meeting at the same location at the same time on that day. In this situation, the Shahrasti upazilla administration imposed section 144 and barred both meetings from taking place there.²
- 7) Odhikar has observed that meetings for which prior permission had been obtained from the administration were prevented from taking place by the imposition of section 144 of the Code of Criminal Procedure. Odhikar condemns such conduct. Odhikar believes that all citizens are entitled to call and execute peaceful meetings, carry out their work and to scrutinise the action of the legislature and members of the government under Articles 38 and 39 of the Constitution.

Agreement for the Construction on India's Tipaimukh Dam must be cancelled

- 8) On October 22, 2011, NHPC³, SJVN⁴ and India's Manipur State government signed a joint venture agreement for the construction of the Tipaimukh Dam and a hydro-

¹ Daily Amader Shomoy, 4/11/11

² Daily Jugantor, 10/11/11

³ National Hydro-electronic Power Corporation

electric power station. If this dam and power station are built, a large area of the mountainous terrain will drown under water. Environmentalists also fear that after the construction of the dam, it may collapse in the face of an earthquake and cause severe damage to Assam and Bangladesh. Temporary and permanent dams have already been constructed on 42 out of the 54 rivers that flow from India to Bangladesh. Currently a dam is being built in Sari River and agreements are being made for the construction of Tipaimukh Dam. Only 15% of the water is currently required by India. Despite this, India, in disregard to International River laws and other rules and regulations, is withdrawing water. ⁵

- 9) Odhikar expresses discontent with the fact that the Bangladesh government has yet to take any step to strongly object to unilateral decision taken by the Indian government to void this agreement; which, if implemented, will have serious negative impact on Bangladesh. In meetings between the Heads of States of the two countries in both 2010 and 2011, Indian Prime-Minister Manmohan Singh had assured that no plan which would adversely affect Bangladesh would be implemented in Tipaimukh. India had also promised that Bangladesh would be informed before any project is initiated on Borak River.⁶ Odhikar is concerned about India's failure in this regard. Odhikar urges Bangladesh government to take immediate diplomatic action to defend her right over international rivers as a country in the downstream and explore avenues internationally to protect Bangladesh from the potential devastation that might be caused by the Tipaimukh project.
- 10) Odhikar also appeals to the human rights defenders of the both countries to act together to stop the project that will cause harm to people of both side of the border.

Human Rights Infringement by the Border Security Force

- 11) Killing, abduction and allegations of torture of Bangladeshi citizens at the hands of the India border security force, BSF, have continued through the month of November, 2011.

According to Odhikar's documented statistics, in the month of November, 2011 03 Bangladeshi citizens have been killed by the BSF, 05 Bangladeshi citizens have been injured and 02 have been abducted allegedly by BSF.

⁴ Satluj Jal Vidyut Nigam Limited

⁵ Daily Prothom Alo and daily Amar Desh, 20/11/11

⁶ Daily Prothom Alo, 20/11/11

- 12) On November 18, 2011, Shariful Islam (23) was killed near Border Pillar 179, in Singnagar of Shibganj upazilla, Chapainawabganj district. He was shot by members of the BSF 123 Battalion of Daulotpur Border Station under Maldah district of India while he was ploughing his field.⁷
- 13) On November 02, 2011, members of the Indian BSF of Shingimari border, Indian Fulbari camp in Hatibandha sub-district, Lalmonirhat district; entered Bangladeshi territory and abducted a young man named Fazlul Haque from the area adjacent to 07 sub-pillar of pillar 893.⁸ Recently allegations have been received that Bangladeshi citizen Mohammad Rabiul Islam of Thakurgaon district had been abducted from Malong border in the northern part of Dinajpur district of India by the BSF, and tortured in their custody. Dipangkar Bhattacharjya, Head of Police of southern Dinajpur, West Bengal, has mentioned that medical tests have proven that Rabiul Islam had been physically tortured.⁹
- 14) Odhikar believes that it is the duty of the Bangladesh government to demand international investigation into the killing, abduction and torture of civilian Bangladeshi citizens at the border.

Extrajudicial Killings

- 15) According to Odhikar's documented statistics in November, 07 people were killed extra-judicially in the hands of the law enforcement agencies. Amongst them 04 were killed in the hands of the police, 01 by the RAB and 02 were killed by jointly RAB-Coast Guard.

Mode of Death

Crossfire/encounter/gun fight:

- 16) It has been alleged that 05 persons were killed in crossfire/encounters/gun fights. Of these deaths, 01 was killed in the hands of RAB, 02 by police and 02 by RAB-Coast Guard.

Death by torture:

- 17) Of the 07 deceased, 02 persons were allegedly killed as a result of torture by police.

Identities of the deceased

- 18) Of the 07 deceased, 01 was leader of Purbo Banglar Communist Party (Red Flag), 01 shopkeeper, 01 detainee and 04 alleged criminals.

⁷ Daily Amar Desh, 20/11/11

⁸ Daily Amar Desh, 5/11/11

⁹ Daily Prothom Alo, 8/11/11

Death in jail

19) In November 2011, 08 persons were reported to have died in jail from 'illness.'

Public lynching

20) 20 people were lynched by the public in the month of November 2011. Odhikar is of the opinion that due to the shortcomings of our criminal justice system, the people have lost faith in the judicial process and the institutions that exist to maintain law and order. As a result they have moved to take the law into their own hands.

Attacks on Freedom of Media

21) During the month of November, journalists all over the country have been the targeted subject of attacks. Many have been injured, threatened and assaulted.

According to Odhikar's documented statistics for the month of November, 14 Journalists have been injured, 03 have been threatened and 10 have been attacked.

22) On November 03, while returning home from work late at night, reporter for the Daily Manabzamin, S M Nuruzzaman was attacked and physically injured, allegedly by some members of the Mirpur Police Station. During the attack, Sub Inspector Anwar of Mirpur Police Station threatened to shoot Nuruzzaman in the leg, accusing him of being involved in a hijacking incident and have him killed by a mob.¹⁰

23) On November 06, a group of miscreants lead by drug dealer Liton, vandalised and looted the Mongla Press Club. In the attack General Secretary of the Mongla Press-Club and local correspondent of the Daily Bhorer Kagoj, Mohammad. Hasan Gazi; correspondent of the Daily Manabzamin , Abul Kalam Azad and local correspondent of the Daynik Shangbad, Manirul Islam, were injured.

Violence against Women

Rape:

24) In the month of November, 41 women and female children have been the victims of rape. Among them 14 were adult women, 23 were children (aged below 16 year) and 04 were unidentified. Among the 14 women, 03 were killed after rape and 09 were gang raped. Among the 23 children, 01 was killed after rape and 04 were victims of gang rape. One case of the rape is given below-

¹⁰ Daily Manabzamin, 4.11.11

25) It has been alleged that housewife Ambiya, 20, of Ichhadighi Dabailpara village, Shakhipur sub-district, Tangail district was abducted, raped and killed. On November 10, 2011, her body was found with her orna (a long scarf) wrapped around her neck. Ambiya's father Aminul Islam filed a complaint with the Shakhipur Police Station against their neighbour Liton and his two associates Rubel and Saiful, in this regard. The police have failed to arrest the perpetrators.¹¹

Sexual Harassment and Stalking

26) According to Odhikar's documented statistics, during the month of November, 31 teenagers and women have been the victims of sexual harassment. Among them 01 committed suicide, 01 was a victim of attempt to rape and 29 were harassed in different ways by the stalkers. 01 man has been killed, 13 injured and 04 women have been injured while attempting to resist these offenders. Two cases of stalking in November are given below-

27) On November 13, 2011, a school student named Amena Begum (12) committed suicide in Abdullahpur of Keraniganj, Dhaka. The deceased's cousin, Mohammad Ghira alleged that, Saidur a student studying in the 9th grade of the same school had been harassing Amena for the past few months. Amena's family informed the situation to the mother of Saidur named Kohinoor Begum who is a member of the Teghoria union council, Saidur's but she did not take any measure to correct her son, on the contrary Amena's family was verbally assaulted and evicted from their home. Afterwards Saidur, enraged by the complaint, threatened to shoot and kill Amena's parents. Amena broke down and committed suicide.¹²

28) On November 26 in Barisal a father, Zinnat Ali, professionally a school teacher was killed by stalkers Rupom Dey and his accomplices as he filed a General Diary as his daughter was harassed by them.¹³

Dowry

29) During November 2011, as per Odhikar's statistics, a total of 32 women were subjected to dowry related violence. Of them 18 women were murdered, 13 were abused and ill-treated in various other ways and 01 committed suicide. An example is highlighted below:

30) On November 19, housewife Marjina Khatun (35) of Daulatpur upazilla in Kushtia district was strangulated to death for dowry by her husband Hossain Ali.

¹¹ Daily Amar Desh, 13/11/11

¹² Daily Prothom Alo, 14 /11/11

¹³ Daily Naya Diganta, 27/11/11

Acid Violence

31) According to information gathered by Odhikar during the period of November 2011, it was reported that 02 persons were victims of acid violence - both were women.

Statistics: January 01 - November 30, 2011*													
Type of Human Rights Violation	January	February	March	April	May	June	July	August	September	October	November	Total	
Extra-judicial killings	Crossfire	7	15	5	3	2	5	1	6	5	5	5	59
	Tortured to death	0	1	3	2	4	0	0	2	3	0	2	17
	Beaten to death	0	1	0	0	0	0	0	0	0	0	0	1
	Shot	0	0	0	0	1	0	0	0	0	0	0	1
	Total	7	17	8	5	7	5	1	8	8	5	7	78
Human rights violations by Indian BSF	Bangladeshis Killed	4	1	0	5	4	3	3	1	0	2	3	26
	Bangladeshis Injured	3	6	21	12	1	6	1	1	0	2	5	58
	Bangladeshis Abducted	2	0	1	0	1	1	1	0	6	6	2	20
Deaths in Jail	4	10	12	7	15	13	9	8	6	5	8	97	
Attack on journalists	Injured	8	8	4	9	6	36	13	14	6	10	14	128
	Threatened	4	6	10	0	14	0	3	2	1	6	3	49
	Assaulted	4	1	5	3	1	5	3	3	13	3	0	41
Political violence	Killed	14	10	6	8	14	13	7	10	13	12	15	122
	Injured	664	1015	848	1229	630	1127	1247	902	1220	932	759	10573
Disappearances	0	1	0	1	7	1	1	4	3	3	1	22	
Acid violence	6	7	17	7	14	4	6	14	13	7	2	97	
Dowry related violence	24	37	46	30	48	34	60	54	48	45	32	458	
Rape	34	54	62	66	59	53	88	62	102	54	41	675	
Sexual harassment /Stalking of women	59	94	76	58	53	36	71	45	77	80	35	684	
Public Lynching	8	18	12	18	11	8	20	10	15	8	20	148	

* Odhikar's Documentation

Note: Some monthly data has been updated after receiving information in November, 2011.

Recommendations

- 1) **The Government must take effective action in order to first mitigate and eventually put an end to political violence. The law enforcement agencies need to work proactively in order to stop violence. They must execute their duties in an accountable and unbiased manner.**
- 2) **The Bangladesh Government must, without delay, take a strong stance against the construction of Tipaimukh Dam and must put pressure on the Indian government so that they refrain from doing so, for the good of both countries**
- 3) **Extra-judicial killings, torture and enforced disappearances must be brought to an end. Proper and independent investigations should be conducted to identify and arrest those involved in taking such extrajudicial actions. These perpetrators must be brought to justice.**
- 4) **Those involved in attacks on journalists and in attempts to suppress free media must be identified, arrested and convicted through trials.**
- 5) **The Bangladesh Government should investigate all the incidents of killings and torture of Bangladeshi citizens by the BSF and demand the trial and punishment for the perpetrators as well as adequate compensation from the Indian Government for the families of the victims. The Government should also ensure the security of Bangladeshi citizens residing in the border areas.**
- 6) **The government must take effective measures to put an end to violence against women. The perpetrators must be brought under the purview of the law to ensure that justice is served. Public awareness regarding the rights of women, prevention of violence against women and children, and related laws must be incorporated into primary, secondary and higher secondary school books.**

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Notes:

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

