



November 01, 2016

## Human Rights Monitoring Report

October 1 – 31, 2016

**Political violence**  
**Enforced disappearances**  
**Extrajudicial killings**  
**Inhuman treatment and lack of accountability of law enforcement agencies**  
**Death in jail**  
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**Activities of Odhikar hindered**

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

The democratic legitimacy of the State is directly related to its willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. If the state does not ensure full participation in the decision making process at all levels – from the lowest level of administration to the highest level – it cannot be called a 'democratic' state. Citizens realise their rights and responsibilities through participation and decision making processes. The awareness about the rights of others and collective benefits and responsibilities, can be ensured and implemented

through this process as well. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights through any means, as such rights are inviolable and are the foundational principles of the State.

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

Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather, it believes that the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As part of its mission, Odhikar monitors the human rights situation in order to promote and protect civil, political, economic, social and cultural rights of Bangladeshi citizens and to report on violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released this human rights monitoring report of October 2016, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

Statistics: January-October 2016*												
Type of Human Rights Violation		January	February	March	April	May	June	July	August	September	October	Total
Extrajudicial killings	Crossfire	6	10	11	7	3	25	13	17	8	19	119
	Shot to death	2	0	0	4	0	0	0	0	1	0	7
	Torture to death	1	2	0	0	2	1	1	1	0	0	8
	Beaten to death	0	0	0	0	0	0	1	1	1	0	3
	Total	9	12	11	11	5	26	15	19	10	19	137
Shot on legs by law enforcement agencies		2	0	2	3	0	0	6	2	0	1	16
Enforced Disappearances		6	1	9	10	13	13	4	7	3	4	70
Death in Jail		8	3	4	5	9	5	5	2	5	3	49
Human rights violations by Indian BSF	Bangladeshis Killed	3	1	1	2	4	4	4	3	5	0	27
	Bangladeshis Injured	4	4	0	2	3	4	1	7	4	5	34
	Bangladeshis Abducted	0	5	0	2	0	10	0	0	1	1	19
	Total	7	10	1	6	7	18	5	10	10	6	80
Attack on journalists	Injured	9	2	5	6	6	7	4	7	1	1	48
	Assaulted	9	1	0	0	0	0	2	3	0	0	15
Political Violence including local government election violence	Killed	6	5	50	33	53	28	14	2	7	3	201
	Injured	429	566	2263	1381	1608	1001	462	262	213	132	8317
Dowry related violence against women		22	19	15	16	12	20	20	21	13	14	172
Rape		59	57	60	77	71	52	72	47	73	72	640
Sexual harassment /Stalking against women		27	23	20	26	16	20	18	14	26	30	220
Acid Throwing		4	4	3	4	4	1	2	4	7	4	37
Public lynching		2	11	5	6	3	7	2	2	2	3	43
Situation of Ready-made Garments Workers	Died in factory fire	0	0	0	0	3	0	0	0	0	0	3
	Injured during demonstrations and or factory fire	25	31	12	34	18	46	28	17	15	20	246
Arrest under Information and Communication Technology Act		1	4	0	1	1	1	4	15	2	5	34

\*Odhikar's documentation

## Political violence

1. According to information gathered by Odhikar, in October 2016, three persons were killed and 132 were injured in political violence. Furthermore, 13 incidents of internal violence in the Awami League were also recorded during this period, where three persons were killed and 89 were injured.

2. Leaders and activists of the Awami League at different levels, including Chhatra League<sup>1</sup> and Jubo League<sup>2</sup>, are reportedly involved in criminal activities due to absence of an accountable governance as a result of fraudulent elections. The volume of such criminalisation has now reached the level where they are now attacking ordinary people. Recently a rickshaw puller was shot in the leg by a Jubo League leader when he asked for his fare; and a college student was stabbed by a Chhatra League leader in Dhaka. A female college student, Khadiza Begum was hacked and severely wounded in public by Chhatra League leader Badrul Alam in Sylhet. Moreover, the Chhatra League and Jubo League were involved in several incidents of internal conflicts which were linked to vested interest; and mainly occur using political influence. In almost all cases, they got away with their criminal activities. Two incidents of October 2016 are as follows:
3. On October 3, 2016 Khadiza Begum, a second year female student of Sylhet Government Girls College, was stabbed and critically injured by Badrul Alam, Assistant Secretary of Shahjalal Science and Technology University unit Chhatra League, beside a pond near MC College, while she was returning home. After hacking and stabbing Khadiza, Badrul tried to escape but was caught by other students who chased after him. They beat Badrul and handed him over to police. Khadiza was admitted to Sylhet Osmani Medical College Hospital. Later she was shifted to Square Hospital in Dhaka when her condition deteriorated. Badrul had been stalking Khadiza for a long time and on January 17, 2012 Badrul was beaten by local people while stalking Khadiza. The next day Badrul filed a case of attempted murder with Jalalabad Police Station accusing the attackers as being Jamaat-Shibir activists. On May 31, 2012 police submitted a charge sheet against 14 persons in court, although they were aware of the actual reason for the attack on Badrul. At present Badrul is detained in Sylhet Central Jail.<sup>3</sup>

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<sup>1</sup> Student wing of the Awami League

<sup>2</sup> Youth wing of the Awami League

<sup>3</sup> Report sent by local human rights defender associated with Odhikar from Sylhet and the daily Prothom Alo, 05/10/2016  
[www.prothom-alo.com/bangladesh/article/994393/](http://www.prothom-alo.com/bangladesh/article/994393/)



*Khadiza Begum, Photo: Collected by Odhikar*

4. There was a dispute between the President and General Secretary of Bangla College unit Chhatra League over establishing 'supremacy' at Mirpur Government Bangla College in Dhaka. On October 2, 2016 a violent altercation took place between the two groups. At least five persons, including a Chhatra League activist named Masum Raju, were injured during the clash.<sup>4</sup>

### **Union Parishad elections marred by 'capturing' polling stations, fake votes and boycotts**

5. On October 31, 2016 the Union Parishad<sup>5</sup> (UP) elections, held in 399 Union Parishads, including 22 corridors<sup>6</sup> were marred due to various irregularities, including capturing of polling centres and fake votes. Candidates belonging to BNP, Jatiya Party (Ershad) and independent candidates boycotted polls in many UPs.<sup>7</sup>
6. In 48 Union Parishads under Noakhali District, activists of Awami League forcibly ousted polling agents of BNP candidates, from most of the polling centres and cast fake votes after snatching the ballot boxes.<sup>8</sup>
7. A group of criminals entered the Noldia Primary School polling centre of Nobipur Union under Senbagh Upazila, at 4:00 am and took ballot papers from the Presiding Officer Nurul Amin, at gun point and stuffed the ballot

<sup>4</sup> The daily Naya Diganta, 03/10/2016, <http://www.dailynayadiganta.com/detail/news/158194>

<sup>5</sup> Union Parishad is lowest tier of the local government bodies

<sup>6</sup> Corridors were abolished and handed over to Bangladesh under signing "instrument" and exchange of letters between India and Bangladesh through implementation of Border Treaty and Protocol. These corridors have now been incorporated as union parishads.

<sup>7</sup> The daily Jugantor, 01/11/2016; [www.jugantor.com/first-page/2016/11/01/72789/](http://www.jugantor.com/first-page/2016/11/01/72789/)

<sup>8</sup> The daily Jugantor, 01/11/2016; [www.jugantor.com/first-page/2016/11/01/72789/](http://www.jugantor.com/first-page/2016/11/01/72789/)

- boxes with fake votes. Criminals also cut off three lanes leading to the polling stations. Later the presiding officer suspended voting of that polling centre.
8. Leaders and activists of Jubo League and Chhatra League forced the voters to vote for the Awami League candidates in Chor Martin Darul Ulum Madrassa polling centre, under Kamalnagar Upazila in Lakshmipur District. When the other candidates protested, Jubo League and Chhatra League activists attacked the BNP candidate Ali Ahmed. The members of the law enforcement agencies caught to attackers but later released them.<sup>9</sup>
  9. Activists of the ruling party, who did not belong to the area, cast fake votes in Polashdanga High School polling centre of Shakharikathi Union under Nazirpur Upazila in Pirozepur District.<sup>10</sup>



*Awami League and Chhatra League activists casting fake vote after capturing of the polling centre at Nazirpur in Pirozepur, Photo: Jugantor, 01/11/2016*

10. Supporters of Awami League snatched away ballot papers from voters and stuffed the ballot boxes after stamping them in public, in five polling centres of Sirajpur Union under Companiganj Upazila in Noakhali District.<sup>11</sup>
11. The electoral system has totally collapsed under the present government, due to criminal activities and people are deprived from their right to franchise. The Caretaker Government system had been removed through the fifteenth amendment to the Constitution in 2011, without any referendum and ignoring protests from various sectors, including the major opposition political parties; and the provision of conducting national elections under the

<sup>9</sup> The daily Naya Diganta, 01/11/2016; <http://www.dailynayadiganta.com/detail/news/166274>

<sup>10</sup> The daily Jugantor, 01/11/2016; [www.jugantor.com/first-page/2016/11/01/72789/](http://www.jugantor.com/first-page/2016/11/01/72789/)

<sup>11</sup> The daily Manabzamin, 01/11/2016; [www.mzamin.com/article.php?mzamin=38261&cat=2/](http://www.mzamin.com/article.php?mzamin=38261&cat=2/)

incumbent (political) government had been reinstated. As a result, the controversial 10<sup>th</sup> Parliamentary elections were held on January 5, 2014 despite boycotted by almost all political parties. Criminalisation in electoral system commenced through this fraudulent election. Since then, all local government polls were marred with widespread and widely reported irregularities, violence and vote rigging; and the impact spread out across the country. A reported 143 persons were killed in election-related violence during the Union Parishad polls in 2016. Ensuring transparent, creditable, free, fair and unbiased elections is the Constitutional responsibility of the Election Commission (EC). However, the EC has totally failed to deliver.

## Enforced disappearances

12. According to information gathered by Odhikar, in October 2016, four persons were allegedly disappeared. Later, they were shown as arrested.<sup>12</sup>
13. Enforced disappearance is a crime against humanity, which is also considered an international crime. The UN Working Group on Enforced or Involuntary Disappearances has recently expressed its concern on incidents of enforced disappearance in various countries around the world, including Bangladesh.
14. Many people have disappeared after being picked up by men claiming to be members of law enforcement agencies. The families of the disappeared allege that members of law enforcement agencies arrest and take away the victims and then they are no longer found. In some cases, law enforcement agencies deny the arrest; but days later, the arrested persons are produced before the public by the police or law enforcement; or handed over to a police station and appear in Court, or the bodies of the disappeared persons are recovered.
15. On June 12, 1996, Kalpana Chakma, the Organising Secretary of Hill Women's Federation, was allegedly picked up by members of the Army from her home in Lallyaghona Village under Baghaichori Upazila in Rangamati Hill District, and disappeared. On September 7, 2016, the 39<sup>th</sup> investigating officer of Kalpana Chakma abduction case, the Superintendent of Police of Rangamati, Sayeed Tariqul Hassan submitted the final report before the court. Earlier, in September 2013, the Criminal Investigation Department (CID) of Police submitted the final report to the court in this case.<sup>13</sup>

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<sup>12</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.

<sup>13</sup> The daily Prothom Alo, 16/10/2016, [www.prothom-alo.com/bangladesh/article/1001047/](http://www.prothom-alo.com/bangladesh/article/1001047/)





*Kalpana Chakma, Photo: Collected by Odhikar*

16. On October 25, 2016 at around 4:00 am, a teacher named Mohammad Zahurul Islam (42) and an herbal physician named Tarique Hassan Shajib (40) were shot dead by police in a place called Bhutiargati on the bypass road of Jhenaidah town. Police claimed that in the early morning of October 25, three motorbikes were speeding through the bypass road. When police tried to stop them, the motorbike riders started shooting and throwing crude bombs at them. Police state that they opened fire in self-defense. As a result, two persons were shot. Zahurul Islam was a teacher of Asaduzzaman Hosnain Adarsha College and President of the Jhenaidah town unit of Bangladesh Jamaat-e-Islami. Zahurul Islam's brother-in-law Lokman Hossain told Odhikar that on September 7, 2016 Zahurul Islam was picked up from the Alhera area of the town by some men claiming to be members of the Detective Branch of Police. Since then his whereabouts remain unknown. Meanwhile, Shajib, the deceased herbal physician and member of Jamaat-e-Islami, was a resident of Ramchandrapur Village under Shaillkupa Upazila in Jhenaidah District. Shajib's brother-in-law Musa said that Tarique Hassan Shajib was working as a physician in Dhaka. In the evening of September 13, 2016, he was picked up by some plainclothes men claiming to be members of police from a road close to his house in Jhenaidah town and had been missing since then. On September 14, a General Diary was filed with Jhenaidah Sadar Police Station in this regard.<sup>14</sup>

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<sup>14</sup> Report sent by local human rights defender associated with Odhikar from Jhenaidah; The daily Prothom Alo, 26/10/2016, [www.prothom-alo.com/bangladesh/article/1007713/](http://www.prothom-alo.com/bangladesh/article/1007713/) and the daily Manabzamin, 26/10/2016, [www.mzamin.com/article.php?mzamin=37338&cat=9/](http://www.mzamin.com/article.php?mzamin=37338&cat=9/)





*Mohammad Zahurul Islam and Tarique Hassan Sajib*

17. Odhikar expresses grave concern over the persistent incidents of enforced disappearance. Odhikar demands the punishment of the perpetrators must be ensured in order to stop the alarmingly increase of such a heinous crime.

## **Extrajudicial killings**

18. Incidents of extrajudicial killings continue. The Supreme Court has already issued several rules regarding extrajudicial executions; however, extrajudicial killings do not stop. The government flatly denies incidents of extrajudicial killings, despite repeated demands to bring the responsible parties to justice; and the impunity of law enforcement agencies prevail. One example is as follows:
19. Police claimed that a man named Delwar Hossain (35) was killed in 'gunfight' with police in Raipur Upazila under Lakshmipur District. According to the police statement, at midnight on October 9, 2016 police conducted an operation after receiving a secret message that the preparation of a robbery led by robber Azghar was underway at the betel-nut grove in North Keroa Village. At that time robbers opened fire at police and police in retaliation fired back. As a result, Delwar Hossain was shot dead. Meanwhile, Delwar's elder brother Nur Nabi said that on October 9 at around 11:00 pm, a group of plain clothed men picked his brother up from the road in front of the house and left. In the early morning of the next day, the family learnt that Delwar had been killed.<sup>15</sup>

<sup>15</sup> The daily Prothom Alo, 11/10/2016, [www.prothom-alo.com/bangladesh/article/998389/](http://www.prothom-alo.com/bangladesh/article/998389/)



*Delwar Hossain, Photo: The Daily Ittefaq, 12/10/2016*

20. According to information gathered by Odhikar, in October 2016, 19 persons were allegedly killed extra judicially.

### **Type of death**

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

1. 19 persons were killed by 'crossfire/encounters/gunfights'. Among them nine were allegedly killed by police, one by Joint Force and nine by RAB.

#### ***The identity of the deceased:***

2. Of the 19 persons who were killed extra-judicially, one was a leader of the youth wing of BNP, one was an activist of the student wing of Jamaat-e-Islami, one was a member of the United People's Democratic Front (UPDF), one was a member of Jamaatul Mujahidin Bangladesh (JMB), two were member of a left-wing extremist group and 13 were alleged criminals.

#### ***Suspected 'extremists' killed in RAB-police operations***

3. On October 8, 2016, 11 suspected 'extremists' were killed during operations conducted by police and RAB in Patartek and Harinal areas under Gazipur District and Kagmara area under Tangail District. Furthermore, a man named Abdur Rahman (alias Nazmul Huq) died due to a fall from a 5-storied building during another operation carried out by RAB in Ashulia at Savar. RAB claimed that the deceased Abdur Rahman (alias Nazmul Huq) was a financier of the 'extremists'. Among the 11 persons killed in Gazipur and

Tangail, RAB-police got the name of three men. They were Faridul Islam Akash (alias Probhat), Mohammad Rashed Mia and Touhidul Islam.<sup>16</sup>

## **Inhuman treatment and lack of accountability of law enforcement agencies**

4. Allegations of acts of harassment, extortion, attacks, torture and killings, perpetrated by the police, are becoming more and more common. Members of law enforcement agencies are enjoying impunity due to the government practice of using such agencies against its political opponents, critics and dissenters. As a result, they have come to believe that they are above the law. After a prolonged campaign, on October 24, 2013 the Torture and Custodial Death (Prevention) Act, 2013 was passed in the Parliament. Despite this, there is no change in the actual situation and some members of law enforcement agencies are harassing ordinary people and also torturing them, violating the law. Some incidents are as follows:

### ***Allegations of shooting in the legs of detainees by law enforcers***

5. Apart from extrajudicial executions and incidents of torture in custody, incidents of shooting in the legs of detainees/accused persons by members of the law enforcement agencies, in order to hamper opposition politics, have been claimed. This method has become a common phenomenon in Bangladesh since 2011. Ordinary citizens have also been victims of such brutality. The legs of several people have had to be amputated due to such shooting by law enforcement agencies in the last few years and members of law enforcement agencies are getting impunity in this regard. One example is as follows:
6. The allegation of shooting a truck driver Nasiruddin in the leg, by police, was found in Barobazar Dhopadi area under Kaliganj Upazila in Jhenaidah District. Police shot him in the leg after they failed to get a bribe. Nasiruddin who was under treatment at Jhenaidah Sadar Hospital, said that there was a warrant of arrest issued by the court against him as he did not appear before the court in two cases filed against him in 2010. On October 22, 2016 Nasiruddin was arrested and taken by Barobazar Police outpost In-charge Sub Inspector Mohammad Nazrul Islam, when he was sitting in a shop in the bazaar. At around 2:00 am on October 25, 2016, police blindfolded him and took him to Dhopadi Bazar from the Barobazar Outpost, where he was shot in his right leg. The relatives of Nasiruddin stated that police demanded one

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<sup>16</sup> The daily Prothom Alo, 09/10/2016, [www.prothom-alo.com/bangladesh/article/997139/](http://www.prothom-alo.com/bangladesh/article/997139/)

hundred thousand taka bribe from Nasiruddin. As he failed to pay, police shot him in the leg, after detaining him in the police outpost for three days.<sup>17</sup>



*Nasiruddin, who was shot in the leg by police, Photo: Jugantor, 26/10/2016*

## **Death in jail**

7. In October 2016, a reported three persons died in prison due to 'illness'. It is alleged that due to lack of proper treatment facilities and negligence by the prison authorities, many prisoners become ill and some die. Again, there have been instances where persons who are abused in police custody and fall gravely ill, succumb to their mistreatment in jail custody, where they are sent by the court.
8. Odhikar demands the government ensure adequate medical treatment in every prison and stop torture in remand.

## **Public lynching**

9. In October 2016, three persons were reportedly killed due to public lynching.
10. Due to a weak criminal justice system, lack of respect for law, distrust of the police and instability in the country, the tendency to resort to public lynching is increasing. People are losing their confidence and faith in the police and judicial system. At the same time, the social fabric is crumbling resulting in insensitivity, insecurity, lack of empathy and fear.

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

11. The government is severely curtailing the right to freedom of expression and preventing dissenting or critical voices. The government has already drafted

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<sup>17</sup> The daily Jugantor, 26/10/2016, [www.jugantor.com/first-page/2016/10/26/71108/](http://www.jugantor.com/first-page/2016/10/26/71108/)

repressive laws, such as- National Broadcasting Bill 2016 and Distortion of the History of Bangladesh Liberation War Crimes Bill 2016 and also finalised a draft for a Press Council (amendment) Act 2016, incorporating provisions for shutting down newspapers. If these laws are passed, they will severely regulate the media and curtail the freedom of expression of the citizens. The Parliament has already passed a new law incorporating provisions for regulating NGOs. In the meanwhile, the repressive Information and Communication Technology Act 2006 (amended 2009, 2013), is being imposed against people who are critical of the decisions and activities of those in high positions of the government and their families. The social media are also under constant monitor by the government and the Cabinet has approved of the Bill for a new Digital Security Act 2016. In Bangladesh, the government controls most of the media; particularly the electronic media which are owned or controlled by supporters or members of the ruling party. The only state-owned television channel- Bangladesh Television is totally under the control of the government and is used to broadcast news of the government and the ruling party. Meanwhile the government closed down so-called pro-opposition electronic media, such as Channel 1, Diganta TV, Islamic TV and the publication of the print media, daily Amar Desh.

### ***Parliament passes the Foreign Donation (Voluntary Activities) Regulation Act 2016***

12. On October 5, 2016 the National Parliament passed the Foreign Donation (Voluntary Activities) Regulation Act 2016. The Acting Minister for the Prime Minister's Office on Parliamentary activities, Motia Chowdhury tabled the Bill to the Parliament to enact it as Law. According to this newly passed law, the government officials will be able to inspect, monitor and evaluate the activities of the voluntary organisations (and NGOs). The persons belonging to the NGOs who individually or collectively receive foreign fund for implementing projects, will come under constant surveillance under this law. According to section 3 of this law, "Notwithstanding anything contained in any other law for the time being in force, an individual who is undertaking or operating any voluntary activity by receiving foreign donation or contribution, approval from the NGO Affairs Bureau must be taken". As per section 10(1), the Bureau under this Act shall have the authority to inspect, monitor and evaluate the voluntary activities of an individual and the NGO and the progress of the NGOs it has approved. Under section 10(2), to serve the purpose of subsection (1), the Bureau shall have the authority to create a monitoring committee and if necessary, appoint a third-party evaluator. It is

mentioned in section 14 that if any NGO or individual makes ‘inimical’ and ‘derogatory’ remarks on the Constitution and constitutional bodies or conducts any anti state activity or involves in terrorism and financing, patronizing or assisting terrorist activities, it shall be considered an offense under this Act. For committing any offense under section 14, the Bureau may cancel or suspend the registration given to the said NGO or organisation or close down the voluntary activities undertaken or operated by the said NGO in the prescribed manner; and it may take action against the concerned NGO or person for punishment, as per existing laws of the country.<sup>18</sup> It is to be mentioned that on October 25, 2015 Transparency International Bangladesh (TIB) published ‘Parliament Watch’, a report on monitoring the second and sixth parliamentary sessions of the 10<sup>th</sup> National Parliament, where it mentioned that the ‘Parliament had turned into a puppet theatre’. After such remark, the Parliamentary Standing Committee on the Ministry of Law, Justice and Parliamentary Affairs took the decision to incorporate provisions for making ‘inimical’ and ‘derogatory’ remarks on the Constitution and constitutional bodies, as an offence under this law.

13. Following recent criticism about the proposed law, the Chairman of the Parliamentary Standing Committee on the Ministry of Law, Justice and Parliamentary Affairs, Surenjit Sengupta said, in a press conference on October 18, 2016, that “the NGOs cannot claim the right which is enjoyed by the media. Freedom of expression belongs to citizens; the NGOs are much inferior to [citizens] here. They must abide by the law”.<sup>19</sup>
14. This Act is considered a repressive law. As a result of this Act, an environment is created to strictly regulate the organisations, which work on civil and political rights of the citizens and are vocal against corruption and the undemocratic actions of the government. Due to this law, freedoms of opinion and expression will be violated, which is also contrary to the Constitution of Bangladesh and international law. Bangladesh is a party to the International Covenant on Civil and Political Rights (ICCPR). Every citizen has the right to freely express his/her opinion without any interference. As per our Constitution, every citizen shall enjoy the right to freedom of expression, including the right to seek, receive and provide information. Odhikar condemns the statement given by the Chairman of the Parliamentary Standing Committee on the Ministry of Law, Justice and Parliamentary Affairs, Surenjit Sengupta regarding NGOs. Odhikar believe that such statement is contrary to the Constitution as Article 39 of the Constitution

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<sup>18</sup> Foreign Donation (Voluntary Activities) Regulation Act 2016

<sup>19</sup> The daily Jugantor, 19/10/2016, [www.jugantor.com/second-edition/2016/10/19/69485/](http://www.jugantor.com/second-edition/2016/10/19/69485/)

guaranteed the right to freedom opinion and expression of every citizen and Article 38 guarantees freedom of association.

### ***Use of the Information and Communication Technology Act 2006 (amended 2009 and 2013)***

15. The repressive law, Information and Communication Technology Act, 2006 (amended 2009 and 2013) remains in force. The latest amendment to the ICT Act was made on October 6, 2013. Section 57<sup>20</sup> of the ICT Act 2013, states that publishing or transmitting in a website in electronic form, of any defamatory or false information is considered to be a cognizable and non-bailable offence. Moreover, punishment for committing this offence has been amended from a maximum of 10 years imprisonment, with no minimum; to a term of a minimum of seven years and maximum of 14 years imprisonment. This law has curtailed the freedom of expression and the government is using it against human rights defenders, journalists, bloggers and activists of the opposition political parties and even the ordinary people who have alternative opinions.
16. According to information gathered by Odhikar, in October 2016, four people were arrested under the Information and Communication Technology Act 2006 (amended in 2009 and 2013) for writing posts against high officials of the government and their families, mainly on facebook. A case is as follows:
17. On October 6, 2016 Mamunur Rashid, former General Secretary of Raninagar Upazila unit Chhatra League, filed a complaint with the police station that a man named Milon Hossain (30) posted derogatory remarks and mocking photos of the Prime Minister Sheikh Hasina and the ruling (Awami League) party Member of Parliament belonging to Naogaon-6 constituency, Ishrafil Alam. Based on this allegation, police of Raninagar Police Station arrested Milon Hossain and filed a case under section 57 of the Information and Communication Technology Act.<sup>21</sup>

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<sup>20</sup> Section 57 of the ICT Act states: (1) If any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity of his will be regarded as an offence.

(2) Whoever commits offence under sub-section (1) of this section he shall be punishable for a term of minimum of seven years' imprisonment and a maximum of 14 years or a fine of Taka 10 million or both.

<sup>21</sup> Report sent by local human rights defender associated with Odhikar from Naogaon; and the daily Prothom Alo, 08/10/2016; [www.prothom-alo.com/bangladesh/article/996175/](http://www.prothom-alo.com/bangladesh/article/996175/)



### ***Arrest under the Special Powers Act 1974***

18. On October 18, 2016 police arrested two local Chhatra Dal<sup>22</sup> activists, Mohammad Shamim Hassan and Mohammad Nur Hossain Talukdar for the allegation of posting objectionable comments on social media Facebook against Prime Minister Sheikh Hasina, at Shoronkhola in Bagerhat District. A case was filed with Shoronkhola Police Station under Sections 16(2)<sup>23</sup> and 25D of the Special Powers Act, 1974 accusing seven persons, including the President of Shoronkhola Upazila unit Chhatra Dal, Bellal Hossain Milon.<sup>24</sup>

### ***Meetings and assemblies prohibited***

19. The Government is putting bars on meetings and assemblies of the opposition political parties by using the law enforcement agencies. The government also suppressing the opposition and dissenting and alternative voices taking away their rights to freedoms of expression and of holding peaceful assembly. Some examples are as follows:

20. On October 5, 2016 Bhabodaho Paniniskason Shongram Committee<sup>25</sup> called blockade programmes on roads and railways over their six-point demands, including emergency water drainage in Bhabadaho area; extension and reformation canals; and to ensure food security and rehabilitation of the people in Bhabodaho under Abhoynagar Upazila in Jessore District. As per programme, a few thousand affected people of that area came to Nouapara. Police barred them at different places on the way. Police took the important areas including Nouapara Nurbagh, Stationbazar and Freedom Square under their control in advance. However, people gathered at the Pet Hospital intersection in Nouapara, ignoring the police barricade. When they reached the Freedom Square with a procession, the police led by the Officer-in-Charge of Abhoynagar Police Station, Anisur Rahman stopped them. At that time, police repeatedly baton charged people, including women and elderly persons. At least 50 persons, including Abhoynagar correspondent of the daily Amader Shomoy, Choitanno Kumar Pal and the correspondent of the local newspaper Jonmobhumi, Sheikh Atiar Rahman were injured during police attack.<sup>26</sup>

21. On October 18, 2016 a rally of the National Committee to Protect Oil, Gas, Mineral Resources, Power and Ports marched from the National Press Club at

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<sup>22</sup> Student wing of Bangladesh Nationalist Party (BNP)

<sup>23</sup> Section 16(2) of the Special Powers Act was omitted through an amendment in 1991, despite this police filed a case under this section.

<sup>24</sup> The daily Manabzamin, 19/10/2016, <http://www.mzamin.com/article.php?mzamin=36406&cat=9/>

<sup>25</sup> A committee to water drainage movement

<sup>26</sup> Report sent by local human rights defender associated with Odhikar from Jessore; the daily Prothom Alo, 06/10/2016, [www.prothom-alo.com/bangladesh/article/995241/](http://www.prothom-alo.com/bangladesh/article/995241/)

Dhaka to the Indian High Commission at Gulshan, Dhaka in order to hand over an open letter to the Indian Prime Minister Norendra Modi through the High Commission, demanding cessation of the construction of a coal-based power plant by an Indian company and the Bangladesh government in Rampal, near the world's largest mangrove forest Sundarbans. When the rally reached the Malibagh rail crossing, police threw teargas shells and used a water canon to disperse the protesters. There were scuffles between the police and protesters and at least 30 leaders and activists, including President of the Central Committee of the Chhatra Federation<sup>27</sup>, Shaikat Mallik; President of Dhaka University unit Chhatra Federation, Umme Habiba Benzir; and the central leader of Nari Shonghoti (Women Solidarity), Farida Yeasmin Doly were injured.<sup>28</sup>



Police attacked the rally organised by the National Committee to Protect Oil, Gas, Mineral Resources, Power and Ports, at Malibagh rail-crossing. Photo: Daily Star, 19 October 2016



Police are throwing teargas shells at a procesion of the National Committee to Protect Oil, Gas, Mineral Resources, Power and Ports. Photo: collected from Facebook account of the Revolutionary Workers Party

22. On October 21, 2016 the National Committee to Protect Oil, Gas, Mineral Resources, Power and Ports organised a debate at the Muslim Institute

<sup>27</sup> Chhatra Federation is student wing of Gonoshonghoti Andolon

<sup>28</sup> The daily Jugantor, 19/10/2016, <http://www.jugantor.com/news/2016/10/19/69292/>

auditorium in Mymensingh. The local administration barred the programme on the pretext of maintaining the law and order situation. As a result, the programme was stopped.<sup>29</sup>

23. On October 21, 2016 activists of Chhatra League and Jubo League led by Sony, Ashraf and Mohammad Zahir attacked the Council of Ward unit BNP of Chorgazi Union under Ramgati Upazila in Lakshmipur District. During the attack 10 motorbikes were destroyed and three motorbikes were taken. At least 10 leaders and activists of BNP, including the Convener of Chorgazi Union unit BNP, Mir Farhad Hossain were injured during the attack.<sup>30</sup>
24. On October 25, 2016 Somajtantrik Chhatra Front<sup>31</sup> organised a photo exhibition at Modonmohan College campus in Sylhet, demanding the cancellation of the coal-based power plant at Rampal. Chhatra League activists barred students from attending the photo exhibition and later leaders and activists of Chhatra League attacked the exhibition and vandalized photos. At least six activists of Somajtantrik Chhatra Front were injured during the attack.<sup>32</sup>



*Chhatra League activists attacked the photo exhibition at Modonmohan College campus, Photo: The Daily Star, 26 October 2016*

25. Odhikar expresses grave concern over the persistent interference of the government on freedoms of opinion, expression and assembly and association of the citizens of the country. Odhikar observes that if any opinion or statement of any citizen goes against the government, he or she is likely to be arrested, persecuted or harassed by the state. Odhikar also demands that the government repeal all repressive laws, including the Information and

<sup>29</sup> The daily Jugantor, 22/10/2016, [www.iugantor.com/news/2016/10/22/70064/](http://www.iugantor.com/news/2016/10/22/70064/)

<sup>30</sup> The daily Manabzamin, 22/10/2016, [www.mzamin.com/article.php?mzamin=36773&cat=9/](http://www.mzamin.com/article.php?mzamin=36773&cat=9/)

<sup>31</sup> Student wing of the Socialist Party of Bangladesh

<sup>32</sup> The daily Manabzamin, 26/10/2016, [www.mzamin.com/article.php?mzamin=37403&cat=9/](http://www.mzamin.com/article.php?mzamin=37403&cat=9/)



Communication Technology Act 2006 (amended 2009, 2013) immediately. At the same time, Odhikar also urges the government to refrain from hindering people's fundamental rights to freedom of expression and assembly.

## **Insecurity among citizens due to taking indiscriminate finger-printing**

26. The Government initiated the Machine Readable Passport (MRP) and Machine Readable Visa (MRV) project in 2009. In order to implement the project the government signed an agreement with a multinational company named IRIS Corporation. As per the signed contract, on February 17, 2010 the government purchased a software AFIS (Automatic Fingerprint Identification System) from IRIS Corporation to identify fingerprints. This automatic fingerprint identification system was used as a 'check back system', so that the same person cannot get more than one passport. However, the contract was flawed. Through this system 10 million information/ fingerprints were uploaded, which was beyond the capacity of the AFIS and its capacity cannot be increased without an up-grade, which would incur immense expenses.<sup>33</sup>
27. The Information Technology (IT) experts have been protesting from the beginning about the registration of mobile SIM through biometric system. Because, if such registration is done through this system without proper safeguard, the fingerprints of anyone can be transferred and used by another. They expressed their fear that these fingerprints might be used in criminal activities or irregularities. There has been a reported incident where the SIM card of a person was registered with the fingerprint and national ID card of another and all these SIM cards registered through forgery had gone to strangers. It is to be mentioned that police arrested three persons from Sankipara of Mymensingh with 200 SIM cards belonging to different companies, that were registered illegally through this biometric system.<sup>34</sup>



*SIM Cards, Photo: Collected*

<sup>33</sup> The daily Jugantor, 07/10/2016; [www.jugantor.com/first-page/2016/10/07/66213/](http://www.jugantor.com/first-page/2016/10/07/66213/)

<sup>34</sup> The daily Jugantor, 04/07/2016; <https://www.dailyinqilab.com/details/26818/>

28. In 2015 the Dhaka Metropolitan Police (DMP) decided to collect information about all tenants of the Dhaka City. In the beginning of 2016, this task commenced and forms were distributed to all tenants from every police station asking for their information. Though it says confidentiality will be maintained about information forms, this work had been carried out by shops that run the business of composing documents on computer. Even the password of the DMP's Citizen Information Management System's Server, which was created to preserve citizens' information, was given to these shops. It is to be mentioned that businessmen of various photocopy and computer compose shops in the city corporation market at Nilkhet, were filling out the forms collected for the New Market Police Station.<sup>35</sup> This is an outright violation to the right to privacy.
29. Recently the Election Commission has made a decision to provide machine readable smart National Identity or NID cards to 100 million citizens. The smart NID card distribution programme commenced on October 2, 2016. The Election Commission will collect fingerprints of 10 fingers and scan the eyes of 100 million voters for smart NID cards.<sup>36</sup> It is to be noted that fingerprints and scanned eye images of every citizen are very important factors for identification. Citizens may face danger if these identifications are not properly protected/preserved – particularly in a state that has high levels of human rights violations.



*Smart NID cards, Photo: Amader Shomoy.com, 23 October 2016*

30. Information of citizens can be transferred to others, which may create a disaster if the fingerprints collected for MRP, registration of SIM cards through biometric system and smart NID cards are done without any proper safeguards. Furthermore, citizens are under serious threat as information of all tenants in Dhaka city is being collected and entered into a database through computer composition shops. It is believed that there is a possibility to misuse fingerprints and bio-data of all citizens, which may be used for purpose of harassment and persecution.

<sup>35</sup> Bangla Tribune, 28/10/2016; <http://www.banglatribune.com/others/news/144201/>

<sup>36</sup> The daily Amader Shomoy.com, 23/10/2016;  
<http://www.amadershomoy.biz/unicode/2016/09/23/175115.htm#.WBG1x83X5Z4>

## **Aggressive policy of the Indian government on Bangladesh continues**

31. The Indian government has already taken some destructive policies towards Bangladesh. India is taking transit facility through Bangladesh at almost no cost and is also taking advantage of other business and trade facilities. Moreover, the Indian government decided to put up a fence along no-man's land, which will be nearer to the zero line. Meanwhile the Indian Border Security Force (BSF) is torturing and killing Bangladeshi citizens indiscriminately along the border areas; and with the building of the Farakka Barrage and the Gajaldoba Barrage, India is depriving Bangladesh from getting adequate water during the dry season and creating floods over Bangladesh by opening all the sluice gates during the monsoon (rainy) season, violating international law and human rights. Furthermore, the initiatives to build the Rampal Power Plant with an Indian company near the Sundarbans and a decision to implement an inter-river connection project, will lead Bangladesh to a terrible human disaster and natural catastrophe. We must not let the Indian government abuse the people of Bangladesh in this manner.

### ***Human rights violations by Indian BSF in border areas***

32. According to information collected by Odhikar, in October 2016, five Bangladeshis were injured by the BSF. All five were shot. However, one Bangladeshi was picked up by the BSF personnel.
33. On October 28, 2016 cattle traders of the two countries were coming to Bangladesh with cows from India, through the international main pillar 947 at Phulbari border under Kurigram District. At that time, members of the 42 BSF Battalion of India shot at them. A Bangladeshi youth was injured.<sup>37</sup>

### ***Indian decision to put up a fence along no-man's land***

34. India surrounded Bangladesh with a barb-wire fence. The Border Guard Bangladesh (BGB) has agreed on the proposal of the Indian Government to shift the fences within 150 yards from the zero line along the border. The Director General of BSF K K Sharma said that the Government of Bangladesh has also given permission for this. India asked Bangladesh for this assistance during the 43<sup>rd</sup> Conference between the border guards of the two countries, held in New Delhi from September 30 to October 5, 2016. The BSF will make a single level iron fence 150 yards from Bangladesh territory at the border. It is to be mentioned that India is eager to build a single level iron fence at the zero

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<sup>37</sup> Report sent by local human rights defender associated with Odhikar from Kurigram; and the daily Prothom Alo, 29/10/2016; [http://epaper.prothom-alo.com/contents/2016/2016\\_10\\_29/content\\_zoom/2016\\_10\\_29\\_2\\_18\\_b.jpg/](http://epaper.prothom-alo.com/contents/2016/2016_10_29/content_zoom/2016_10_29_2_18_b.jpg/)

line to provide facilities to Indian citizens living in the 250 villages within the international border.<sup>38</sup>

35. In accordance with the international law on borders, no establishment can be made or constructed within 150 yards of the zero line. However, India has decided to build fences along the no-man's land, violating the international law on borders; and which Bangladesh government and BGB had already approved in ignorance of international norms. Such acts of the authority will further threaten Bangladesh's sovereignty and increase incidents of human rights violations to Bangladeshi citizens by the BSF.

### ***Inter-river connecting project of India***

36. Most of the rivers of Bangladesh are now almost dead. Thousands of people residing at the bank of the Teesta River are under threat due to the unilateral withdrawal of water by India through the Gajaldoba Barrage. The basin of river Padma fell to disaster due to the Farakka Barrage. Now, to add to the catastrophic situation, is the inter-river connecting project. As per the inter-river connection grand plan of India, 38 rivers will be connected through 30 canals. The main target of the plan is to transfer the surplus water from one basin of the river to other basins of the river in India where there is inadequacy of water. As per this project, water from the international rivers – Brahmaputra and Ganges – will be shifted to dry areas of India in Gujrat, Hariyana, Rajsthan and Tamil Nadu. Recently the Indian government has become active to implement this project though it was pending as a proposal for a long time. Experts opined that inter-river connecting project will bring a terrible human disaster and natural catastrophe for Bangladesh. There are mainly three sources of water – international river basins, raining and underground water. Among them contribution of the river basins make more than two thirds (76.5%) of the water and contribution of the other two sources are respectively 23% and 1.5%. The role of rivers for underground water is huge. The Indian government has a plan to withdraw water flow from both Ganges and Brahmaputra rivers through this inter-river connecting project. About 80% of the water comes to Bangladesh through these two rivers during the rainy season and more than 90% during the dry season. As a result of this proposed inter-river connecting project of India, Bangladesh will face economic casualties as well as ecological and social disasters.<sup>39</sup>

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<sup>38</sup> The daily Prothom Alo, 05/10/2016; [www.prothom-alo.com/international/article/994375/](http://www.prothom-alo.com/international/article/994375/)

<sup>39</sup> The monthly Sammobad, Third Year, 1<sup>st</sup> volume, September 2016, <http://spbm.org/%E0%A6%AD%E0%A6%BE%E0%A6%B0%E0%A6%A4%E0%A7%87%E0%A6%B0-%E0%A6%86%E0%A6%A8%E0%A7%8D%E0%A6%A4%E0%A6%83%E0%A6%A8%E0%A6%A6%E0%A7%80-%E0%A6%B8%E0%A6%82%E0%A6%AF%E0%A7%8B%E0%A6%97-%E0%A6%AA%E0%A7%8D-2/\>



37. Odhikar condemns and expresses grave concern about the aggressive policy of the Indian government. an agreement between the Prime Minister of Bangladesh, Sheikh Hasina and the then Indian Prime Minister Manmohan Singh in 2010 was passed without any consultation in the Parliament. Taking advantage of this agreement the Indian government is now imposing aggressive policies on Bangladesh. Odhikar demands the cancellation of all agreements which are against national interests and a stop to the killings and violations on Bangladeshi citizens by BSF.

## **Communal harmony and fraternity in Bangladesh under threat**

38. In Bangladesh, people of different religions and beliefs have been living together for many decades in harmony. But for the last several years, a division has been created among them, mainly through criminalisation of politics for. For the sake of political benefits, a tendency to create political divides among the minority communities has been increasing. In the past, there was an environment of tolerance, fraternity and empathy among the people, which is now rapidly declining. The people who are involved in mainstream politics in Bangladesh cannot evade the responsibility for damaging the communal harmony and tolerance.

39. On October 30, 2016 there were incidents of attacks, vandalisation and looting of 15 Hindu temples and more than one hundred houses and shops belonging to the Hindu religious minority community in Nasirnagar Upazila under Brahmanbaria District, over the posting of a derogatory remark on Islam on facebook. During the incident, Shankar Sen (28), a local temple worker was severely injured. Police arrested six persons who were suspected to be involved in this incident. Locals informed that Roshuraj Das (30) of Koirbatpara in Horinber Village under Haripur Unin, allegedly posted a photo of holy 'Kaba' with a photograph of Lord Shiva on facebook page. Due to this, local inhabitants apprehended Roshuraj Das on October 29 and handed him to the police. However, Roshuraj claimed that someone else posted that comment by hacking his facebook account. Meanwhile, local leaders and activists of Aahle Sunnat Wal Jamaat protested in front of the Sadar Upazila office and police station and also set fire to vehicle tires in protest. In the morning on October 30, 2016 a meeting was held at the intersection of a local college under the leadership of Reazul Karim, Convener of the Upazila Committee of the Ahle Sunnat Wal Jamaat<sup>40</sup> while another

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<sup>40</sup> The Ahle Sunnat Wal Jamaat is the largest group of Muslims and the only group whose beliefs and teachings are truly in accordance with the Holy Quran and Sunnah of the Prophet Mohammad (pbuh).

meeting was held at a local field in Nasirnagar, under the leadership of the Khati Ahle Sunnat Wal Jamaat President, Mohammad Mohiuddin. Meanwhile, victims of the attack alleged that people who participated in both meetings, deliberately attacked them after the meetings – and that they were strangers to the area. However, denying such allegations, Reazul Kairm of Ahle Sunnat Wal Jamaat said that they were not involved in the incidents of attack on the houses and temples of the Hindu religious community. They organised a peaceful meeting where representatives from local administration and the Upazila unit Awami League leaders were present.<sup>41</sup> In this regard, President of Nasirnagar Upazila unit Hindu-Budhist-Christian Oikko Parishad, Adesh Chandra Deb said that tension was prevailing in the area on October 29 as a result of posting photos on facebook. In such a situation, the local authority gave permission to two religious organisations to conduct meetings without taking any security measure. Residents of Harinber village, Swapon Das, Sajal Das and Ratan Das informed that the attackers were youth and were unknown to them. They were gathering from the night of October 29, but nobody stopped them. ATM Moniruzzaman Sarkar, Chairman of Nasirnagar Upazila Parishad, said that at 9:00 am on October 30, 2016 he contacted the Officer-in-Charge (OC) of the police station. However, the OC did not pay any heed. If the police would have been active, such untoward situation could have been avoided. But the police did not do so.<sup>42</sup> Two cases were filed with Nasirnagar Police Station in this regard against 1000 unnamed persons.<sup>43</sup>



*Attack and vandalism of temples and houses belonging to the Hindus at Nasirnagar in Brahmanbaria, Photo: Daily Star, 30/11/2016*

40. Odhikar condemns such incident. Odhikar demands the government bring the perpetrators to justice through an impartial investigation. At the same

<sup>41</sup> The daily Prothom Alo, 31/10/2016; [www.prothom-alo.com/bangladesh/article/1011401/](http://www.prothom-alo.com/bangladesh/article/1011401/) and the daily Jugantor, 31/10/2016; [www.jugantor.com/news/2016/10/31/72534/](http://www.jugantor.com/news/2016/10/31/72534/)

<sup>42</sup> The daily Prothom Alo, 01/11/2016; [www.prothom-alo.com/bangladesh/article/1011893/](http://www.prothom-alo.com/bangladesh/article/1011893/)

<sup>43</sup> The Daily Star, 10/11/2016

Odhikar also urges that the innocent people should not be harassed due to the cases filed against unknown people.

## **Repression against RMG factory workers**

41. According to information gathered by Odhikar, in October 2016, 20 workers were injured by the garments authority during workers unrest in the ready-made garment industries.
42. In the morning of October 16, 2016 workers of a garment factory called Dana Burtons, situated at CRP Road under Savar Municipality in Dhaka, were gathered inside the factory, protesting for their over-due wages. Later workers came out of the factory and made a blockade on the Dhaka-Aaricha Highway at the Shimultola area. Police baton charged and threw teargas shells at protesting workers, which caused a clash between the police and workers. At least 20 workers were injured.<sup>44</sup>
43. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. However, many factories were closed without notice. This and the sudden termination of workers and not paying wages or bonuses on time, are some of the main reasons for workers' unrest.

## **Violence against women**

44. Incidents of violence against women continue; and most of the victims are not getting justice due to a prevailing culture of impunity.

## **Rape**

45. In October 2016, Odhikar recorded a total number of 72 females who were raped. Among them, 18 were women, 52 were girls and the age of two victims could not be ascertained. Of the women, 10 were victims of gang rape and one was killed after being raped. Out of the 52 girls, nine were victims of gang rape. 17 women and girls were victims of attempted rape. One example is as follows:
46. On October 18, 2016, a five-year old girl child went missing from Zamirhaat Village under Parbotipur Upazila in Dinajpur District. The next day (October 19) in the morning, the child was recovered, seriously injured from a turmeric field near her house after being raped. The child was admitted to Dhaka Medical College Hospital in a critical condition. On October 24, 2016 police arrested a man named Saiful Islam (42) in this regard.<sup>45</sup> It is observed that

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<sup>44</sup> The daily Jugantor, 17/10/2016; [www.jugantor.com/second-edition/2016/10/17/68946/](http://www.jugantor.com/second-edition/2016/10/17/68946/)

<sup>45</sup> The daily Prothom Alo, 26/10/2016; [www.prothom-alo.com/bangladesh/article/1007605/](http://www.prothom-alo.com/bangladesh/article/1007605/)

incidents of child rape are increasing and in October 2016, incidents of child rape was four times more than compared to rape victims of adult women.

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

47. According to information gathered by Odhikar, in October 2016, a total of 14 women were subjected to dowry violence. Of these women, it has been alleged that six were killed and eight were physically abused over dowry demands. An incident is as follows:
48. On October 24, 2016 a housewife named Parvin Akhtar (20), who is victim of dowry violence and her one-year girl child were recovered in a state of starvation after five days, from a house in Khutamara Village under Jaldhaka Upazila in Nilphamari District. Parvin Akhtar's mother Kabita Begum said that Parvin Akhtar married Rokonuzzaman of the same village in 2014. As per demands of groom's family, Parvin's family gave two hundred thousand Taka cash, a refrigerator, a bed, a cupboard and a cow, as dowry at the time marriage. After marriage Rokonuzzaman demanded one hundred thousand Taka more for starting a business. When Parvin refused to bring money from her parents, Rokonuzzaman and his family members abused her physically and mentally. Finally on October 20, Parvin Akhtar and her minor daughter were confined for five day without any food.<sup>46</sup>

### ***Sexual harassment***

49. According to information gathered by Odhikar, in October 2016, a total of 30 girls and women were victims of sexual harassment. Of them one was killed, eight were injured, four were assaulted, two were abducted and 15 were victims of stalking. One man was injured by the stalkers for protesting such incidents. One such example is as follows:
50. On October 19, 2016 twin sisters and students of Class XI in BCIC College at Mirpur, Dhaka, were waiting for bus in front of the college. A youth named Jibon Karim Babu and some of his associates, who were sitting in a shop near the college gate, made indecent remarks to them. When the girls protested, the youth attacked and injured them with bamboo sticks. The leg of one of the girl's broke due to attack. The two sisters were admitted to the Orthopedic Hospital with severe injuries. A case was filed with Shah Ali Police Station in this regard and police arrested one youth named Lutfar Rahman.<sup>47</sup>

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<sup>46</sup> The Daily Star, 25/10/2016; <http://www.thedailystar.net/country/laws-brutality-dowry-1304005>

<sup>47</sup> The daily Jugantor, 20/10/2016; [www.jugantor.com/first-page/2016/10/20/69539/](http://www.jugantor.com/first-page/2016/10/20/69539/)

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

51. The present government is harassing Odhikar for being vocal against human rights violations and for campaigning to stop this. The government, after assuming power in 2009, started the harassment on Odhikar for its reports on the human rights situation of the country. After that on August 10, 2013 at night, Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of Police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. Adilur and Odhikar's Director ASM Nasiruddin Elan, were later charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were detained in prison and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies. Human rights defenders who are associated with Odhikar are being watched and sometimes harassed and human rights activities hindered. Furthermore, the NGO Affairs Bureau (NGOAB) has barred the release of all project related funds of Odhikar, for two and half years, withheld renewal of its registration in order to stop its human rights activities. The Organisation is still operating due to the volunteer services of grassroots level human rights defenders associated with Odhikar and their commitment to human rights activism.

## **Recommendations**

1. In order to restore democracy and the voting rights of the people an accountable government must be established through free fair and inclusive elections, under an neutral interim government; and initiatives must be taken to mend dysfunctional institutions through an elected government.
2. The Government must refraining from acts of violations to all civil and political rights of the citizens, including interference to rights to freedom of expression and freedom of assembly and of association; the perpetration of enforced disappearances, extrajudicial killings and torture must also be taken to task.
3. Interference to freedom of expression and on the media must be stopped. The Government must withdraw cases filed against all human rights defenders and journalists; and it should also bring the perpetrators to justice through proper investigation. The ban on the publication of the daily Amar Desh and the broadcasting of Diganta TV, Islamic TV and Channel One should be

removed. All persons who were detained for political reasons or for expressing their opinions and thoughts, including the acting Editor of the daily Amar Desh Mahmudur Rahman and Convener of Nagorik Oikko, Mahmudur Rahman Manna, should be released immediately.

4. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed. Monitoring of the social media and internet, leading to arrests and harassment and human rights violations, should be stopped. Repressive sections of the newly passed Foreign Donation (Voluntary Activities) Regulation Act 2016, which are tantamount to violations of freedom of expression and association, must be repealed.
5. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. 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”. The Government must ratify the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013.
6. 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 bring the members of the security and law enforcement agencies who are involved, to justice before the law. Odhikar urges the government to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly.
7. The Ready-made garment factories need to be brought under synchronized security programmes and the factories should be made with adequate infrastructural and other facilities. Violations of human rights of workers/labourers and harassment to them by the Industrial Police must be stopped.
8. The Government must ensure the effective implementation of laws to stop violence against women and children and the offenders must be effectively punished under prevalent laws. The Government should also execute mass awareness programmes in the print and electronic media, in order to eliminate violence against women.
9. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF) and take initiatives to investigate and make the Indian Government accountable and

compensate the families of the victims. The Government must also ensure the safety and security of the Bangladeshi citizens residing at the border areas. Construction of the destructive coal-based power plant in Rampal initiated jointly by India and Bangladesh must be stopped. Bangladesh Government should take measures to stop the inter-river connecting project as it is detrimental to the people and territory of Bangladesh, as is the Rampal power plant. India must also not open or close the sluice gates of Farakka and Gajaldoba barrages unilaterally for the sake of its own benefit. The Indian Government should refrain from shifting fences near the zero line along the border thus violating international law.

10. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. All repressive measures and harassment against human rights defenders associated with Odhikar should cease. The government must release the funds of Odhikar to enable it to continue its human rights activities.

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**Notes:**

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