



National Consultation on the Implementation of the UN Convention Against Torture

INTRODUCTION

Odhikar, in collaboration with the World Organisation Against Torture (OMCT) and Bangladesh Alliance against Torture, organised a two-day National Consultation on the Implementation of the UN Convention Against Torture on January 25 and 26, 2017 at the CCDB-HOPE Foundation in Savar, Dhaka, to mobilise civil society and create a platform for supporting the anti-torture movement.

The objectives of the consultation were to create public awareness on the issue of torture; strengthen civil society organisations (CSOs)'s engagement in the fight against torture; strengthen the network of human rights defenders (HRDs) by identifying common points of action and by supporting victims of torture and their families.

The consultation allowed for the mobilisation of a broad group of stakeholders, including CSOs, HRDs, the legal community, journalists, academics, diplomats and political leaders to engage in a dialogue on Bangladesh's implementation of the Convention, including its reporting process. The consultation helped build consensus on the importance of implementing the Convention and contribute to an agenda for reforms. Furthermore, the consultation helped to create a platform for CSOs/HRDs to engage with the authorities on legal and policy reforms, such as the proper implementation of the Torture and Custodial Death (Prevention) Act, 2013. It is hoped that such consultation will also encourage the authorities to finally submit Bangladesh's initial report to the UN Committee Against Torture (CAT), reinforcing activities at the global level. Details of the consultation proceedings are given below:

CONTENTS

1. Overview of the situation of torture in Bangladesh
2. Mobilisation of civil society to create powerful advocacy tools to prevent torture
3. Mobilisation of HRDs and victims' families to combat torture
4. A discussion on the shrinking space for civil society and how to overcome challenges while supporting implementation of CAT and national legislation against torture
5. Networking of HRDs to ensure accountability and an end to impunity
6. Lessons learned and ways forward

ACTIVITIES

The national consultation was a two-day event, held at the CCDB-HOPE Foundation Savar, Bangladesh. The following is a daily activity report of the consultation:

Day 1: January 25, 2017, Wednesday

Opening session



Adilur Rahman Khan, Secretary of Odhikar welcomed the participants and introduced the guests/speakers. He invited Odhikar's President Dr. C.R. Abrar, who chaired the session, for an opening speech. Among the speakers at the opening session were H.E. Mrs. Sophie Aubert, Ambassador, Embassy of France; Mr. A. F. Hassan Ariff, Former Attorney General for Bangladesh; Mr. Christoph Fuchs, Chargé d' Affaires, Embassy of Switzerland and Mr. Henri Tiphagne, Executive Council Member, OMCT.

Dr. C.R. Abrar gave an overview of the situation of torture in the context of Bangladesh. He reminded the participants of the existing Torture and Custodial Death (Prevention) Act 2013; the 19-point guidelines of the Appellate Division of the Supreme Court to law enforcement officials regarding arrests without warrant and the procedure of remand; the 15 directives of High Court Division of the Supreme Court regarding interrogation in remand¹; Article 35(5) of the Constitution regarding torture and; the provisions of arrest and remand under the Code of Criminal Procedure, 1898.



He also mentioned that although Bangladesh has ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1998, torture still prevails in the country. He added that the spirit of the liberation war was about 'equality, human dignity and social justice' but that the state is unable to ensure these for the people of Bangladesh. He said

¹ BLAST and Others vs. Bangladesh and Others, 55 DLR 323. The High Court Division of the Supreme Court of Bangladesh enumerated 15 directives regarding the arrest, detention and interrogation of accused persons in order to avoid and prevent torture in remand/custody. In 2013, the Parliament also passed a torture prevention Act.

that the law enforcement agencies do not respect the laws of the country and are continuously violating the national laws and the provisions of international Conventions. He recalled that even during the ‘police week’ police demanded that the Torture and Custodial Death (Prevention) Act 2013 be abolished. He urged all to protest against such incident. At the end of his welcome note, he asked participants to introduce themselves.

After the introductions, Mehedi Hassan, brother of Shahanur Alam who was tortured to death and Afzal Hossain, a journalist who was shot in the leg by the police, gave their testimonies.



Henri Tiphagne, Executive Council Member, OMCT greeted all the participants who had come from different parts of Bangladesh. Before he proceeded, he thanked the victims’ families and victims for coming. He especially thanked the two young men who talked about the torture leading to the death of one’s brother as well as the courageous journalist who paid the price for doing his job. He commented that the aforesaid two incidents showed what happens in Bangladesh and also proved the hard work of many human rights defenders in different parts

of the country.

He said that he comes from a country that many people in Bangladesh dislike due to its alliance with the present government. He reminded all that India only has signed the UN Convention against Torture but has not ratified it whereas Bangladesh has ratified the Convention 19 years ago. Bangladesh also has an anti-torture law but India is still debating on this issue. Hence he believed that Bangladesh is several steps ahead of India.

Henri Tiphagne also expressed his surprise at the fact that members of European delegations were present at the meeting but South Asian delegations were not. This is why India has often remarked that human rights are a western concept supported by western nations. He wondered why Sri Lanka was not present when they have a law against torture, why the Philippines was not responding when they have a law against torture, why India was not present although it speaks and serves at the Human Rights Council.

He thanked Odhikar for carrying out its activities in several areas of Bangladesh, despite facing persecution. He praised the courageous steps taken by Odhikar members and staff. Henri Tiphagne recalled the monthly human rights monitoring reports and annual report of Odhikar, which were prepared by non-funded staff and through the voluntary work of a number of people. He himself came from an organisation that ran through volunteers. His organisation was closed for 23 months because of the Foreign Contribution (Regulation) Act. As a result, 120 employees had to leave the organisation. He added that the Indian government accused them for cooperating with foreign forces, such as foreign embassies and the UN system. He said that he understands what volunteers’ work means in a persecuted organisation and he values each one of Odhikar staff for their courage. He as well thanked their families for their support to them.

Henri Tiphagne also said that he had worked with civil society in Bangladesh calling for the establishment of a National Human Rights Commission (NHRC) for many years. He commented that it was very unfortunate that the NHRC never came forward to submit a report to the CAT.

He said he had met a number of victims of torture in Bangladesh, who among others reported to have seen torture devices in the Office of the Detective Branch of the Police. These stories show that torture is a common practice in Bangladesh.



Mr. A.F. Hassan Ariff, former Attorney General for Bangladesh said that torture was a phenomenon by the State. The prophecy of torture was adopted in a regime when the regime has no faith in democratic laws. He commented that nowadays, the State tries to justify the use of torture in the name of ‘terrorism’. While terrorist attacks might have worsened recently, torture is an ancient practice. He reiterated that torture could not be justified under any circumstances and that it cannot be adopted as state policy. He observed that in some regimes, torture was more prolific than in others, and so the flow of torture was dependent on the political will of the government in power.

Hassan Ariff said that the government uses torture as a tool to suppress the dissidents and opposition political parties. He set out some recommendations to prevent torture and urged the lawyer’s community to come forward and take initiatives to prevent torture and uphold the rule of law.

Christoph Fuchs said that human rights included all the fundamental freedoms of individuals. Human rights are the rights which people are born with and everyone has equal entitlement to them. Human rights are universal and indivisible. It seems important particularly in times like these to repeat such basic and important principles. It is Article 5 of the said UN Declaration that states, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. The prohibition of torture and other ill-treatment has also been incorporated into an extensive number of international and regional treaties such as the ICCPR and the CAT. Bangladesh has ratified these two Conventions as more than 136 countries have. In addition to that, Article 35 of the Constitution of Bangladesh prohibits torture and other cruel, inhuman or degrading treatment. In 2013 the Torture and Custodial Death (Prevention) Act was adopted, containing important principles to prevent grave human rights violations. However, what is most needed now is to work towards the implementation of these laws and provisions as, at the end of the day, only effective implementation will make a difference and bring about change.



It is the duty of the State to protect and respect the individual’s rights. However, the duty bearer has failed to protect the citizens from torture and inhuman treatment. He observed that while leading up to the task to respect, protect and fulfill all human rights for all citizens can be very

challenging for the State, it becomes fully intolerable when the State or State agencies themselves become the perpetrator of human rights violations. It is particularly true in the area of torture.

He said that torture and other cruel, inhuman, degrading treatment or punishments are gross human rights violations. He was very touched by the reports of Afzal Hossain and Mehedi Hasan and thanked them for their courageous statements. Torture is a gross violation not only of victims' rights but also of their families' and friends' as the traumatic effects extend to them as well. All State parties to the CAT have the obligation to take all necessary measures to prevent acts of torture and other cruel, inhuman or degrading treatment or punishment. He added that it is important to provide redress and compensation to victims of torture. He also emphasized the importance of ratifying the Optional Protocol on the Convention against Torture (OPCAT). He mentioned that the Bangladesh Government submitted reports to UPR, CEDAW, ICCPR. Now it was time to submit the report to the Committee against Torture.



French Ambassador **Sophie Aubert** said that it was very important to be present, in particular to support Odhikar but also to unofficially show support from her government. It was France's responsibility to express solidarity because of her country's history. She said that although Bangladesh ratified the CAT and promulgated several laws prohibiting torture, in practice torture was still widespread in Bangladesh. She stated that regardless of whether there was an anti-torture law or not, torture should be officially recognised as a crime and even as a crime against humanity when systematic and widespread. She also said that the prohibition of torture is part of international customary law. This prohibition is mandatory for all the members of the international community, whether they adopted or ratified the Convention or not. She observed that torture and degrading treatment were still very common practices used against human beings in many countries in the world. She also said that the use of torture has been admitted and recognised and even authorised in some countries by the authorities.

She mentioned the terrorist attack in France. She said that sometimes such attacks have been used to justify the use of torture by some governments. She said that we cannot justify torture under any circumstances and suggested sensitizing public opinion on this issue.

Day 1: Plenary Session I

The first plenary session of Day 1 was entitled "Overview of the situation of torture in Bangladesh – from past to future" and was aimed at giving the audience an overview of torture and trends in Bangladesh. The session was chaired by Mr. A. F. Hassan Ariff, Former Attorney General for Bangladesh. Ms. Rubaiyat Hossain, Advocate, Supreme Court of Bangladesh; Mr. Faiezul Hakim, Secretary, Jatiyo Mukti Council; Mr. Ikteder Ahmed, Former Judge, Session and

Judges Court; Dr. Asif Nazrul, Professor, Department of Law, University of Dhaka; and Mr. Saiful Huq, General Secretary, Revolutionary Workers Party spoke at the session.



Advocate Rubaiyat Hossain said that it worried her to see the way citizen’s fundamental rights were violated in custody and in courts. She gave examples from her own experience during her practice in the High Court Division of the Supreme Court of Bangladesh. She mentioned the case of Mahmudur Rahman, Acting Editor of the daily Amar Desh, against whom 83 cases have been filed. He was refused bail for a long time, in clear violation of his right to fair trial. She also mentioned the case of Advocate Momtaz Uddin Ahmed, former Deputy Attorney General, who was arrested for contempt of court and died in police custody on August 26, 2011. His wife alleged that he was tortured to death.

Rubaiyat Hossain talked about cases where the police carried out arrests under section 54 of the Code of Criminal Procedure, 1898 and where the detainees, in several instances, died before trial, in police custody. Even in judicial custody, incidents of death happened. For instance, BNP ex-MP, Nasiruddin Pintu died due to lack of proper medical treatment in jail. She mentioned that law enforcement agencies were using torture techniques where visible marks of torture sometimes could not be found. She mentioned that victims of torture were sometimes wrapped in a blanket before being beaten. She said nothing but social movements could bring about change in the present context.

Faiezul Hakim said that torture was common practice in the custody of law enforcement agencies in Bangladesh. He mentioned the recent police involvement in the arson of dwelling-houses belong to Santal ethnic minority community in Gaibandha on November 6, 2016. He also mentioned that the police arrested a number of garment workers, trade union leaders and journalists who were protesting against the government



in Ashulia, Savar. He also said that police arrested Bipul Chakma, General Secretary of Pahari Chhatra Parishad while he and his mother were on their way to a hospital for medical treatment. He added that incidents of enforced disappearance have increased, in violation of people's right to life. He commented that there was no other way except people's movement and resistance to put a halt to custodial torture and death and other human rights violations.



Ikteder Ahmed said that the Constitution is the supreme law of a country and that it is our duty to safeguard, protect and defend the Constitution and maintain its supremacy. The Universal Declaration of Human Rights clearly states that fundamental human rights must be universally protected. He observed that state agencies are not compliant with constitutional provisions and are violating citizens' rights. He said that High Court directives do exist regarding remand but that police do not follow such directives. He mentioned that judges have the discretionary power to give bail. However, the judges do not exercise this discretionary power. He also questioned the impartiality and independence of the judiciary. He added that the present Parliament was not established through direct election as per Article 65 of the Constitution of Bangladesh. Thus, restoration of democracy was important to protect citizens' rights and promote human rights.

Saiful Huq said that extra-judicial killings, enforced disappearances and custodial torture are widespread in Bangladesh, where there is a climate of spreading fear. He added that there is no political accountability and human rights violations are occurring despite the existing legal framework. He added that media are kept under surveillance by the government through the implementation of Section 57 of the Information and Communication Technology Act 2006. He also mentioned the torching of the Santal village and called for the resignation of the Inspector General of Police. He also mentioned the coal-based power plant project in Rampal near Sundarbans, where people were prevented by the police from protesting against the government. He added that journalist Nazmul Huda was arrested as he reported on ready-made garment workers' protests for a pay raise.



Professor Asif Nazrul said that 84-year old journalist Shafik Rehman, who was detained in the office of the Detective Branch of Police, reported that during his detention he could hear people screaming. Asif Nazrul said that torture techniques are used to frighten and psychologically break the victims. He added that the Torture and Custodial Death (Prevention) Act 2013 is a good law, however judges are not independent in the lower courts as their power to take cognizance of criminal cases has become limited, especially when RAB is involved.

He urged the media, human rights organisations and civil society to take accountability. He said that they could play a very important role to prevent human rights violations in Bangladesh. He suggested that NGOs send alternative reports to the UN bodies and file cases with the International Criminal Court (ICC). He said that it is crucial to campaign for the ratification of OPCAT and to put pressure on the government to comply with their reporting obligations to the CAT.

Day 1: Plenary Session II

The second plenary session of the day was on “Mobilisation of civil society – creating powerful advocacy tools to prevent torture”. This session was aimed at identifying ways to mobilise civil society to build powerful advocacy tools using CAT and the domestic law against torture and; to better engage CSOs and policymakers to uphold international standards and principles. Dr. Shahidul Alam, photographer and writer, DRIK; Mr. Pinaki Bhattacharya, physician and online activist; and Mr. Shahiduzzaman, news editor, New Age, spoke in this session, which was chaired by Odhikar’s President Dr. C R Abrar.



Dr. Shahidul Alam put emphasis on three tools - education, media and arts and culture, which could play a vital role to mobilise civil society and the general public and create powerful advocacy tools to prevent torture. He said that it is important to remember that besides providing information, it is crucial to touch people's hearts in order to make them empathies with the victims. It is important to think creatively when it comes to providing information. He said that art and culture could help reach the target groups. He said that in 2010, DRIK organised a photography exhibition on crossfire in Bangladesh. They took each of the photographs at midnight using torchlight. The photos displayed in the gallery did not have any kind of written information or any bloodstained scenario but still the police tried to shut down the exhibition, claiming that no permission had been sought to organise it. The organisers filed a writ petition against the ban, and the exhibition was held for one day giving many people the possibility to attend it.



Dr. Shahidul Alam stated that it was asked people attending the exhibition to write the name of victims of crossfire they knew on an empty wall. In the end, the wall was full of names. They also sent several sets of photos for exhibition to different districts of Bangladesh.

Pinaki Bhattacharya said that he believes torture is a global problem. He observed that power should belong to the people, while in the modern state system it is the State that holds all the power. He also said that the police are controlled by the State and he suggested that the power to control police forces should be given to the community instead. He also stated that the stories of torture and other human rights violations should be circulated on Twitter and other social media with subtitles to reach a global audience.



Shahiduzzaman said that fundamental rights are guaranteed in the Constitution and laws are there to protect and promote human rights. However, these are not effective due to a lack of implementation. Thus civil society has to think of alternative ways to speed up the movement in a structured way and change the system. All strata of society should take part in the movement, not only civil society.

Day 1: Plenary Session III

The third plenary session entitled “Supporting the anti torture movement – mobilising HRDs and victims’ families to combat torture” was aimed at looking into current protection mechanisms available for HRDs and on mobilising HRDs to support victims and their families. The discussion also collected concrete suggestions and feedback from participants and identified protection gaps, in order to enhance the scope of advocacy work. Mr. Adilur Rahman Khan moderated this session where Ms. Sadia Arman, Advocate, Supreme Court of Bangladesh; Mr. Md. Shariful Islam, Associate Professor, Department of Political Science, University of Dhaka; Mr. ASM Nasiruddin, Director, Odhikar and Mr. Henri Tiphagne, Executive Council Member, OMCT spoke.





Barrister Sadia Arman said that lawyers and doctors should mobilise together to combat torture, as in Bangladesh medical officers often do not provide reports in fear of losing their government job or due to pressure/threats. She suggested that medical officers/doctors should be held more accountable. She also suggested research-oriented activities to combat torture and other forms of human rights violations. Poetry and art can also create resistance to combat torture and other forms of human rights abuses. She also added that the government institutions like the judiciary, the NHRC and the Anti-Corruption Commission have become dysfunctional.

Md. Shariful Islam said that since 2009 there has been a raise in the number of cases of enforced disappearance in Bangladesh. He compared the current scenario of death due to torture, extrajudicial executions and enforced disappearances to a low-scale genocide. He said that to stop these gross human rights violations strategic planning was necessary. He also referred to the system of ‘testimonial therapy’ for acknowledging the braveness of the victims, where the public would tell them that they are considered heroes.

ASM Nasiruddin said that for supporting the anti-torture movement in Bangladesh it was important to mobilise HRDs and victims’ families. He said that Odhikar had stepped onto different platforms for organising victims’ families to move ahead with the anti-torture movements. They have called on all the HRDs to communicate with the victims’ families in their locality and set up a network to support and actively participate in the movement. He also requested that every HRD engage in the anti-Rampal power plant movement.



Henri Tiphagne said that it takes years of mobilising people to keep them in the struggle. He said that it is the families of the victims whom we need to engage in the movement. He urged all to invest upon the children of the tortured victims, invite them to attend meetings and to commemorate the 26th of June (International Day in Support of Victims of Torture) and other events in order to enable them to fight for their rights. He said that medical reports were very important to prove torture as well. Therefore, doctors should play an important role too. He emphasised the importance of documenting torture cases accurately and sending them to the UN bodies.

Day 2: Plenary Session IV

The fourth plenary session of the second day of the consultation was on the topic “Shrinking space for HRDs – how to overcome challenges and support implementation of CAT and the national legislation against torture”. This session was aimed at discussing the shrinking democratic space as a common challenge faced by HRDs while fighting against torture in Bangladesh. The session also highlighted HRDs efforts to overcome challenges and to support the implementation of CAT and the Torture and Custodial Death (Prevention) Act 2013. The session was moderated by Mr. Adilur Rahman Khan, Secretary, Odhikar. The speakers in this session were Mr. Md. Shariful Islam, Associate Professor, Department of Political Science, University of Dhaka; Mr. Pinaki Bhattacharya, physician and online activist; Mr. Shaukat Mahmood, Former President, National Press Club and Mr. Henri Tiphagne, Executive Council Member, OMCT.



Md. Shariful Islam said that there was no space left for HRDs in Bangladesh, and that writers and members of civil society had become silent. He mentioned that the police was pressurising the government to repeal the Torture and Custodial Death (Prevention) Act 2013. He also said that the NHRC was established based on the Paris Principles; however, it was not an autonomous institution rather it had become subservient to the government. In order to support the implementation of CAT and the national legislation against torture, he added that civil society would need to push for the accountability and independence of the judiciary and NHRC. He observed that the media could also play an important role and systematically report on torture in order to create public awareness.

Pinaki Bhattacharya said that communication was vital. He agreed that democratic space was shrinking, but the people’s fear was causing the space to narrow down rapidly. He said that sharing beliefs and thoughts was vital to keep the movement going.

Shaukat Mahmood said that he was arrested and charged with 62 charges for expressing his views in a talk-show. Similarly, there have been many cases filed against journalists in different districts of Bangladesh. He mentioned that torture equipments are preserved in all places of detention, including prisons. He said that police used torture as a tool to extract information from the accused, and that the accused family members were even tortured to give statements.



Henri Tiphagne said that repressive governments had taken people's rights to freedoms of expression, assembly and association away. Not only has civil society's space shrunk but also the space for the NHRC and the judiciary. There is a zero tolerance policy towards any criticism of the government, and the opposition parties in Bangladesh are almost non-existent. In this context, he said, we need to look into alternative strategies. To come out from this situation, he suggested following Sri Lanka as a model. He urged all to create a joint solidarity group in order to restore democracy. He urged HRDs to document information accurately through photography, audio and video recording.

Day 2: Plenary Session V

The fifth plenary session of the second day was on “Networking of HRDs – Securing accountability and ending impunity”. This session focused on how to strengthen the network of HRDs, including women HRDs, to help bring perpetrators to justice. It was also aimed at developing best campaigning and advocacy strategies to end impunity. The session provided an opportunity for self-reflection on how HRDs could continue human rights work despite repressive laws and persecution. This session was chaired by Odhikar's Director Mr. ASM Nasiruddin Elan, while Ms. Taskin Fahmina, Gender Expert, Odhikar; Mohammad Hasan, Secretary General, Association of Young Generation of Urdu-speaking Community; Mr. Mohammad Nur Khan, Director, Ain-O-Shalish Kendra (ASK); and Sazzad Hussain, Programme Coordinator of Odhikar spoke.



Taskin Fahmina talked about advocacy and networking strategies, and advocacy definition, objectives and tools. She said that through advocacy, HRDs could play a vital role to secure accountability and to implement the Convention against Torture in order to end impunity. She said media advocacy, national and international level advocacy were necessary. She added that networking among HRDs could make their bond strong while they are in danger.



Mohammad Hasan said that Odhikar always worked against the wind. He commented that 45 years after independence, no other human rights organisation except Odhikar supported the legal rights of the Urdu-speaking people of Bangladesh. He added that it was an honour to attend the meeting on behalf of the Association of Young Generation of Urdu-speaking community. He said that there are not only ethnic and religious minority groups in Bangladesh but also linguistic minority groups. He stated that the members of the Urdu-speaking community are Bangladeshi citizens, as recognised by the High Court Division of the Supreme Court of Bangladesh in 2003 and 2008. He observed that the Legislature and Executive Organs of the State are not respecting the decisions of the Judiciary and are denying the rights of the Urdu-speaking community. He demanded that the Urdu-speaking community be rehabilitated into mainstream Bangladeshi society with due dignity and ensuring their rights.

Mohammad Nur Khan said that often HRDs act as volunteers and that their activism is not an easy task. It requires facing risks, challenges and dangers at every step of the way. He commented that the Government of Bangladesh talks about democracy but in practice there is no democracy at all. The justice mechanism has become almost non-functional and the government and ruling party for their political benefits are using the security forces, including RAB and the police. He said that whoever was in power used torture as a tool. He mentioned the abduction of AB Siddique, the husband of a well-known environmental lawyer, from Narayanganj. After his release, the family did not denounce the incident. He urged all the members of civil society to work together without fear of self-censorship.



Sazzad Hussain said that repressive laws, such as the Information and Communication Technology Act 2006 (amended 2009 and 2013) and the Foreign Donations (Voluntary Activities) Regulation Act 2016 have been enacted to undermine the activities of those organisations that work particularly on issues relating to civil and political rights. He emphasised the importance of being united and to strengthen the network locally and nationally. He commented that sharing information is important and that threats would be reduced if there were information and unity in the network. The State is monitoring the social media – Facebook, Twitter etc. and we have to be tactical and cautious while sharing information online or on social media. He requested all to send thematic reports to the UN bodies as well as to the Special Rapporteur on Torture and other special procedure mandate holders. He observed that the victims and their families could not speak out in fear of being further harassed, tortured or intimidated. HRDs are the persons who would stand beside them and gather information for advocacy. He also added that it is important for HRDs to be aware of the existence of the different HRDs protection mechanisms available through international organisations such as OMCT, FIDH, Forum-Asia, AFAD, AHRC etc. He said that it is crucial for HRDs to systematically collect victims’ testimonies and share information with Odhikar.



ASM Nasiruddin Elan said that building a network amongst the HRDs is very important for generating social movement and for being able to stand beside the families of the victims. He remarked that a culture of impunity prevails in every institution of the State; and that the unwillingness to provide information related to human rights violations is part of this culture of impunity. He emphasised that information recipients must know the laws and their rights. He said that the people were forced to keep silent and that the victims’ families did not want to cooperate with HRDs because there was no victim and witness protection law in Bangladesh. He observed that fact finders have to be friendlier with the victims. Elan also urged HRDs to share their difficulties and challenges while working in their respective areas.

Day 2: Plenary Session VI

Plenary session VI focused on “Lessons learned and the way forward”. This session was chaired by Mr. Adilur Rahman Khan. Speaker for this session were Mr. Henri Tiphagne, Executive Council Member, OMCT; Mr. ASM Nasiruddin Elan, Director, Odhikar; Mr. Sazzad Hussain, Programme Coordinator, Odhikar and Ms. Taskin Fahmina, Gender Expert, Odhikar and Ms. Stella Anastasia, Human Rights Officer, OMCT. This session was aimed at sharing experiences and best practices with regard to the promotion and protection of human rights. The session also focused on the role of HRDs in upholding the obligations under CAT.



Stella Anastasia, on behalf of the OMCT, expresses her gratitude to everyone present at the consultation. She briefly mentioned the OMCT’s mission to Bangladesh. She remarked that Bangladesh ratified the Convention against Torture but never submitted the report. This means that it can only be reviewed in the framework of the CAT as a non-reporting state. However, she said that there are other ways of taking actions, for example by sending communications to the UN Special Rapporteur on Torture. She mentioned that Adilur Rahman Khan always says that Bangladesh is kept under the carpet and off the international community’s agenda. To get attention, she suggested setting up an international solidarity group for Bangladesh. She suggested that HRDs on the ground send accurate information to the Special Rapporteur on Torture, who can put pressure on the government by sending urgent appeals, requests for country visits and letters to the government anytime after it receives allegations on torture. She also mentioned that OMCT provided social, legal and medical assistance to the victims of torture and their families through local partner organisations.

In this session, participants and HRDs also made some strategic plans for defending human rights in their own provinces. Participants also gave their feedback and specific recommendations for future activities and programmes of Odhikar.

OUTCOMES:

The objectives of the consultation were largely achieved through interactive and participatory discussion and sharing information. Some of the key outcomes were as follows:

- The HRDs network has been strengthened and its capacity has been enhanced in terms of developing a strategic plan to fight against torture in the current repressive political context; HRDs have learned some new strategies to campaign against torture by using different methods and tools – through social media, arts and culture – keeping the security concern in mind.

- Grassroots activists associated with Odhikar have strengthened their engagement with relevant stakeholders, including victims’ families, in order to raise awareness on torture issues at local level;
- Journalists and media activists present at the meeting committed to strengthen their engagement with victims and their families in order to act together more closely on human rights issues; Participants also agreed to engage the NHRC and lawyers community to act together and campaign against torture at local as well as national level.
- Steps have been taken both at regional and international level toward the creation of an international solidarity group for Bangladesh aiming at protecting human rights and re-establishing the rule of law and democracy in Bangladesh;
- A strategy to advocate for the implementation of the Convention against Torture has been developed, including strengthened engagement with UN mechanisms such as the Human Rights Council and the submission of a joint alternative report focusing on torture to the Human Rights Committee.



Participants of the National Consultation

-End of Report-