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Human Rights Monitoring Report

July 1 - 31, 2014

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Odhikar believes that 'democracy' is a form of the State and presupposes that freedom and human rights are its foundations. Democracy is not merely a process of electing a ruler. Democracy is the result of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the State defining collective aspirations and responsibilities. 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 State's failure to recognise this at the founding moment is a continuing curse that people in Bangladesh are forced to carry. A State cannot be 'democratic' if the

people do not realise and participate as 'citizens' in all sectors of the functioning of the state. The democratic legitimacy of the State is directly related to its commitment and capacity to ensure human rights, such as right to life and livelihood, right to environment and health; and the dignity and integrity of citizens. If all these are not ensured by the State, it cannot be called a 'democratic' state. These civil and political rights, as the foundational principles of the State, must remain inviolable; and accordingly, the Parliament, Judiciary and Executive cannot and should not have any power to abrogate them through any legislation, judicial verdict or executive order. The people's inviolable rights are the foundational principles of the State.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure these civil and political rights. Odhikar stands against all forms of human rights violations and accordingly participates and remains directly involved in the human rights movement in Bangladesh. Odhikar brings to the movement the strategic perspective that in its demand for civil, political, economic, social and cultural rights, the human rights movement not only endeavours to protect the victims, but is also constitutive of a democratic state. In recent times, Odhikar's human rights defenders have been persecuted for their work and beliefs. However, this has only strengthened the organisation's resolve to fight for human rights, with no discrimination whatsoever.

The movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic, political community. As part of its mission, Odhikar monitors the human rights situation of Bangladesh to report violations and defend the victims. In line with this campaign, Odhikar prepares and releases monthly situation reports. Odhikar has released this human rights monitoring report for July 2014, despite facing harassment and threats to its existence.

Political violence persists

1. According to information gathered by Odhikar, in July 2014, eight persons were killed and 589 injured in political violence. 35 incidents of internal violence in the Awami League and five in the BNP¹ were recorded during this period. In addition to this, two persons were killed and 428 were injured in internal conflicts of the Awami League while 52 persons were injured in BNP internal conflicts.
2. Reports show that leaders and activists of the ruling party, Awami League, are to a great extent, involved in criminalisation of politics, including 'capturing' of residential halls, extortion, tender bidding, 'admission

¹ BNP: Bangladesh Nationalist Party

business' and establishing supremacy under political shelter. As a result, political violence continues. Some examples of political violence in July are as follows:

3. On July 13, 2014 police of Shahbagh Police Station arrested Chhatra League activist and History student of Dhaka College, Imran Hossain for kidnapping another college student, Mostafizur Rahman and seeking ransom. Police rescued Mostafizur Rahman from Mohsin Hall in Dhaka University. Imran was giving his identity as a student of Dhaka University and living in Room No. 528 at Mohsin Hall, which actually belonged to AB Siddique (alias Rahat), the Environment Affairs Deputy Secretary of Chhatra League's Central Committee. On July 12, Imran Hossain and his associates invited Mostafizur Rahman to Mohsin Hall to watch the world cup football match between Brazil and Netherlands. They apprehended Mostafizur and asked for a ransom of seventy thousand taka from his father, Mokhlesur Rahman over telephone. Police arrested Imran and rescued Mostafizur Rahman when his father alerted them. Mokhlesur Rahman filed a case with Shahbagh Police Station naming Imran Hossain and Chhatra League activists Sujon, Raihan and Shahab as accused persons.²
4. On July 14, 2014 Naimul Islam Riyad, a fourth year student of the Environmental Science Department of Jessore Science and Technology University and a Chhatra League activist, was stabbed to death by criminals, in front of the main gate of the University. Despite the fact that student politics in Jessore Science and Technology University was prohibited in 2009 by the University syndicate,³ this happened due to an altercation between two groups of the University unit Chhatra League – the group supporting General Secretary, Shameem and the group supporting senior Vice-President Sanjay Banerjee; over the forming of a committee. On July 13, Tanvir, a first year student of Environmental Science beat Badal, a final year student of the same department over the said altercation. An altercation also took place between Riyad and Tanvir on July 14, when Riyad asked about this matter. Tanvir informed Shameem, the University unit Chhatra League's General Secretary over telephone. After this, some outsiders on motorcycles entered the campus and started stabbing Naimul Islam Riyad. Another student named Jewel was injured when he tried to save Riyad. Later, local people and students brought the two men to Jessore Medical College Hospital, where the Head of Surgery Department Dr. N K Alam declared Riyad dead.⁴

² The daily Prothom Alo, 14/07/2014

³ The daily Jugantor, 15/07/2014

⁴ Report sent by human right defender associated with Odhikar from Jessore; and the Prothom Alo, 15/07/2014

5. The government must take legal action not only against the perpetrators, but also against party activists who are involved in criminal activities, in order to stop criminalisation of politics. The Government must play a neutral role in respect of the investigation of the incidents of political killings.

Extrajudicial killings

6. According to information gathered by Odhikar, a reported total of 15 persons were extra judicially killed in July 2014. Types of deaths and the identities of the deceased are stated below:

Types of extrajudicial Killings

Crossfire/encounter/gun fight:

7. Of the 15 persons extra judicially killed, 11 were killed in 'crossfire/encounters/gun fights' by the police.

Shot to death:

8. During this period three were shot and killed. Among them, one was shot dead by the police; one by the RAB and one was shot and killed by the Ansar.

Tortured to death:

9. During this period, one person was allegedly tortured to death by police.

Identities of the deceased

10. Of the 15 persons who were killed extra-judicially, it was reported that two were members of the Purba Banglar Communist Party (ML), one was member of Biplobi Communist Party, one was leader of the BNP, one was garment 'waste' trader, one was Ward⁵ member and nine were alleged criminals.
11. From the numbers of extrajudicial deaths reported and recorded every month, it seems that law enforcement agencies are killing accused persons with impunity; and this is either ignored or encouraged by high level persons of the government. Odhikar believes that the country's laws and criminal justice delivery system are under serious threat due to the prevalence of extrajudicial killings; and that the government has taken a completely contrary position in respect of stopping extrajudicial killings.

⁵ Wards are divisions in the Unions, the lowest tier of the local government. Each ward has a local administration.

Odhikar urges the government to immediately put a stop to extrajudicial killings and also demands that all perpetrators be brought to justice.

12. On July 11, 2014 two men named Abdur Rashid (34) and Hazrat Ali (36) were shot dead by police in Kotchandpur and Harinakunda Upazilas of Jhenaidah. Both were farmers. The families of the deceased and local people claimed that police killed them. There was apparently no case against them. According to the statement of Altaf Hossain, the Superintendent of Police, a patrol team led by Farooq Hossain, the Sub Inspector of Harinakunda Police Station was patrolling the area on July 11. At around 3:00 am, a group of criminals threw handmade crude bombs on the police in the Rishkhali Amtoli area. Police opened fire in self defense. At that time a gun fight ensued between two groups lasting about 10-12 minutes. At one stage the criminals fled the area and police recovered the body of Hazrat Ali. Though the police circulated the story of gun fight, it was learnt that on July 10, 2014 in the evening, Abdur Rashid and Hazrat Ali were picked up by police of Laxmipur Bazar Outpost in the presence of many people from Laxmipur Bazar of Kotchandpur. The father of the deceased Abdur Rashid, Islam Mandol said that police picked his son up from Laxmipur Bazar on July 10 in the evening. He did not know the whereabouts of his son. Meanwhile the elder brother of Hazrat Ali, Abdur Rashid said that they had communicated with the police through the local leaders of political parties, to release his brother. At that time, taka two hundred thousand was demanded. Police killed Hazrat Ali before the family could collect and give them the money.⁶
13. On July 17, 2014 SM Biplob Kabir, Tala Upazila unit BNP's Assistant Secretary and General Secretary of Jalalpur Union, was shot dead by police in Satkhira. The deceased Biplob was a teacher of Tala Upazila Shalika Degree College. Halima Khatun, his mother, alleged that there was a long-term dispute between her sons and their cousin brothers over land. On July 17 at around 12.15 am, a group of 20-25 men including Biplob's cousin's Mahbub Sheikh, Tozam Sheikh and neighbour Shahin Sheikh; along with police attacked their house and tried to pick up Biplob. At that time, hearing their shouts, neighbours rushed to the spot and police opened fire at them. One Safaet Morol was shot in his hand and leg. When neighbours left, Biplob was hit on his head by police and was beaten and taken away. She got to know that at around 5:30 am, Biplob was admitted to Satkhira Sadar Hospital with gunshots. The Emergency doctor Abdul Gafur said that Biplob was brought to hospital at around 3:30 am. At that time he was bleeding severely. Biplob died at 7.05 the next morning.⁷

⁶ The daily Prothom Alo, 13/07/2014

⁷ The daily Prothom Alo, 19/07/2014

Allegations of torture in custody

14. Torture in custody is a grave human rights violation and all too common in Bangladesh. On October 5, 1998 Bangladesh ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Despite this, Bangladesh does not follow the obligations in this international treaty. According to this Convention, “No one shall be subjected to torture and other cruel, inhuman or degrading treatment or punishment”. Article 35(5) of the Constitution of Bangladesh also echoes this. On October 24, 2013 ruling party Parliamentarian, Saber Hossain Chowdhury presented the ‘Torture and Custodial Death (Prevention) Bill, 2013’ in the Parliament which was passed into an Act by the Members of Parliament through a voice vote. Despite this new Law, incidents of deaths due to torture in custody continue.
15. On July 12, 2014 a garment waste⁸ trader named Mahbubur Rahman Sujon (30) was allegedly tortured to death by police of Mirpur Police Station. The family of the deceased claimed that police killed Sujon as he failed to pay extortion money and that the police were bribed by his rivals. Sujon’s wife Momtaz Sultana said that on July 12 at around 12:45 am, four policemen from Mirpur Police Station, including Sub Inspector Zahidur Rahman Khan, Constables Asad and Mithun came to their house at Shongkor under Dhanmondi Police Station. Police caught Sujon when he opened the door. They started ransacking furniture at their home. Policemen hit Sujon on the head with an iron rod and also kicked him. They took Sujon to the bathroom and put his head in a bucket full of water and tortured him. Later Sujon, along with his wife Momtaz and their son Mosharaf Hossain (6) were brought to Mirpur Police Station. Momtaz and Mosharaf were locked in a room of the police station and SI Zahid and other policemen took Sujon to another room at the station and tortured him. About 20-25 minutes later a naked Sujon was put in a vehicle. A female police officer put a cloth over his body. Momtaz saw all this through a window of the police station. On July 13 at around 8:00 am, Momtaz was taken to another room where SI Zahid told her to sign a blank paper. When she refused to do, SI Zahid threatened her by showing her bullets, taken out of his pocket, and told her that she will also be accused in case and be sent to court. She then signed the paper in fear. After taking her signature, Momtaz was put in a vehicle. At that time Momtaz asked SI Zahid for the whereabouts of Sujon and where she was being taken to. SI Zahid replied that Sujon was admitted to a hospital and she was being taken there. After that, the police vehicle came to their house at Shongkor. Momtaz was kept waiting outside while SI Zahid and

⁸ Garment waste is the waste material produced by garment manufacturing factories. These are bought by traders for recycling.

three policemen re-arranged the furniture they displaced last night. Later Momtaz was dropped at Mirpur near the house of her in-laws. SI Zahid told Momtaz “your husband has died and his body is kept in Dhaka Medical College Hospital. You go there with your mother-in-law.” Later Momtaz went to Dhaka Medical College Hospital with the members of her in-laws, where they saw Sujon’s body with marks of injuries. She got to know that Sujon was taken to a local clinic by police when he became unconscious after torture and the doctors of the clinic declared him dead. Furthermore, she and her family were threatened through criminals, who said they were police informers.⁹ It was revealed during fact finding that marks of injuries were found in various parts of Sujon’s body including his head, hands and legs. Doctors found these marks during the postmortem of Sujon’s body. On July 14, 2014 the postmortem was conducted under the leadership of Professor Dr. Habibuzzaman, the Head of Forensic Department of Dhaka Medical College Hospital and Assistant Professor Dr. AKM Shafiuzzaman.¹⁰ It is to be noted that three persons allegedly died in the hands of Sub Inspector (SI) Zahidur Rahman Khan in the current year. In January 2014, SI Zahid shot a youth named Javed Hossain in the leg. Later Javed died due to extreme bleeding at the National Orthopedic Hospital and Rehabilitation Centre. In February, SI Zahid allegedly tortured and killed a Bihari youth named Mohammad Jony. During that time, SI Zahid was posted in Pallabi Police Station. He was ‘closed’ from Pallabi Police Station after that incident. There were several allegations against SI Zahid in relation to torturing people in custody for bribes and extortion; getting money by threatening people that they would be implicated in cases; and torture.¹¹ On July 17, 2014 SI Rafiqul Islam Khan of Mirpur Police Station filed a case against SI Zahidur Rahman Khan, ASI Rajkumar, Constables Anwar and Rashedul and police informers Nasim, Polash, Faysal and Khokon for allegedly torturing and killing Mahbubur Rahman Sujon. Among the accused persons, police have arrested SI Zahidur Rahman Khan and inform Nasim so far.¹²

16. Odhikar expresses its grave concern due to continuing acts of extrajudicial killings. Odhikar believes that despite the claim of ‘zero tolerance’ on torture, the Government has not taken steps or effective measures to curtail torture and other forms of custodial violence; and acts of impunity by law enforcement officers. Such lack of action against perpetrators only encourages human rights violations. Odhikar demands that the government form an independent inquiry commission in order to

⁹ Information gathered by Odhikar and the daily Manabzamin, 14/07/2014

¹⁰ The daily Ittefaq, 15/07/2014

¹¹ The daily Prothom Alo, 15/07/2014

¹² The daily Prothom Alo, 18/07/2014

investigate the incidents of torture and all types of extrajudicial deaths and bring the killers to justice through an impartial investigation.

Death in jail

17. According to information gathered by Odhikar, in July 2014, three persons died in jail due to 'illnesses'.
18. There were allegations that many prisoners died due to scarcity of proper medical facilities and the negligence of the jail authorities. Furthermore, a physician's position in many prisons are reportedly empty.
19. Odhikar demands the government provide sufficient medical facilities for inmates in every jail and also take necessary action against the responsible persons of the jail authority through an independent investigation, if any prisoner dies in prison due to the negligence of the prison authority.

Situation of ready-made garment factory workers

20. According to information gathered by Odhikar, in July 2014, incidents of violent protests occurred for overdue wages and festival bonus. During this period, one worker was killed in fire, 64 workers were injured by the police, 20 workers were injured by the garments authority, 13 workers were injured due to fire and 25 workers were injured in the rush to exit burning factories.
21. Workers unrest is created due to lack of necessary facilities and when wages are not paid on time. The workers unrest has increased as the crises are not properly resolved.
22. A clash took place between police and workers of the closed factory Radical Design Garments over the demand for due wages in Fatulla, under Narayanganj District. During the clash, at least 20 workers were injured in baton charges, firing and tear gas shells by police. A female worker, Nila said that approximately 950 workers have been protesting for their unpaid wages. Many female workers are living in the factory with their families for several weeks after repeated promises that they will get their wages. The factory is closed for the last six months. Workers were demanding their wages for four months. On July 8, 2014 in the afternoon, police started baton-charging female and male workers when they gathered in front of the factory. This has made the workers even more angry and they threw brick-bats. Later police opened fire indiscriminately. At one stage, workers took shelter inside the factory where police also threw tear gas shells. Nila further informed Odhikar that 20-25 workers, including Sayeed, Delwar Hossain, Ferdous, Azahar, Shahin, Kamal, Shirina, Shilpi, Ruzina, Shahzadi and Parvin were injured in police firing and baton charges. Injured workers

were sent to Khanpur Hospital for medical treatment. It is to be noted that on June 15, 2014 BKMEA¹³ sent a letter to the State Minister for Labour and Employment alerting him of possible workers' unrest at Shostapur-Katherpul Industrial area in Fatulla, due to closure of Radical Design Garments. Hundreds of workers had already taken shelter in various floors of the 7-storied building, having failed to get four months' salary and unable to pay dues for groceries. Twenty five organisations, including United Federation of Garments Workers are providing them with lunch. On July 6, BKMEA and Industrial Police gave letters to four Ministries in this regard. Moreover, a factory inspector of Narayanganj branch filed a case recently with the Labour Court demanding payment of all dues, including four month's salary to the workers by selling the properties of the owner of this factory.¹⁴

23. On July 9, 2014 workers of Tuba Group put up barricades and started protests for due wages and Eid bonus in front of Hossain Market at North Badda area in Dhaka city. During this time, some other factory workers also joined them. Police threw tear gas shells, rubber bullets and baton-charged the gathering to disperse the angry workers from the street. 15 workers and some police were injured in this incident. Police used water cannons and riot control cars in order to control the situation.¹⁵ Workers of five garment factories of Tuba Group started a hunger strike from July 29, 2014 for their salary, overtime for the months of May, June and July and for their Eid bonus. At least 84 workers fell sick during the fourth consecutive day of the hunger strike. Among them, 10 were admitted to hospital. Meanwhile the High Court Division of the Supreme Court granted ad-interim bail for the Managing Director of Tuba Group Delwar Hossain. Delwar Hossain was in jail in a case filed over the fire incident at Tazreen Fashions Ltd on November 24, 2012. Many workers alleged that "the management of the factory put pressure on workers and held them hostage in order to free its Managing Director, Delwar Hossain from jail".¹⁶
24. On July 10, 2014 allegations of forceful termination of 50 workers were found from CG Garment Company Ltd at Kewa under Shreepur Municipality in Gazipur District. Workers were terminated from July 1 to July 10 by threatening them through local influential people. Workers alleged that the factory authority did this to deprive the workers from salary for the month of July and festival bonus.¹⁷

¹³ Bangladesh Knitting Manufacturers Exporting Association

¹⁴ Report sent by human right defender associated with Odhikar from Narayanganj

¹⁵ The daily Jugantor and Naya Diganta, 10/07/2014

¹⁶ The daily Prothom Alo, 01/08/2014

¹⁷ The daily Jugantor, 11/07/2014

25. 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. The termination of workers without valid reasons, closing down of factories without prior notice, and the habit of not paying wages on time, violate their human rights; and these violations continue.

Land rights in the Chittagong Hill Tracts

26. A large part of the land in the Chittagong Hill Tracts (CHT) region now belongs to various government organisations, security forces and private companies. Moreover, land, rubber plantations, forests and other business related properties are under the control of land grabbers and influential people. None of them live in the CHT and due to this, clashes often take place with local ethnic minority groups.¹⁸ On June 10, 2014 clashes occurred between local ethnic minority groups and Border Guard Bangladesh (BGB) and police over establishing a new Battalion office of BGB in Babuchhora under Dighinala Upazila in Khagrachhori District. BGB members of the 51 Battalion put a flag on the proposed 'Helipad' area when women belonging to ethnic minority communities claimed that the land belonged to them and was out of BGB territory. Women belonging to ethnic minority groups were entangled in altercations between BGB members which led to a clash. At least 21 persons including BGB and police were injured in this incident.¹⁹ On July 13, 2014 in the 15th session of the Ethnic Minority Community Related Parliamentary Committee, Jyotirindra Bodhipriya Larma (Shontu Larma), Chairman of the CHT Regional Council said that the government is evacuating citizens belonging to ethnic minority groups from their ancestral land in order to establish a new Battalion for BGB.²⁰
27. On July 4, 2014 a group of six representatives belonging to the CHT Commission came to Rangamati after the trip to Khagrachhori in order to observe the whole situation in the CHT area. Six organisations belonging to Bengalis called blockade programme in Rangamati for 36 hours from 6:00 am of July 4, to prevent the CHT Commission from entering Rangamati. Members of the CHT Commission left Parjaton Motel on July 5, to reach Chittagong with police protection, based on a compromise that the CHT Commission would leave Rangamati without doing any programmes and the protesting Bengali organisations will remove the barricades put in different places. However, a group of criminals attacked the Commission with sharp weapons and threw brick-bats at the Omda Mia Hall area. During this incident, the Executive Director of Transparency International

¹⁸ The daily Prothom Alo, 09/07/2014

¹⁹ Hill News 24, 10/07/2014

²⁰ The Daily Star, 14/07/2014

Bangladesh (TIB), Iftekharuzzaman; former General Secretary of Hill Women's Federation and Researcher of the CHT Commission, Elira Dewan; and the Officer-in-Charge of Rangamati Police Station, Monu Imtiaz Sohel were injured.²¹

28. Odhikar believes that land related disputes need to be resolved immediately through the Land Commission by identifying illegally captured land. Odhikar also believes that the rights of ethnic minority communities are related to land ownership. The land and properties belonging to ethnic minority groups are gradually being taken away. Their rights not recognised in the Constitution of Bangladesh. The 'Peace Accord' was signed without resolving these fundamental matters, which has kept the conflict alive in the CHT.
29. Odhikar urges the government to take effective measures to ensure human rights of all residents living in the CHT and also resolve the land ownership dispute immediately for an effective solution of this prolonged crisis.

Law Ministry issues circular relating to marriage between Bangladeshis and Rohingyas

30. On July 10, 2014 a discussion in relation to the Law Ministry was held during the last day of a Conference of Deputy Commissioners in the Cabinet. After the meeting, the Law Minister Anisul Huq told the journalists that the Ministry has issued a circular on July 10 in relation to marriage between Bangladeshis and Rohingyas. According to this circular, if any Marriage Registrar registers a marriage between a Bangladeshi citizen and a Rohingya then stern action will be taken against him.²²
31. Odhikar condemns this kind of decision of the government. Odhikar believes that this is an interference on the right to life and personal liberty of any Bangladeshi citizen. According to Article 16(1) of the CEDAW, States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: (a) The same right to enter into marriage; and (b) the same right freely to choose a spouse and to enter into marriage only with their free and full consent. Odhikar believes that this is contrary to the Constitution of Bangladesh. Article 32 of the Constitution of Bangladesh states that "no person shall be deprived of life or personal liberty save in accordance with law".

²¹ The daily Prothom Alo, 06/07/2014

²² The daily Amar Desh online version, 11/07/2014

Freedom of the media

32. In July 2014, according to information gathered by Odhikar, one journalist was injured, three were sued, one was a victim of attempted abduction and one journalist's house was vandalised by a bulldozer for publishing the news of corruption by an Upazila land office.
33. Most of the media, in particular, electronic media in Bangladesh are owned and controlled by supporters of the government. The state owned Television channel, BTV focuses predominantly on the news about the government and the ruling party. The present government has approved 13 more private electronic channels and all of the owners are supporters of the ruling party. Meanwhile the present government closed down the electronic and print media owned by pro-opposition supporters, such as Channel 1, Diganta TV, Islamic TV and the daily Amar Desh. The broadcasting of Diganta TV and Islamic TV were shut down for airing live the operation carried out by law enforcement agencies on the night of May 6, 2013 centering on a rally conducted by Hefazate Islam. Both the TV channels are still closed. The Acting Editor of the daily Amar Desh, Mahmudur Rahman has been detained in Kashimpur Central Jail-2 since April 11, 2013. Furthermore, freedom of the media has been put under threat as a result of the passing of the Information and Communication Technology Act 2006 (Amendment 2013) in the Parliament, which is contrary to freedom of speech and expression. This Act was enacted during the BNP regime and the present ruling party Awami League has made it more repressive through the latest amendment.
34. On the other hand, the government is proposing to enact a new law in order to control the media. Criticising the TV channels, Social Welfare Minister Syed Mohsin Ali on July 22, 2014 said a law is being formulated to make sure the electronic media have no freedom. The Minister told journalists present at an inter-ministerial meeting at his secretariat office that "You are showing [bodies of] the Narayanganj seven-murder [victims] every 5-10 seconds and thus inciting people and that is why such an Act is being formulated so that you will have no freedom in the future,". The minister also added "There should be certain limits. Press freedom does not mean the media will do whatever they like".²³
35. Odhikar expresses grave concern over the government's initiatives to control media and gag its voice. Odhikar believes that freedom of the media in the present context is important for the promotion of a democratic state. Article 39 (1) of the Constitution of Bangladesh states that "Freedom of thought and conscience is guaranteed. Clause 2 (a) of the same Article states

²³ The Daily Star, 23/07/2014

that the right of every citizen to freedom of speech and expression; and (b) freedom of the press, are guaranteed.

University teacher accused of criticising former President Sheikh Mujibur Rahman, current President Abdul Hamid and Prime Minister Sheikh Hasina

36. In January 2014, a student of Northern University in Khulna alleged that a teacher of the Law Department of the University, Rajib Hasnat Shakil criticised Bangladesh's former President Sheikh Mujibur Rahman, current President Abdul Hamid and the current Prime Minister Sheikh Hasina in the class room. Based on this allegation, Sub Inspector Ahmed filed a case with Sonadanga Police Station against Rajib Hasnat Shakil under section 16(2) of the Special Powers Act, 1974. On July 3, 2014 police arrested him. The Officer-in-Charge of Sonadanga Police Station, Maruf Ahmed informed Odhikar that he personally investigated this case. On July 6, he submitted a final report to the Court as he could not find the truth. On July 10, 2014 Rajib Hasnat Shakil was released from jail on bail.²⁴
37. Odhikar believes that filing such cases and making arrests as a result of this kind of allegations are violations to freedom of thought, speech and conscience. This has created an undemocratic political culture.
38. It is to be noted that the Special Powers Act of 1974 has been used as one of the prime weapons to violate human rights and prevent dissenting voices. Odhikar demands the repeal of this repressive law immediately.

Public lynching continues

39. In July 2014, eight people were reportedly killed due to public lynching.
40. Odhikar believes that the lack of respect for law; distrust of law enforcement agencies; the weak criminal justice system; and instability in the country has increased insecurity among people; who have resorted to taking the law into their own hands, fearing that they will not get justice any other way.

Human rights violations in border areas by BSF continues

41. According to information collected by Odhikar, in July 2014, four persons were shot and injured and one was stabbed by the Indian Border Security

²⁴ Report sent by human right defender associated with Odhikar from Khulna

Force (BSF). During this time, nine Bangladeshis were also abducted, allegedly by the BSF.

42. The BSF also illegally trespass to Bangladesh territory and attack and loot the houses of Bangladeshi citizens or pick up Bangladeshis. After taking them, some are tortured and left at the border. Furthermore, there were allegations against the BSF, of occupying agricultural lands after entering into Bangladesh.
43. On July 21, 2014 a 12-year old boy, Nazmul Huq went to cut grass at the zero line near the international pillar No. 937 at Nonderkuti border under Phulbari Upazila in Kurigram District. At that time, BSF members of a patrolling team of Thoraikhana Camp under 124 BSF Battalion stabbed Nazmul Huq with the grass cutting knife. Nazmul's left wrist was cut.²⁵
44. Odhikar believes that the role of the Bangladesh Government should be independent and sovereign in order to protect its citizens. No sovereign states would sit and watch its citizens being indiscriminately killed, tortured and abducted by another state. According to the Memorandum of Understanding and related treaties signed between Bangladesh and India, if citizens of either country illegally cross the border, it would be considered trespass and as per law those persons should be handed over to the civilian authority. However, we have noticed that India has been repeatedly violating treaties, shooting at anyone seen near the border or anyone trying to cross the border; and illegally entering Bangladesh, which is a clear violation of international law and human rights.
45. Odhikar believes that the Bangladesh Government should demand specific explanations from the Indian Government regarding killing, abduction and torturing of Bangladeshi citizens living along the border areas, and if need be, take the issue to an international forum.

Violence against religious minority communities

46. Some influential and vested interest groups are attacking citizens belonging to religious minority communities over such issues as land and for extortion. Incidents of attacks on minority groups are being politicised and thus action cannot be taken against the perpetrators. Such incidents are continuing as the perpetrators are not punished.
47. In Madhavdi Upazila, under Norshingdi District, some leaders of Chhatra League²⁶ and their supporters attacked a family belonging to the Hindu community and ransacked their house and looted valuables, including cash and gold ornaments, as they did not give their property to them. A few

²⁵ The daily Inqilab, 23/07/2014

²⁶ Student wing of the Awami League

members of the Hindu family were injured during this attack. It was learnt that local Chhatra League leaders Ibrahim Babul, Jubaer and Humayun Kabir illegally occupied 10 decimals of land belonging to late Subhash Chandra Das in Kashipur area under Madhavdi Upazila in Norshingdi. The family filed a case against this illegal occupation. Recently the court had given a verdict on the land ownership in favour of the family of late Subhash Chandra Das. At the same time the court gave orders to hand over the land to that family. Chhatra League leaders were putting pressure on that poor family for registering the land in their names instead of handing it back to them. On July 7, Chhatra League leaders with their men, attacked the house of the family when they refused to register the land in favour of Chhatra League leaders. Chhatra League leaders attacked their house again at 3:00 am. The family of Subhash Chandra Das informed the local police. Local leader of the Hindu community and Information and Communication Affairs Deputy Secretary of the Central Committee of Bangabandhu Jatiya Parishad, Sukharanjan Banik said, "Attack on this Hindu family is a matter of grave concern and regret". He went to Madhavdi Model Police Station to file a complaint; the Officer-in-Charge Abul Kashem detained him in the police station for four hours and also threatened to implicate him into a fabricated case.²⁷

48. Odhikar condemns the crime of attacks on citizens belonging to religious minority communities. Odhikar urges the government to ensure the protection of the citizens belonging to all minority communities.

Violence against women

49. In July 2014, many women became victims of rape, dowry related violence, acid attacks and sexual harassment.

Dowry-related violence

50. In July 2014, according Odhikar documentation, 21 women were subjected to dowry violence. Of these women, it has been alleged that eight women were killed because of dowry, 11 were abused in various ways over dowry demands and two committed suicide.
51. Dowry has become a serious social ailment; as a result women in all sectors and their families are affected. Poor women have been victims of physical assault and death by their husbands and in-laws due to failure of proving dowry.
52. A housewife named Amena Begum (18) was allegedly killed by her in-laws over dowry demands. On July 1, 2014 in the afternoon, local people saw

²⁷ The daily Jugantar, 09/07/2014

Amena's body floating in the river at Poshna area adjacent to her in-laws house and informed the police. Later police recovered the body and sent it to morgue for autopsy. There was bleeding from the deceased's nose and her throat was found to be bruised. A murder case was filed with Kalihati Police Station in this regard. The family of Amena alleged that Amena's husband Harun and his family members were putting pressure for dowry soon after the marriage and for this Amena had been physically and mentally abused.²⁸

53. On July 6, 2014 a housewife named Swapna Khatun (18) was suspended from the ceiling and beaten by her husband Rajgul Hossain and her in-laws over dowry demands. When Swapna became unconscious, her husband and in-laws thought that she died and left her in a shrimp farm. Local people recovered Swapna from the area and admitted her to Shyamnagar Hospital.²⁹

Acid violence

54. According to information gathered by Odhikar in July 2014, it was reported that five persons became victims of acid violence. Among them, three were women, one was a man and one was a boy.
55. On July 5, 2014 at Gopalpur village under Kushtia Sadar Upazila, one Ayud Ali's sister Saleha Khatun, his daughter Sonia Khatun and son Titumir were sleeping at home. During this time criminals threw acid at them through the window and left the scene. The three of them were seriously burnt and the neighbours came hearing their screams and admitted them to Kushtia General Hospital. They were later shifted to Dhaka Medical College Hospital. Doctors said that 40% of Sonia's body was burnt. Police arrested a man named Mohammad Babu in relation to this incident.³⁰
56. On July 14, 2014 a housewife named Minara Akhter Sathi was beaten and burnt with acid by her husband, school teacher Rafiqul Islam over dowry demands in Ratanpur village under Panchbibi Upazila in Joypurhat District. Minara Akhter was admitted to Joypurhat District Hospital with severe acid burns. Minara Akhter alleged that her mother gave three hundred thousand taka to Rafiqul Islam at the time of marriage by selling a house. Her husband often tortured her for two hundred thousand taka more.³¹

²⁸ Report sent by human right defender associated with Odhikar from Tangail

²⁹ The daily Naya Diganta, 09/07/2014

³⁰ Report sent by human right defender associated with Odhikar from Kushtia

³¹ The daily Jugantar, 16/07/2014

Rape

57. In July 2014, Odhikar recorded a total number of 44 females who were raped. Among them, 16 were women, 27 were children below the age of 16 and the age of one person could not be determined. Of the women, one was killed after being raped; eight were victims of gang rape. Out of the 27 child victims, two were killed after being raped; five were victims of gang rape. Furthermore, five girls and one woman were victims of attempted rape. Some incidents are given below:
58. On July 9, 2014 a girl student named Mazeda Khatun was raped by her neighbour Mujibor in the absence of the girl's brother and sister-in-law at their home at Kafrul in Dhaka city. Later she was strangled to death after being raped by Mujibor.³²
59. On July 17, 2014 one Abdul Matin entered at a house in a slum and raped a housewife at Pallabi in Dhaka Metropolitan City. Her husband works as a security guard and was away from home that night. Hearing her scream, neighbours apprehended Matin and handed him over to the police.³³

Sexual harassment and stalking

60. According to information gathered by Odhikar, a total of 21 girls and women were victims of sexual harassment in July 2014. Among them, three were injured, two committed suicide and 16 were sexually harassed in various ways. During this period, one man and one woman were killed and four men and three women were injured by the stalkers when they protested against such acts.
61. On July 7, 2014 a fourth year female student of the Sociology Department of Rajshahi University was physically assaulted by the University unit Chhatra League Vice-President Obaidul Huq Kayes as his proposal for a love affair was refused.³⁴
62. A college student Rima Akhter (18) became a victim of stalking by Nasir Sikder, a father of two children, while on her way to and from college in Doribaheerchor village of Aamkhola Union under Galachipa Upazila in Patuakhali District. At one stage Nasir's proposal for marriage was refused by Rima. This made him angry and on July 14, 2014 Nasir Sikder along with five or seven associates went to the house of Rima and threatened to abduct her. On July 15 in the morning, Rima tried to commit suicide by taking poison. She was taken to Patuakhali General Hospital where she died while under treatment.³⁵

³² The daily Manabzamin, 10/07/2014

³³ The Daily Ittefaq, 18/07/2014

³⁴ The daily New Age, 08/07/2014

³⁵ The daily Prothom Alo, 17/07/2014

63. Odhikar expresses serious concerns over the increase in violence against women. Odhikar believes that women are being victimized mainly due to lack of implementation of laws; failure of the Judiciary; lack of victim and witness protection; corruption and criminalisation of the members of law enforcement agencies; economic instability; and weak administration. Odhikar believes that since the perpetrators of violence against women escape punishment due to various reasons, potential violators are encouraged and incidents of violence increase. Odhikar demands that the perpetrators be brought to effective and proper justice.

Information and Communication Technology Act 2006 (Amended in 2009 and 2013) is yet to be repealed

64. The repressive Information and Communication Technology Act, 2006 (amended in 2009 and 2013)³⁶ (ICT Act) is still in existence. The latest amendment to the ICT Act was made on October 6, 2013. Section 57 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 increased for 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 this Act against human rights defenders, journalists, bloggers and people who have alternative beliefs.

65. Odhikar urges the government to repeal this repressive law immediately.³⁷

NGO Affairs Bureau is yet to release Odhikar's funds

66. The NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has barred the release of funds for Odhikar's programmes. The government has taken such a strategy to stop Odhikar from functioning as an effective human rights watch dog.

67. Activities of the two-year 10-month project on 'Human Rights Research and Advocacy', funded by the Netherlands Embassy was accomplished in June 2013 but the NGOAB did not release its last phase of funds till date. This

³⁶ In 2013, the amendment made to the Act made the offence mentioned in Section 57 non-bailable and cognizable. 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 one crore or both.

³⁷ The ICT Act 2006 (Amended in 2009) is also the law under which the Secretary and Director of Odhikar have been charged.

project had been implemented mainly to document, research and advocate on human rights violations by the Indian Border Security Force along the border, extrajudicial killings, political violence, rights of the religious and ethnic minority communities and violence against women. In order to implement the project on time, Odhikar had to borrow money from its general funds. It is to be mentioned that the NGOAB had been putting barriers to release fund of this project since October 2010.

68. After completion of the first year activities under the 'Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh' project, funded by the European Union, Odhikar applied for the release of funds for the second year's activities on March 6, 2013. On May 15, 2013 the Bureau gave 50% of the funds for the second year, after three months of the submission of Odhikar's request. On August 21, 2013 Odhikar submitted an application to the NGO Affairs Bureau for releasing the remaining 50% of funds, along with a project completion audit report of the first year. The NGOAB has been reluctant to give fund clearance to the said project. Over a year has passed, still the NGOAB has not released the remaining 50% of the project funds.
69. On April 9, 2014 Odhikar submitted an audit report and applied for the release of second year funds under 'Empowering Women as Community Human Rights Defenders' project, funded by the Finnish NGO Foundation for Human Rights (KIOS) after the completion of first year activities. The project was designed to take effective action in order to stop violence against women in four districts. Odhikar is facing difficulties to implement the project activities for the second year due to non-release of funds.
70. As a human rights organisation it is Odhikar's duty to highlight human rights violations and take appropriate actions and measures to prevent future violations. The Government is harassing Odhikar, everyone associated with the organisation and victims of human rights violations; gagging their voices and hampering their activities.

Statistics: January-July 2014*									
Type of Human Rights Violation		January	February	March	April	May	June	July	Total
Extrajudicial killings**	Crossfire	20	13	7	14	5	7	11	77
	Torture to death	0	2	1	0	2	2	1	8
	Shot to death	18	1	6	4	1	0	3	33
	Beaten to death	1	1	0	0	1	1	0	4
	Total	39	17	14	18	9	10	15	122
Disappearances		1	7	2	18	0	0	0	28
Human rights violations by Indian BSF	Bangladeshis Killed	1	1	2	2	4	4	0	14
	Bangladeshis Injured	4	3	3	2	1	10	5	28
	Bangladeshis Abducted	13	8	12	4	17	5	9	68
Death in Jail		1	5	4	7	5	4	3	29
Attack on journalists	Killed	0	0	0	0	1	0	0	1
	Injured	2	9	7	25	5	2	1	51
	Threatened	1	1	3	2	1	1	0	9
	Assaulted	0	1	0	2	15	0	0	18
	Arrested	4	0	0	0	0	1	0	5
Political violence	Killed	53	10	22	17	17	13	8	140
	Injured	1472	1166	1343	593	412	246	589	5821
Dowry related violence (including women victims, their children and relatives)		12	15	14	22	18	31	22	134
Rape		39	51	42	56	63	45	44	340
Sexual harassment /Stalking of women		14	12	29	25	22	12	21	135
Acid Violence		1	3	6	5	6	4	5	30
Public lynching		16	6	11	13	11	6	8	71
RMG Workers	Killed	0	0	0	0	0	0	1	1
	Injured	60	135	65	51	49	115	122	597
*Odhikar's documentation									
**From January-July, 20 persons were extra judicially killed by the law enforcement agencies due to political violence which is also included in the statistical part of the Political Violence.									

Recommendations

1. Political violence must be stopped. The Government should take unbiased and effective legal action against criminal acts perpetrated by its party activists. Free and fair Parliamentary elections must be held immediately by ensuring participation of all political parties, under a neutral, interim government.
2. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. The Government should ratify the Optional Protocol to the UN Convention against Torture and effectively implement its domestic anti-torture Act as well.
3. Medical treatment facilities for inmates in jail must be increased and the government should take stern action against the responsible persons for any death in prison due to negligence of the jail authority.
4. Human rights violations of readymade garment factory workers must be stopped and workers rights respected and acknowledged.
5. The Government should take effective measures to ensure human rights of all residents living in the CHT and also resolve the land ownership dispute immediately, for an effective solution of this prolonged crisis.
6. The Government must ensure the right to life and personal liberty of any Bangladeshi citizen and the circular regarding prohibition of marriage between Bangladeshi citizens and Rohingyas issued by the Law Ministry should immediately be withdrawn.
7. Acts of violence against and arbitrary arrests of persons who have alternative beliefs must be stopped. The Government should immediately repeal the repressive Special Powers Act of 1974 and the Information and Communication Technology Act 2006 (Amended 2013).
8. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian BSF and take initiatives to investigate and make the Indian Government accountable; and seek compensation for the families of the victims. The Government should also ensure the safety and security of Bangladeshi citizens residing at the border areas.
9. The Government should take measures to protect the rights of the citizens belonging to religious and ethnic minority communities and ensure their security. The Government has also to ensure their right to perform religious and cultural practices in a safe, unbiased environment.
10. The Government must ensure the effective implementation of laws to stop violence against women. The Government should also execute mass awareness programmes in print and electronic media in order to eliminate violence against women.
11. The NGO Affairs Bureau should release funds due to 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.