



February 01, 2017

## **Human Rights Monitoring Report**

January 1 - 31, 2017

**Political violence and criminalisation continue**  
**Hindrance to freedom of assembly**  
**Enforced disappearances**  
**Extrajudicial killings**  
**Torture and ill-treatment**  
**Hindrance to freedom of the media**  
**Repressive ICT Act remains**  
**Violation to Workers' Rights**  
**Violation of human rights of minority communities**  
**Violence against Women**  
**Aggressive policy of Indian government towards Bangladesh**  
**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 January 2017, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

Statistics: January 2017*			
Type of Human Rights Violation			January
Extrajudicial killings	Crossfire		15
	Shot to death		1
	Total		16
Enforced Disappearances			4
Human rights violations by Indian BSF	Bangladeshis Killed		2
	Bangladeshis Injured		3
	Bangladeshis Abducted		5
Attack on journalists	Injured		2
	Assaulted		1
Political violence	Killed		5
	Injured		217
Dowry related violence against women			17
Rape			39
Sexual harassment /Stalking of women			14
Acid violence			3
Situation of workers	RMG workers	Killed	0
		Injured	0
		Termination	1034
	Workers in other sectors	Killed	3
		Injured	7

\*Odhikar's documentation

## Political violence and criminalisation continue

1. Political violence and criminalisation of politics in Bangladesh has emerged as one of the main barriers to the creation of a healthy political atmosphere, due to failure in constituting a democratic state, based on equality, human dignity and social justice after Independence on 16 December 1971. This failure continued during all regimes. In January 2017, incidents of protests from the

opposition political parties and violent attacks by the ruling party and various state security forces were highly visible. During this period, a tendency to use youth supporters to reap personal benefits for the leaders belonging to both ruling and opposition parties was observed; and many youth supporters of these political parties were involved in various violent incidents. A significant change occurred in the politics of Bangladesh after the controversial and farcical elections in 2014. At present, incidents of violent criminal activities continue to occur, mostly by the ruling party leaders and activists perpetrating acts of repression on the leaders and activists belonging to the opposition parties, BNP and Jamaat-e-Islami; and by the practice of running the country through undemocratic and autocratic system.

Political violence	Year			Total
	2014	2015	2016	
Persons killed in political violence	190	197	215	<b>602</b>
Persons injured in political violence	9429	8312	9053	<b>26794</b>

Political Violence: Statistics of Intra-Party Clash						
Year	Killed in Intra-Party Clash		Injured in Intra-Party Clash		Total Number of Incidents of Intra-Party Clash	
	Awami League	BNP	Awami League	BNP	Awami League	BNP
2016	73	3	3586	232	335	15
2015	40	2	3884	157	364	11
2014	43	2	4247	397	374	39
<b>Total</b>	<b>156</b>	<b>7</b>	<b>11717</b>	<b>786</b>	<b>1073</b>	<b>65</b>

2. According to information gathered by Odhikar, in January 2017, five persons were killed and 217 persons were injured in political violence. Furthermore, 20 incidents of internal violence in the Awami League were recorded during this period. In addition to this, five persons were killed and 167 were injured in internal conflicts with the Awami League.
3. The impact of political violence and criminalisation was seen in January 2017. Leaders and activists of the Awami League at different levels, including Chhatra League<sup>1</sup> and Jubo League<sup>2</sup>, were involved in internal clashes and

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

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

vandalizing property with lethal weapons, assisted by the absence of an accountable government. In such a situation, seeking the establishment of a representative governance system is a movement that has geared up among the people and in the political sphere, with demands for a free, fair and creditable election. Three incidents of political violence in January 2017 are as follows:

4. On January 4, 2017, rebel Chhatra League 'Mizan Group' occupied the Thakurgaon District unit Chhatra League office on the occasion of the 69<sup>th</sup> anniversary of the Bangladesh Chhatra League. Later a procession led by Mahbubur Rahman Roni, President of the district unit Chhatra League, nominated by the central committee, brought out a celebratory procession from Balaka Cinema Hall in Thakurgaon town. A clash took place between the two groups when the rally reached a four-way intersection. At least 20 people from both groups were injured.<sup>3</sup>



*Two factions of Chhatra League activists seen with sharp local weapons in Thakurgaon on the occasion of the 69<sup>th</sup> anniversary of the Bangladesh Chhatra League. Photo: Jugantor, 5 January 2017*

5. On January 10, 2017 an Awami League activist named Hossain Khan was killed and at least 15 people were injured during a violent altercation between supporters of the current Chairman of Borkandi Union and Awami League leader Siraj Sardar and the supporters of the former Chairman and Awami League leader Safi Khalifa, in Zajira under Shariatpur District, over establishing supremacy in the area. Later supporters of the deceased allegedly vandalized and robbed the houses belonging to the opponents, in the presence of police.<sup>4</sup>

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<sup>3</sup> The daily Jugantor, 05/01/2017, [www.jugantor.com/city/2017/01/05/90646/](http://www.jugantor.com/city/2017/01/05/90646/)  
<http://ejugantor.com/2017/01/05/index.php> (Page-3)

<sup>4</sup> The daily Jugantor, 11/01/2017, <http://www.jugantor.com/first-page/2017/01/11/92220/>



*Relatives crying for Awami League activist Hossain Khan (inset) who died in intra-party clash of Awami League in Shariatpur. Photo: Jugantor, 11 January 2017*

6. On January 30, 2017 Bangladesh Chhatra League (BCL)<sup>5</sup> activists attacked a celebrating rally organised by Jatiyotabadi Chhatra Dal (JCD)<sup>6</sup> at Sylhet M C College in Sylhet, welcoming the new Chhatra Dal committee. Chhatra League activists attacked the rally in broad day light with local weapons; as a result the rally was stopped.<sup>7</sup>



*Chhatra League activists carrying sharp weapons chase away Chhatra Dal activists in Sylhet MC College. Photo: Jugantor, 31 January 2017*

<sup>5</sup> Student wing of the Bangladesh Awami League (AL)

<sup>6</sup> Student wing of the Bangladesh Nationalist Party (BNP)

<sup>7</sup> Information sent by local human rights defender associated with Odhikar from Sylhet; the daily Jugantor, 31/012017, [www.jugantor.com/last-page/2017/01/31/97676/](http://www.jugantor.com/last-page/2017/01/31/97676/)

## Hindrance to and attacks on freedom of assembly

7. The government severely curtailed the right to freedom of assembly, preventing different meetings and processions organised by alternative and progressive groups, during the whole of 2016. This practice continues in 2017; and the government stopped meetings and assemblies of the opposition political parties using its party activists and members of the law enforcement agencies. They also attacked meetings.

### ***Police attack hartal supporters***

8. On January 26, 2017 the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port called a hartal in Dhaka from 6:00 am to 2:00 pm, calling for implementation of its seven-point demands, including cancelation of all destructive agreements relating to the coal-based power plant in Rampal, near the largest mangrove forest, the Sundarbans.<sup>8</sup> Hartal supporters brought out a rally from Dhaka University. Police barred the rally when it reached the National Museum at Shahbagh. Incidents of altercations occurred between police and hartal supporters and police threw tear gas shells and used water cannon and beat the protesters. Two journalists were injured by the police as well. The National Committee claimed that over a hundred hartal supporters were injured during attack by police.<sup>9</sup> A traffic police sergeant allegedly instructed a BRTC bus driver to drive into the protest rally organised at Mirpur, Dhaka during the hartal. This was alleged by one of the organisers of the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port, Abdullah Al Muiz. In order to confirm this incident, a reporter of the daily Dhaka Tribune went to the spot, where Mahbub, the Assistant Police Commissioner of Mirpur, physically assaulted him.<sup>10</sup>

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<sup>8</sup> The UNESCO suggested the Bangladesh government cancel the Rampal project. It stated that if this power plant is built, it would cause irreparable damage to the forest and the project should be relocated. The three-member UNESCO expert team which visited Bangladesh in March 2016, made this appeal in their report submitted to the government. The report said the Environmental Impact Assessment (EIA) report found many discrepancies between the statements of Rampal project construction firm Bangladesh-India Friendship Power Company and the tender documents. During their Bangladesh visit, the team was only allowed to meet a limited number of experts and interaction with the local people was also organised by the company. The UNESCO report highlighted four risks regarding the Rampal project. These are, air pollution, water pollution, increased river traffic and accumulated pollution caused by industries and infrastructure coming up in the project area. "UNESCO calls for shelving Rampal project", the daily Prothom Alo, 24/09/2016, <http://en.prothom-alo.com/environment/news/122299/Unesco-calls-for-shelving-Rampal-project>

<sup>9</sup> The daily Prothom Alo, 27/01/2017, [www.prothom-alo.com/bangladesh/article/1068233/](http://www.prothom-alo.com/bangladesh/article/1068233/)

<sup>10</sup> "Police order bus to plough through Rampal protest march in Mirpur" Dhaka Tribune, 26/01/2017, <http://www.dhakatribune.com/bangladesh/2017/jan/26/cops-order-bus-plough-through-rampal-protest-march-mirpur>



*Police beat up an activist of the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port during the hartal at Shahbagh in Dhaka. Photo: Prothom Alo, 27 January 2017*



*Police assaulted a reporter of the daily Dhaka Tribune in Mirpur, Dhaka when he was gathering information on the hartal against a coal-based power plant in Rampal. Photo: Dhaka Tribune, 26 January 2017*

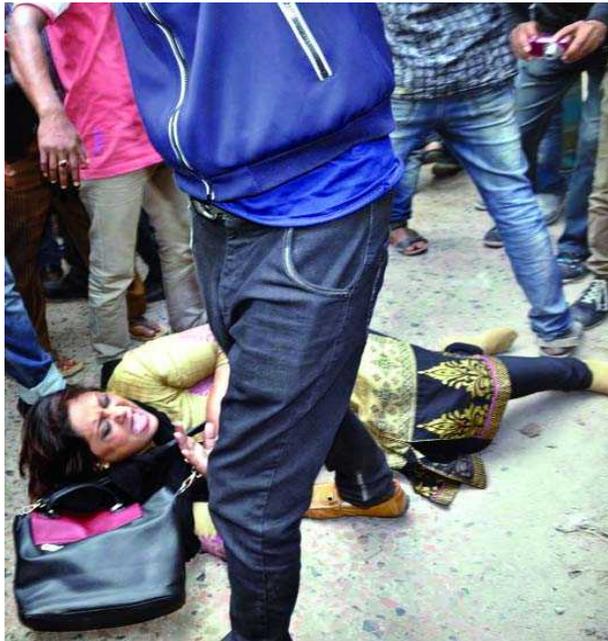
### ***Attack on meetings and assemblies***

9. On January 5, 2017 police obstructed black flag rallies organised by BNP across the country, on the occasion of ‘Death of Democracy Day’<sup>11</sup> and meetings and assemblies in many places were stopped due to attacks by Chhatra League activists and police. The government did not allow BNP to

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<sup>11</sup> The highly controversial and fraudulent parliamentary elections, boycotted by BNP and its alliance, were held on 5 January 2014. Every year the BNP observe this day as ‘Death of Democracy Day’.

hold a public meeting on January 7, 2017 at Shuhrawardi Uddan (a large park) or in front of its party office at Paltan as an alternative place to observe the day.<sup>12</sup> On January 5, police took away banners from the BNP leaders and activists who gathered near the Aushwini Kumer Hall in Barisal town and told them not to conduct any rally. When they defiantly brought out a procession, Chhatra League, Jubo League and police attacked them. As a result, 50 BNP leaders and activists were injured. BNP leader Kamrunnahar Rosy was seriously wounded when Chhatra League and Jubo League activists attacked her. Police beat a camera person of Channel I, Arifur Rahman, when he was recording the incident.<sup>13</sup>



*Chhatra League and Jubo League activists attacked BNP leader Kamrunnahar Rosy during a political programme of BNP in Barisal. Photo: Jugantor, 6 January 2017*

## **Enforced disappearances**

10. According to information gathered by Odhikar, in January 2017, four persons were allegedly disappeared. All of them returned alive after 10 days of disappearance.<sup>14</sup>
11. Many people have disappeared after being picked up by men claiming to be members of law enforcement agencies. The families of the disappeared claim 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

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<sup>12</sup> Information gathered by Odhikar

<sup>13</sup> The daily Jugantor, 06/01/2017, [www.jugantor.com/first-page/2017/01/06/90832/](http://www.jugantor.com/first-page/2017/01/06/90832/)

<sup>14</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.

deny the arrest; but days later, the arrested persons are produced before the public by the police or other security forces; or handed over to a police station and produce in Court, or the bodies of the disappeared persons are later recovered. Enforced disappearances are crimes against humanity and the government flatly denies the existence of incidents of enforced disappearance, despite evidence to the contrary. For example, the case of members of RAB-11 who killed seven people after disappearing them in Narayanganj on April 27, 2014. On January 16, 2017 the verdict of the disappearance and murder of the seven men was declared by Narayanganj District and Sessions Judge Syed Enayet Hossain. In the judgement, 26 accused persons including 16 RAB officers and members were sentenced to death.<sup>15</sup> It also came to light that RAB-11 unit's commander Lt. Col. (Retd.) Tareque Sayeed, the then son-in-law of Disaster Management and Relief Minister Mofazzal Hossain Chowdhury Maya, had been involved in various other illegal activities, including enforced disappearances and killings. Apart from disappearing and killing seven persons in Narayanganj, RAB-11 led by Lt. Col. (Retd.) Tareque Sayeed also allegedly disappeared 11 other persons. Among them were BNP leader and former Member of Parliament Saiful Islam Hiru, and Municipality unit BNP President Humayun Kabir Parvez and Assistant Organising Secretary Jasim Uddin who were disappeared on the way Comilla from Laksham. Although Jasim Uddin was released, the whereabouts of Saiful Islam Hiru and Humayun Kabir Parvez remain unknown.<sup>16</sup>



*The seven victims of disappearance and killing in Narayanganj. Photo: The Daily Star, 17 January 2017.*

<sup>15</sup> The daily Jugantor, 17/01/2017, [www.jugantor.com/first-page/2017/01/17/93821/](http://www.jugantor.com/first-page/2017/01/17/93821/)  
[http://www.esamakal.net/2017/01/17/images/03\\_112.jpg](http://www.esamakal.net/2017/01/17/images/03_112.jpg)

<sup>16</sup> The daily Jugantor, 18/01/2017, [www.jugantor.com/first-page/2017/01/18/94106/](http://www.jugantor.com/first-page/2017/01/18/94106/)



**Tareque Sayeed**



**Arif Hossain**



**Masud Rana**

*The prime convicts of the 'Narayanganj seven murder case, who were sentenced to death. Photo: The Daily Star, 17 January 2017.*

## **Extrajudicial killings continue**

12. According to documentation gathered by Odhikar, 16 people were allegedly extra judicially killed in January 2017. One incident is as follows:
13. According to his family, at midnight on January 10, 2017, Mohammad Rashel was shot dead by police, in Jessore. The Officer-in-Charge (OC) of Jessore Kotwali Police Station, Ilias Hossain claimed that a gunfight had taken place between two groups of robbers at night in Joghati area; and Rashel was shot dead due to that. Meanwhile Rashel's aunt Saniya Khatun said that police picked Rashel up and shot him in his neck. There were a few cases filed against Rashel.<sup>17</sup> Rashel's mother informed Odhikar that some policemen came to their house to search for Rashel about 10-12 days before Rashel was killed. She believes that police took her son from somewhere and shot him dead.<sup>18</sup>

### **Type of death**

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

14. 15 persons were killed by 'crossfire/encounters/gunfights'. Among them 11 were allegedly killed by police, and four by RAB.

#### ***Shot to Death***

15. One person was shot to death by police.

<sup>17</sup> The daily Prothom Alo, 12/01/2017; <http://www.prothom-alo.com/bangladesh/article/1057799/>

<sup>18</sup> Information sent by local human rights defender associated with Odhikar from Jessore.

### *The identity of the deceased:*

16. Of the 16 persons who were killed extra-judicially, two were members of Neo Jama'atul Mujahideen Bangladesh (JMB) and 13 were alleged criminals. The identity of one person was not reported.

### **Torture and ill-treatment by law enforcement agencies**

17. In 2016 many ordinary people and citizens belonging to alternative and progressive groups became victims of harassment and torture by members of law enforcement agencies. Members of law enforcement agencies are enjoying impunity due to the prevalent practice of using such agencies against political opponents, critics and dissenters to suppress them. As a result, they have come to believe that they are above the law. Such trend continues in 2017 as well. Some examples are as follows:
18. On January 4, 2017 at night, Sub-Inspector (SI) Nazmul and Assistant Sub-Inspector (ASI) Hadibur Rahman of Kotwali Police Station in Jessore, arrested Abu Sayeed (30) and brought him to the police station. They demanded two hundred thousand taka for his release. When Abu Sayeed refused to pay the extortion money, the police handcuffed and tortured him by hanging him upside down on a bamboo pole suspended between two tables. When Abu Sayeed agreed to give 50 thousand taka, they released him.<sup>19</sup> On January 8, 2017 a High Court Division Bench of the Supreme Court, comprising of Justice Kazi Reza-ul Huq and Justice Mohammad Ullah, summoned SI Nazmul and ASI Hadibur Rahman before the Court on January 25, 2017 in this regard. At the same time, tortured victim Abu Sayeed was also asked to be present in the court. On January 25, Abu Sayeed gave his statement in favour of police. A lawyer submitted an affidavit to the court on behalf of Abu Sayeed. The court recognised and stated that the affidavit was submitted to save the police.<sup>20</sup>
19. On January 15 at noon, Mohammad Abdus Salam Hawlader, of Madhabpur Village under Bauphol Upazila in Patuakhali District, was arrested by Boga Police Outpost in-charge Sub-Inspector Jasim Uddin Khan, over a land related dispute with the Organisaing Secretary of Adabaria Union unit Jubo League, Mohammad Bellal Hossain. Abdus Salam Hawlader was taken to the police outpost where police allegedly tortured him and demanded 25 thousand taka. His wife Nasima informed Odhikar that hearing the arrest of her husband, she along with her daughter Salma and brother-in-law Abul Kalam went to the outpost at around 5:00 pm. There, she witnessed SI Jasim Uddin and

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<sup>19</sup> The daily Jugantor, 06/01/2017, <http://ejugantor.com/2017/01/06/>

<sup>20</sup> The daily Jugantor, 27/01/2017, <http://ejugantor.com/2017/01/26/>

Constable Al Mamun beating her husband while he was handcuffed and tied to a chair. On January 2017, Abdus Salam filed a case at the Senior Judicial Magistrate Court in Patuakhali accusing four persons, including SI Jasim Uddin.<sup>21</sup>

20. On January 19, 2017 plain clothed RAB members, who were talking on cell phones while on a motorbike, pushed over a three-wheeler public vehicle in Shariatpur District. Passengers travelling on the vehicle were the Assistant Public Prosecutor of Shariatpur District Judge Court Parvez Rahman and Shamim Sikdar who lived in Spain. They angrily confronted the RAB men. Due to this, 8 - 10 men, claiming to be RAB, beat Shamim Sikdar and picked him up from the Ramganj Bridge area of the town. Till 10:00 pm, Shamim's family and media activists contacted RAB office, but the RAB authority denied the arrest of Shamim. Later, RAB informed through a press release that Shamim Sikdar had been arrested with 100 Yaba<sup>22</sup> tablets and fake currency. Shamim Sikdar said that he had been living in Spain for 15 years. On December 6, 2016 he came to Bangladesh and was expecting to return to Spain after two months. He was detained in a RAB Camp, blindfolded and beaten.<sup>23</sup> On January 20, 2017 RAB also filed a case with Shariatpur Model Police Station, accusing Shamim Sikdar in a false and fabricated case of carrying drugs and fake currency under sections 19(1) and 9(B) of the Narcotics Control Act 1990; section 25A(B) of the Special Powers Act 1974; and sections 332 and 354 of the Penal Code. On January 22, Shamim Sikdar was released on bail.<sup>24</sup>
21. Despite the Torture and Custodial Death (Prevention) Act 2013, people and victims are too intimidated and feel too insecure to seek assistance and justice under this law.

## **Hindrance to freedom of the media**

22. According to information gathered by Odhikar, in January 2017, a total of two journalists were injured and one was assaulted while they were performing their professional duties.
23. At present, the reality in Bangladesh is that most of the media; particularly the electronic media, are controlled by supporters or people who are affiliated to the government. Meanwhile the government closed down pro-opposition

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<sup>21</sup> Information sent by local human rights defender associated with Odhikar from Patuakhali.

<sup>22</sup> Yaba is a synthetic drug. This is more popular than Heroin and creates an intense hallucinogenic effect and can enable users to stay awake for days on end. It was originally created by German chemists instructed by Adolf Hitler to find a stimulant that would help his soldiers fight around the clock.

<sup>23</sup> The daily Prothom Alo, 21/01/2017, [www.prothom-alo.com/bangladesh/article/1064007/](http://www.prothom-alo.com/bangladesh/article/1064007/)

<sup>24</sup> Information sent by local human rights defender associated with Odhikar from Madaripur.

electronic media, such as Channel 1, Diganta TV, Islamic TV and the publication of the print media, the daily Amar Desh. In the meantime, the government has given approval to five new private television channels. The owners of the new channels are a Minister, a Member of Parliament belonging to the ruling party and persons who are closely connected with the government. The government, through a separate circular, has given approval to Mohammad Mamunur Rashid Kiron, Member of Parliament from Noakhali-3 constituency for Global TV; late eminent litterateur Syed Shamsul Haq's son Ditio Syed Haq for Amar TV; and Minister for Civil Aviation and Tourism, Rashed Khan Menon for Khela TV.<sup>25</sup> Furthermore, incidents of attacks on journalists occur while they are gathering information or in relation to publishing reports. Police and the ruling party leaders and activists are allegedly involved in such incidents. Some incidents are as follows:

24. On January 5, 2017, the Awami League supported Chhatra League leaders and activists assaulted to students who came for admission to Begum Rokeya University in Rangpur for the session 2016-17. Hearing this, police arrested four persons and took them to the police outpost. Later some Chhatra League activists, led by Rokeya University unit Chhatra League Vice-President Maruf Bhuiyan; Computer Science and Engineering Department unit Chhatra League President Partho Promanik; and Chemistry Department unit Chhatra League Organising Secretary Al-Amin went to the outpost and forcibly took the arrested men back from the police. At that time Jago News correspondent Sajeeb Hossain, who had gone to the spot to collect information, was beaten by Chhatra League leaders and activists.<sup>26</sup>
25. On January 26, 2017, ATN News cameraman Abdul Alim was pushed to the ground and kicked and beaten by police while he was filming the police baton charging protesters during the hartal in Dhaka, called by the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port, demanding the cancellation of all destructive agreements relating to the coal-based power plant in Rampal. Later he was taken to Shahbagh Police Station and allegedly beaten there by police. Police also beat ATN News reporter Ehsan Bin Didar when he tried to save Abdul Alim. Both were admitted to Dhaka Medical College Hospital with injuries. On January 26, Assistant Sub-Inspector of Police Ershad, was temporarily suspended and a three-member inquiry committee was formed to investigate the incident.<sup>27</sup> On January 27, the ATN News authority filed a complaint with Shahbagh Police Station

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<sup>25</sup> The daily Prothom Alo, 21/01/2017, [www.prothom-alo.com/bangladesh/article/1064131/](http://www.prothom-alo.com/bangladesh/article/1064131/)

<sup>26</sup> 'BCL men' beat journo at Rokeya University, The Daily Star, 07/01/2017. <http://www.thedailystar.net/city/bcl-men-beat-journo-rokeya-university-1341628>

<sup>27</sup> The daily Manabzamin, 27/01/2017, [www.mzamin.com/article.php?mzamin=50934&cat=2/](http://www.mzamin.com/article.php?mzamin=50934&cat=2/) and daily Jugantor, 27/01/2017, [www.jugantor.com/first-page/2017/01/27/96496](http://www.jugantor.com/first-page/2017/01/27/96496)

accusing four policemen of beating two of their employees. Regarding this incident, the Home Minister Asaduzzaman Khan Kamal said in a programme at Moulvibazar that police did not beat the journalists. They were just shoved and pushed around by them.<sup>28</sup>



*Police beating cameraman Alim of ATN News at Shahbagh in Dhaka during the hartal called by the National Committee to Protect Oil, Gas, Mineral Resources, Power and Port. Photo: Jugantor, 27 January 2017*

## Repressive ICT Act remains

26. Government and ruling party interference on the freedom of opinion and expression continues in 2017. The use of the Information and Communication Technology Act 2006 (amended 2009 and 2013) continues to hinder freedom of expression. Incidents of attacks, persecution and detaining people in prisons occur over writing comments on social media against the higher authorities of the government. As a result most of the people, who are writing on various social media, including facebook, are forced to practice self-censorship. Those who are arrested are being charged under the repressive ICT Act. Section 57<sup>29</sup> of the ICT Act 2013, states that publishing or transmitting in a website in electronic form, of any defamatory or false

<sup>28</sup> The daily Prothom Alo, 28/01/2017, [www.prothom-alo.com/bangladesh/article/1068807/](http://www.prothom-alo.com/bangladesh/article/1068807/)

<sup>29</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.

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. Between 2013 and 2016, a reported...persons have been charged for violating section 57 of the ICT Act.

## Workers' rights

27. According to information gathered by Odhikar, in January 2017, three workers were killed. Of them, two were footwear factory workers who died in a factory fire and another was a construction worker who died when the roof of a building collapsed. Apart from this, seven workers received injuries in various factory-related incidents and 1034 ready-made garments workers were terminated by the factory authority.
28. 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 on time are some of the main reasons for workers' unrest.
29. Workers' unrest erupted at the entire industrial area in Ashulia in December 2016 when a section of readymade garment workers were protesting for a minimum wage of 15 thousand taka. On December 20, 2016, the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) declared the closing of 55 factories. On December 19, 2016, police filed a case against 15 labour leaders and activists under section 16(2) of the Special Powers Act, 1974 with Ashulia Police Station for the allegations of 'conspiracy' or planning criminal activities. Police arrested eight of the 15 persons by calling them to the police station for a 'discussion'. Police arrested them under Section 16(2) of the Special Powers Act of 1974, despite this section being repealed. This was noticed by the Court after Khalequzzaman Ripon, Office Secretary of Shomajtantrik Shromik Front, as Petitioner, file a Writ Petition before the High Court Division of the Supreme Court, challenging the legitimacy of the arrest of Ahmed Jibon, the General Secretary of Savar-Ashulia Industrial unit Shromik Front.<sup>30</sup>

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<sup>30</sup> The daily Prothom Alo, 19/01/2017, [www.prothom-alo.com/bangladesh/article/1062607/](http://www.prothom-alo.com/bangladesh/article/1062607/)

## ***Fire at factories***

30. On January 10, 2017 a worker named Yusuf Ali (55) died when fire broke out at Rahim Steel Mill Ltd. in Kanchpur area under Sonargaon Upazila in Narayanganj District.<sup>31</sup>
31. On January 17, 2017 two workers named Tareque Mahmood (19) and Mohammad Kamal (25) were reportedly burnt and another one named Mohammad Hanif Mia (25) was injured during a fire at a shoe factory named Faysal and Seba, in Satroja area of Bongshal in Dhaka. The workers were admitted to the Burn Unit of Dhaka Medical College Hospital.<sup>32</sup>
32. DNA tests have identified the bodies of five of the nine missing workers following the fire at Tampaco Foils Limited in Tongi BSCIC industrial area in Gazipur on September 10, 2016. Sub-Inspector of Tongi Police Station, Sumon Kumar Bhakta (who dealt with the issues of identifying the victims and handing over the bodies to the families) said that they received the reports of the DNA profiling of the bodies of 39 people killed in the factory fire and relatives of nine missing workers on January 27, 2017 through a special messenger from the central DNA laboratory of the Criminal Investigation Department of police. He said that the DNA profile of the families of five of the nine missing workers matched with five of the 39 deceased. However, he refused to publish the names.<sup>33</sup>

## **Violation of human rights of minority communities**

33. In 2016, several incidents of attacks on religious and ethnic minority communities and vandalizing and setting fire to their places of worship-houses and business institutions occurred in different places of the country. Attacks on citizens belonging to the Hindu community in Nasirnagar of Brahmanbaria District and the attacks on citizens belonging to ethnic minority Santal community and the torching of their houses, were among the more significant incidents. Leaders and activists of the ruling Awmi League are allegedly involved in such incidents and a few Awmi League leaders were arrested.<sup>34</sup> Incidents of violence against minority communities continue due to the unavailability of justice for similar incidents that took place in the past;

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<sup>31</sup> 'Mill worker burnt to death in Narayanganj', The daily Dhaka Tribune, 11/01/2017, <http://www.dhakatribune.com/bangladesh/2017/01/10/mill-worker-burnt-death-nganj/>

<sup>32</sup> 'Two burnt in Bangshal shoe factory fire', The daily Dhaka Tribune, 18/01/2017, <http://www.dhakatribune.com/bangladesh/dhaka/2017/01/17/two-burnt-bangshal-shoe-factory-fire/> The daily Naya Diganta, 18/01/2017, <http://www.dailynayadiganta.com/detail/news/188349>

<sup>33</sup> 'TONGI FACTORY FIRE: DNA tests identify five bodies of missing workers', The daily New Age, 29/01/2017, <http://www.newagebd.net/article/8026/dna-tests-identify-five-bodies-of-missing-workers>

<sup>34</sup> The daily Jugantor, 05/11/2016; [www.jugantor.com/first-page/2016/11/05/73941/](http://www.jugantor.com/first-page/2016/11/05/73941/)

and also due to the politicisation of these incidents and such trend continue in the beginning of 2017. Three incidents are as follows:

34. Allegations of the vandalizing of effigies at Radha-Krishna temple by criminals were made by the family of late Kala Chan Pal at Bhulta area under Rupganj Upazila in Narayanganj District. On January 13, 2017 at around 1:00 am, a group of criminals came on motorbikes and set fire first to the place of Kirton<sup>35</sup> and then attacked the Radha-Krishna temple and vandalized effigies.<sup>36</sup>
35. On January 21, 2017 criminals vandalised nine effigies in the Romai Thakur Durga temple at Borogaon Bazaar of Moktarpur Union under Kaliganj Upazila in Gazipur District.<sup>37</sup>
36. On January 30, 2017 the Chief Judicial Magistrate Mohammad Shahidullah submitted the inquiry report to the High Court Division of the Supreme Court where he mentioned that he has found involvement of three police personnel and some local miscreants in setting fire to houses belonging to Santal community during an eviction drive in Gaibandha on November 6, 2016. It is to be mentioned that the High Court Bench of Justice Obaidul Hassan and Justice Krishna Debnath on December 14, 2016, directed the chief judicial magistrate of Gaibannaha to conduct an enquiry to find out whether police were involved in setting fire to Santal houses after a video on setting fire to Santal houses by police was spread out in social media.<sup>38</sup>



*Police were setting fire to Santal houses. Photo collected from the video footage form Al-Jazeera.*

[www.aljazeera.com](http://www.aljazeera.com)

<sup>35</sup> Kirton: sort of Hindu religious song in glorification of Radha and Krishna.

<sup>36</sup> Information sent by local human rights defender associated with Odhikar from Narayanganj.

<sup>37</sup> The daily Jugantor, 22/01/2017, <http://ejugantor.com/2017/01/22/>

<sup>38</sup> '3 cops, local men involved', The Daily Star, 31/01/2017, <http://www.thedailystar.net/frontpage/3-cops-local-men-involved-1353652/> and the daily Samakal, 31/01/2017, <http://bangla.samakal.net/2017/01/31/266876>

## Violence against women

37. Incidents of violence against women continue in 2017; and most of the victims are not getting justice due to a prevailing culture of impunity, which instigates more such crimes and encourages potential perpetrators.

### *Sexual harassment*

38. According to information gathered by Odhikar, in January 2017, a total of 14 girls and women were victims of sexual harassment. Of them, seven were injured, one was assaulted and six were victims of stalking. During the time, one man was killed, 18 men and three women were injured and one man was assaulted by the stalkers for protesting such incidents. Two incidents are as follows:

39. On January 15, 2017 a female college student Jhuma Begum was stabbed in Rashulpur village by Bahar Uddin (22) on her way to the local Kaliganj Bazaar in Jokiganj under Sylhet District. She was admitted to Sylhet Osmani Medical College Hospital in a critical condition. It was learnt that Jhuma Begum had been attacked as she refused a love proposal made by Bahar Uddin, who was later arrested by the police.<sup>39</sup>

40. On January 28, 2017, some juveniles stabbed to death Saiyedur Rahman (15), a student of class X of Shahid Abdur Rob Serniyabat High School, by entering the school campus in Barisal. At that time another student named Golam Safin Rafi was also attacked by them when he tried to save Saiyedur Rahman. Rafi was admitted to Sher-e-Bangla Medical College Hospital in Barisal. There were allegations that some students of the adjacent technical college used to often sexually harass girl students of Shahid Abdur Rob Serniyabat High School. Saiyedur protested that and as a result he had been attacked. Police arrested two suspects named Sayeed and Shahin in this regard.<sup>40</sup>



*Saiyedur Rahman (inset) who was killed by stalkers when he protested. Photo: Jugantor, 29 January 2017*

<sup>39</sup> Information sent by local human rights defender associated with Odhikar from Sylhet.

<sup>40</sup> The daily Jugantor, 29/01/2017, [www.jugantor.com/first-page/2017/01/29/97045/](http://www.jugantor.com/first-page/2017/01/29/97045/)

## ***Rape***

41. In January 2017, Odhikar recorded a total number of 39 females who were raped. Among them, 12 were women, 26 were girls and the age of one victim could not be ascertained. Of the women, two were victims of gang rape, two were killed after being raped and one committed suicide. Out of the 26 girls, seven were victims of gang rape. Nine women and girls were victims of attempted rape. One example is as follows:
42. On January 7, 2017 a man named Muktar Hossain raped a woman in Aladipur Village of Gopinathpur Union under Akkelpur Upazila in Joypurhat District. Local people apprehended the rapist Muktar Hossain. The Union Parishad member Abdul Khaleque was informed and later he released Muktar Hossain despite assuring the victim-family of a mediation. On January 10, local influential people, including the UP member Abdul Khaleque sat in a mediation and fined the rapist 45 thousand taka only and later that money was distributed among them and not paid to the victim.<sup>41</sup>

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

43. According to information gathered by Odhikar, in January 2017, a total of 17 women were subjected to dowry violence. Of these women, it has been alleged that six were killed and 11 were physically abused over dowry demands. One example is as follows:
44. On January 2, 2017 a housewife named Rokhsana Akhtar Irin (21) was beaten to death by her husband Sharif over dowry demands of 50 thousand Taka, at Dewatuli area in Rangpur.<sup>42</sup>

## ***Acid violence***

45. In January 2017, according to Odhikar documentation, a total of three females became victims of acid violence. Of them, two were women and one was girl. An example is as follows:
46. On January 13, 2017 Abdul Quddus, husband of Aklima Akhtar (38) threw acid on her over a family dispute at Nakhalpara area in Dhaka. As a result Aklima's face, hands and chest were burnt. She was admitted to the Burn Unit of Dhaka Medical College Hospital.<sup>43</sup>

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<sup>41</sup> The Jugantor, 15/01/2017, [www.jugantor.com/second-edition/2017/01/15/93501/](http://www.jugantor.com/second-edition/2017/01/15/93501/)

<sup>42</sup> The daily Naya Diganta, 05/01/2017, <http://www.dailynayadiganta.com/detail/news/184567>

<sup>43</sup> The daily Prothom Alo, 15/01/2017, [www.prothom-alo.com/bangladesh/article/1059953/](http://www.prothom-alo.com/bangladesh/article/1059953/)

## Aggressive policy of the Indian government on Bangladesh continues

47. The Indian government continues to impose aggressive policies on Bangladesh. India is taking transit facility through Bangladesh at almost no cost (the shipment fee for carrying goods is Tk 192.25 per ton) under the Protocol on Inland Water Transit and Trade<sup>44</sup> signed between India and Bangladesh on June 6, 2015 when the Indian Prime Minister Norendra Modi visited Bangladesh and is also taking advantage of other business and trade facilities. It is depriving Bangladesh from getting adequate water during the dry season and creating floods over Bangladesh by opening all the sluice gates of the Farakka Barrage and the Gajaldoba Barrage, during the monsoon (rainy) season<sup>45</sup>, 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.<sup>46</sup> Moreover, the Indian government decided to put up a fence along no-man's land, which will be within 150 yards from the zero line along the border.<sup>47</sup> Meanwhile the Indian Border Security Force (BSF) is torturing and killing Bangladeshi citizens indiscriminately along the border areas and also attacking Bangladeshi citizens by entering into Bangladesh territory. As in previous years, incidents of human rights abuses perpetrated by the BSF, continue in January 2017 at the India-Bangladesh border areas. 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.<sup>48</sup> However, we have noticed that India has been, over the years, repeatedly violating such treaties; and its BSF is killing or physically harming anyone seen near the border or anyone trying to cross the border. Bangladeshi citizens are robbed and attacked by BSF illegally entering Bangladesh, which are clear violations of international law and human rights.

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<sup>44</sup> The Daily Star, 14/06/2016, <http://www.thedailystar.net/backpage/transit-gets-operational-1239373>

<sup>45</sup> <http://www.bbc.com/bengali/news-37244367>

<sup>46</sup> UNESCO calls for shelving Rampal project", the daily Prothom Alo, 24/09/2016, <http://en.prothom-alo.com/environment/news/122299/Unesco-calls-for-shelving-Rampal-project>

<sup>47</sup> The daily Prothom Alo, 05/10/2016; [www.prothom-alo.com/international/article/994375/](http://www.prothom-alo.com/international/article/994375/)

<sup>48</sup> <http://archive.newagebd.net/253126/bsf-kills-2-bangladeshis-borders/>

## ***Human rights violations of Bangladeshi citizens by Indian BSF in border areas***

48. According to information collected by Odhikar, in January 2017, one Bangladeshi was gunned down and one died by jumping into the Padma River when BSF personnel chased him. During this period, one person was shot and two were tortured by the Indian Border Security Force (BSF). Furthermore, five Bangladeshis were also abducted by BSF personnel. One incident is as follows:
49. On January 7, 2017 a few Bangladeshi cattle traders, including Bakul Mandol were waiting for cows near the international main pillar 88 at Chakulia border under Damurhuda Upazila in Chuadanga District. Members of Indian BSF of Maluapara Camp chased them and arrested Bakul. He was severely beaten by BSF who then left him unconscious on Bangladesh territory. Later villagers recovered Bakul, who died on the way to Chuadanga Sadar Hospital.<sup>49</sup>

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

50. The present government continues to harass 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. 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.

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<sup>49</sup> The daily Jugantor, 08/01/2017, [http://ejugantor.com/2017/01/08/](http://ejugantor.com/2017/01/08/http://ejugantor.com/2017/01/08/7/details/7_r7_c2.jpg)

## Recommendations

1. Political violence and criminalisation of politics must cease. An initiative needs to be taken immediately to conduct free, fair and inclusive national elections under a neutral interim government or even under the supervision of the United Nations.
2. The Government must bring the members of the law enforcement agencies, involved in incidents of extrajudicial killings and torture, to effective justice. The Government must accede to the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013, and the High Court directives contained in the matter of BLAST and Others Vs. Bangladesh and Others (2003).
3. 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 take effective measures to recover the victims of enforced disappearance and return them to their families. The Government must bring the members of the security and law enforcement agencies who are involved, before the law. Odhikar urges the government accede to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly in 2006.
4. The Government must refrain from repressive, undemocratic and unconstitutional activities. Rights to freedoms of speech, assembly and association of the opposition political parties, alternative/progressive groups and dissenters must be allowed with no fear of persecution or reprisal.
5. Freedoms of speech, expression and the media must be ensured and protected. The Government must bring the perpetrators of attacks on human rights defenders and journalists to justice through proper and impartial investigation. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel One should be removed. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed. The government must refrain from distorting information and hiding actual facts through providing broadcasting licenses only to the ruling party men and supporters.
6. The ready-made garment factories and other factories need to be brought under synchronized security programmes and all factories should be made with adequate infrastructural and other facilities. Workers should be paid adequate wages and on time. Violations of human rights of workers and harassment to them by the police and factory owners must be stopped.

7. The Government must take all measures to protect the rights of the citizens belonging to all religious, ethnic and linguistic minority communities and ensure their security and their basic fundamental rights.
8. 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 along the border areas.
9. 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.
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.
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.