



October 9, 2015

Statement from Odhikar

Odhikar: 21 Years of Human Rights Activism

10th October 2015 is the 21st anniversary of Odhikar. Odhikar is a persistent voice against human rights violations and impunity. It has been fighting for improving the criminal justice system in Bangladesh and for the establishment of rule of law. Odhikar's ardent campaigns to stop torture, extrajudicial killings and enforced disappearances are now known internationally. Odhikar campaigns for freedom of expression, assembly and association which contributes critically to constitute the democratic foundation of Bangladesh. It also fights against forms of violence perpetrated on minority communities and violence and crimes perpetrated on women.

For 21 years, Odhikar has highlighted trends in political violence and criminalisation of politics; reported on the various governments' interference with institutions which are on paper independent; and criticised repressive laws which violate people's fundamental rights. Odhikar, as a member of the Asian Coalition for the International Criminal Court, also campaigned successfully to the then Government to ratify the Rome Statutes of the International Criminal Court on March 23, 2010. As a result of its human rights activism, Odhikar has borne the brunt of government hostility in an atmosphere where democracy and rule of law are still to take firm root.

For 21 years, the Organisation has been consistent in its campaign for upholding human rights and social justice in Bangladesh; and has earned the reputation as a steadfast watchdog of people's rights and dignity. Odhikar's core commitments are to uphold human rights and rule of law; and to ensure people's rights against all kinds of discrimination. As a result of its vocal activism and persistence; and its refusal to bow to government's pressure, the conditions under which Odhikar is working today have become challenging.

Odhikar has come under government ire during various regimes, for being vocal against human rights violations and for campaigning to stop them. During the military-backed 'caretaker' government in May 2007, Odhikar's Director ASM Nasiruddin Elan was picked up and intimidated by personnel from Naval Intelligence for reporting on extrajudicial killings by Navy officers. These officers are still enjoying impunity. During the Bangladesh Nationalist Party (BNP) led government (2001-2006) Odhikar was stopped from monitoring the Chittagong City Corporation Elections; and programmes relating to its 'Campaign for the Ratification of the Rome Statute' were obstructed. Odhikar programmes are closely watched by law enforcement

agencies, its phones are tapped and key personnel monitored. This has been going on for years. However, the present Grand Alliance government¹, led by the Awami League, after assuming power in 2009, put on intense pressure and instituted severe harassment on Odhikar for its reports on the human rights situation of the country.

Odhikar's Secretary Adilur Rahman Khan has been under the radar of intelligence agency personnel since 2009. Surveillance on him gradually increased as he has been actively engaged in defending the human rights of the Bangladeshi people both inside the court-room and in public; and is active in the Asian region through participation in various programmes and in election observation mission. He has faced numerous challenges and impediments during his human rights activism by state actors as he is extremely vocal with regard to denouncing the practice of torture, extrajudicial killing and enforced disappearance by law enforcement agencies. He was targeted by the current government for being vocal against human rights violations at many national and international forums including the UN Human Rights Council. On August 10, 2013 Adilur Rahman Khan was abducted by men claiming to be from the Detective Branch of police.

Adilur was detained in jail in connection with a case filed under Section 57 of the controversial Information and Communication Technology Act 2006 (amended 2009) and Sections 505 (c) and 505A of the Penal Code, for publishing a fact-finding report on allegations of extrajudicial killings during the operation carried out on May 5-6, 2013 by security forces, in the context of a gathering of Hefazate Islam activists in Dhaka. He was granted ad-interim bail in October 2013 by the High Court Division of the Supreme Court of Bangladesh and was released from Kashimpur Jail-1 after spending 62 days in detention. Odhikar's Director ASM Nasiruddin Elan was also charged with Adilur Rahman Khan; and the Cyber Crimes Tribunal Judge issued a warrant of arrest against him on September 11, 2013. Elan voluntarily surrendered before the Cyber Crimes Tribunal. On 24 November 2013, the High Court Division ordered six-month ad interim bail to Nasiruddin Elan. He was released on December 1, 2013 after spending 25 days in detention.

Apart from abducting and detaining Adilur and Elan, the Detective Branch of Dhaka Metropolitan police raided Odhikar's office and confiscated computers that contained important and sensitive documents of victims and their families. Till date, the authorities have not returned the computers. The government has virtually shut down Odhikar, using various forms of harassment and intimidation, including smear campaigns organised by the government affiliated media.

¹ The Awami League-led Government came to power through landslide victory in the 9th Parliamentary Elections on December 29, 2008; and again on January 05, 2014 through controversial 10th Parliamentary Elections, boycotted by almost all opposition parties including Bangladesh Nationalist Party and its alliance. 153 candidates from the ruling Awami League and its alliance were elected unopposed out of the 300 constituencies, even before the elections were held. As a result, a total of 40,802,739 voters out of 91,948,861 voters could not cast their votes. Among the rest of the voters, only 12-15 percent could cast their votes on Election Day, as reported by various newspapers and election monitoring organisations.

The Organisation is continuously under surveillance and its staff and members being harassed by various intelligence agencies, including Special Branch (SB) and Detective Branch (DB) of police, National Security Intelligence (NSI) and Directorate General of Forces Intelligence (DGFI). Their activities, movement and cell phones are monitored as well. The constant visibility of men from law enforcement agencies watching the Odhikar office is, under the present circumstances, tantamount to intimidation and is hindering regular organisational activities. The grassroots level human rights defenders, spread across the country, who are associated with Odhikar, are also under surveillance and occasionally under threat.

On August 02, 2015, the Bangladesh Police Headquarters issued a press release to the media where it stated that the statements made by Odhikar on 'Extrajudicial Killings' are contrary to existing laws of Bangladesh, which is tantamount to challenging rule of law and the judicial system. Odhikar refuted the claim of the Police by responding to the allegations made by the police against Odhikar. Odhikar has been working to establish rule of law and put an end to impunity in Bangladesh for 21 years. Extrajudicial killings contravene rule of law. Incidents of extrajudicial killings are occurring and such allegations are regularly made by the victim families. There are also incidents where police threaten to kill 'crossfire' arrestees in order to extract 'confessions'. Odhikar gathers such evidence from reports published in different national dailies and information sent by human rights defenders from the field; and releases its reports after compiling such information.

Most recently, on 29 August 2015, the National Press Club authority abruptly cancelled a programme, which was scheduled on 30 August at the National Press Club auditorium. At 5:20 pm on 29 August, Odhikar received a phone call from an employee of the National Press Club that, as per the instructions of the General Secretary, the Club was cancelling its permission; and would not allow Odhikar to host the programme at their premises. August 30 is the International Day of the Victims of Enforced Disappearances. At 9:30 am on that day, family members of victims of enforced disappearance were to come together at a solidarity meeting at the National Press Club auditorium. The programme was to be jointly organised by members of the families of the disappeared, the Asian Federation against Involuntary Disappearances (AFAD), the Asian Legal Resource Centre (ALRC), the International Federation for Human Rights (FIDH) and Odhikar. The meeting was organised to allow family members of victims of disappearance to recall the incidents, remind everyone of the issue and demand justice and recovery. Odhikar also received information that few members of the victim families who were supposed to attend the programme had been threatened over the telephone and told not to participate. On August 30, 2015 law enforcement agencies in various districts also inquired about local human rights defenders who are associated with Odhikar; and advised them not to conduct any programmes in relation to the International Day of the Victims Enforced Disappearance.

The harassment and intimidation faced by Odhikar does not only come from law enforcement agencies and the lower courts. It is a multi-pronged effort of the Government. The NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has barred the release of all project related funds of Odhikar, since August 2013, 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. Furthermore, the NGO Affairs Bureau has even applied and sought information and confirmation on activities of Odhikar as per an NGO regulatory Bill, which is yet to be enacted into law.

The crackdown and intimidation on Odhikar has had a chilling effect on civil society organisations and human rights defenders active in Bangladesh. It has created a sense of insecurity among the human rights community in Bangladesh. Despite being persecuted and under surveillance, despite its lack of staff² and project funds, Odhikar regularly publishes its monthly human rights monitoring reports on human rights abuses perpetrated in Bangladesh. As a human rights organisation, it is Odhikar's duty to highlight human rights violations, with no discrimination whatsoever; and take appropriate measures to prevent future violations. The Government is harassing Odhikar, most of the people associated with it and victims of human rights violations and their families; gagging their voices and hampering their activities. Despite the barriers, the harassment, the security issues and the lack of resources, Odhikar is, first and foremost, a human rights activist organisation. It is run on the energy of the remaining staff, members, and the volunteer services of grassroots level human rights defenders, who dedicate time towards doing what they can to continue to work for the betterment of human rights.

Odhikar, its staff, members and grassroots level human rights defenders, who are associated with it, would like to express heartfelt gratitude to all the human rights defenders, organisations, networks, supporters and well-wishers who have stood by the Organisation for the last 21 years, that have expressed solidarity with it and that have vocally, actively and continuously campaigned against the persecution it faces. Odhikar will continue to fight against State repression and will continue its struggle until democratic rights and fundamental freedoms are fully ensured. Your support and solidarity gives Odhikar the strength to continue its mission.

² Between September 2013 and September 2014, eight members of staff have left Odhikar due to security and financial reasons.