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Human Rights Monitoring Report

October 1 - 31, 2015

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Odhikar believes that 'democracy' is a form of the State and that freedom and human rights are its foundations. 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 State's failure to recognise this basis of democracy 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 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. There is no alternative. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights through any legislation, Judicial verdict or Executive order, 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. The dimension of constituting a democratic state has been achieved through historical movements and the universality of these civil and political rights has been established worldwide through various international declarations, conventions and treaties.

Thus Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather, it believes that the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As part of its mission, Odhikar monitors the human rights situation in order to promote and protect civil, political, economic, social and cultural rights of Bangladeshi citizens and to report on violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released this human rights monitoring report of October 2015, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

A violent political situation continues

1. According to information gathered by Odhikar, in October 2015, seven persons were killed and 654 were injured in political violence. 46 incidents of internal conflict within the Awami League were recorded during this period; where four were killed and 512 were reported injured.
2. The political situation is in a deep crisis due to the absence of an accountable government. The leaders and activists of the ruling party are reportedly

wining elections through fake votes by capturing polling centres; and attacking on the candidates belonging to the opposition political party activists, in the local government elections. The law and order situation of the country has seriously deteriorated and incidents of killing continue. Repression on the leaders and activists of the opposition parties has been initiated after the recent killing of one Italian and one Japanese citizen with the government publicly blaming the BNP, for the deaths, even before any investigation was initiated. Criminalization of the Chhatra League¹ and Jubo League² also continues unabated. It is commonly alleged that they are directly involved in various criminal activities, including violence against women and attacks on citizens belonging to the minority communities. A proper investigation of most of these incidents does not happen and the perpetrators go unpunished. Furthermore, the government is resisting peaceful protests by different groups by using violence. Some incidents are as follows:

3. On October 2, 2015 ruling party Member of Parliament (MP) from Gaibandha-1 constituency and President of Sundarganj Upazila unit Awami League, Manjurul Islam Liton, shot and severely injured a student of class IV, Shahadat Hossain Shourav (9) with his pistol on the Sundarganj-Bamondanga road. When the local inhabitants were trying to take Shourav to Sundarganj Hospital in a car, Liton and his associates stopped them by putting a pistol to the driver's head. After intervention by the local authority, Shourav was initially admitted to Sundarganj Hospital and later shifted to Rangpur Medical College Hospital. Locals alleged that Liton often used to get drunk and drive around in the early hours of the morning; and created panic among the people by randomly firing shots.³ On October 3, Shourav's father Saju Mia filed a case against Liton with the Sundarganj Police Station. On October 11, 2015, Manjurul Islam Liton appealed to the High Court Division of the Supreme Court for an ad-interim bail. On October 12, the High Court Division cancelled his bail application and issued an Order that Liton surrender before the lower court. On October 14, 2015 the Chamber Judge stayed the Order of the High Court Division for Liton's surrender to the lower court; and Dhaka Metropolitan Detective Branch of police arrested Liton from his house located at Uttara, Dhaka and handed him over to Gaibandha police. Manjurul Islam Liton is now detained in Gaibandha District Jail.⁴

¹ Student wing of Awami League

² Youth wing of Awami League

³ The daily Jugantor and Manabzamin, 03/10/2015

⁴ The daily Jugantor, 15/10/2015

4. On October 8, 2015 supporters of Awami League backed Councilor candidate, Iman Ali 'captured'⁵ a polling station and allegedly casted fake votes in the presence of the members of law enforcement agencies, during the by-election of Ward 8 of Gopaldi Municipality under Araihasar Upazila in Narayanganj District. Ibrahim, the brother of BNP supported candidate Mamun Ahmed, alleged that at around 11:00 am, 30-40 youth led by Ward No. 8 Awami League leader, captured the polling station. Mamun and his supporters protested when they were forcibly ousting voters from the polling booths. At that time, supporters of the Awami League-backed candidate attacked Mamun and his supporters and Mamun was injured. Later they also attacked his home. At least 15 persons were injured during the incident.⁶
5. On October 12, 2015 police arrested two leaders of Chhatra League and Jubo League while they were raping a woman in the Modhupur forest area in Tangail. The accused leaders are the President of Aronkhola Union unit Chhatra League, Aminul Islam and Jubo League activist Arif Hossain. Sub Inspector (SI) of Modhupur Police Station Aminul Islam said that the girl was going to her relative's house with her cousin brother. They reached Borobaid area on the Tangail-Mymensingh Road at around 11:00 am, where Chhatra League leader Aminul Islam (23) and Jubo League activist Arif Hossain (24) stopped them and took the girl into the wooded area by threatening her cousin and then raped her. At that time, a patrol van of Modhupur Police Station was passing by. Her cousin stopped it and informed the police about the abduction. Police rescued the girl from the jungle and arrested Arif and Aminul and took them to the police station. The girl filed a case with Modhupur Police Station against Arif and Aminul.⁷
6. The law enforcement agencies had commenced a special operation in various districts of the country after the killing of an Italian citizen, Cesare Tavella on September 29, 2015 in Gulshan, Dhaka; and of a Japanese citizen, Hoshi Kunio on October 3, 2015 in Rangpur.⁸ An officer from the Police Headquarters said that 2503 people had been arrested in 630 police stations across the country from 8:00 am of October 7 to 8:00 am of October 8, 2015. BNP and Jamaat alleged that police arrested a large number of their activists during this operation.⁹ On October 7, 2015 police arrested 20 leaders and activists of BNP-Jubo Dal¹⁰ and Jamaat-Shibir¹¹ from Sitakunda and Satkania of Chittagong,

⁵ Capturing a polling station occurs when the supporters of a political party/candidate use violence to enter into a polling station, overpower the polling officers and/ or make them leave and proceed to vandalize ballot boxes and/or stamp ballot papers in favour of their candidate.

⁶ The daily Prothom Alo, 09/10/2015

⁷ Report sent by Human Rights Defender associated with Odhikar from Tangail and the daily Prothom Alo, 13/10/2015

⁸ The daily Manabzamin, 06/10/2015

⁹ The daily New Age, 09/10/2015

¹⁰ Student wing of BNP

¹¹ Student wing of Jamaat-e-Islami

Sonaimuri of Noakhali, Trishal and Ishwarganj of Mymensingh, Kurigram, Nilphamari, Norail and Sreepur of Magura.¹² Around 100 leaders and activists of BNP and Jamaat were arrested by police in Rangpur during a special drive started in the night of October 17, which ended in the morning of October 18, 2015.¹³

Hindrance to and attacks on meetings and assemblies

7. The Government is barring meetings and assemblies of the opposition and groups with alternative beliefs; and also engages the police and party activists to attack such gatherings. The political situation of the country has become repressive as a result of the government's restraint on opposition parties and alternative voices; by taking away the rights to freedom of expression and assembly and by curtailing the holding of peaceful meetings and rallies. Some incidents are as follows:
8. On October 7, 2015 police baton charged a protest rally comprising of medical college admission seekers and their guardians; and threw pepper spray on them when they reached Karwan Bazaar. The protesters were demanding a new admission test for medical and dental colleges; and the scrapping of the previous admission test results. The protesters initiated this rally from the Shaheed Minar square and marched towards the Health Department at Mohakhali, Dhaka. At least 30 persons were injured during the police action.¹⁴ It is to be mentioned that on September 18, 2015 admission tests in public and private medical and dental colleges were held simultaneously across the country. After the exams, allegations of leakage of question papers were reported in the social media. Since then, admission seekers were demanding a new admission test.¹⁵
9. On October 2, 2015 the Krishak Sromik Janata League (Kader Siddiqui) called a meeting in protest of the death four persons, shot by police, over an incident of sexual harassment in Kalihati under Tangail District. Kalihati Upazila and Municipality unit Awami League also called for a meeting on the same day at the same place. The local administration stopped the meeting by imposing section 144 of the Code of Criminal Procedure¹⁶ from 6:00 am to 10:00 pm on October 2. In the evening of October 1, 2015 the Deputy Commissioner and the Executive Magistrate issued the Order.¹⁷ It is to be noted that the ruling

¹² The daily Naya Diganta, 08/10/2015

¹³ The daily Manabzamin, 08/10/2015

¹⁴ The daily Prothom Alo, 08/10/2015

¹⁵ The daily Prothom Alo, 30/09/2015

¹⁶ Section 144 of the Code of Criminal Procedure, 1898 provides power to the Magistrate to issue orders to stop any meeting or gathering. See http://bdlaws.minlaw.gov.bd/sections_detail.php?id=75§ions_id=20789

¹⁷ Report sent by Human Rights Defender associated with Odhikar from Tangail.

party Awami League, Jubo League and Chhatra League intentionally call meetings and assemblies at the same place and same date when the opposition political parties or groups organise any meeting or gathering. As a result, the local administration stop all political gatherings and rallies from occurring by imposing section 144 of the Cr.PC, on the pretext of possible violence.

10. On October 16, 2015 the Democratic Left Front (DLF) initiated a three-day road march towards the Sundarbans, demanding the protection of the Sundarbans and the cessation of the Rampal Coal-based Thermal Power Plant project. As part of the programme, the Democratic Left Front organised a meeting in the evening in front of the Central Shaheed Minar (martyrs memorial) in Manikganj District. Police stopped the Democratic Left Front leaders and activists from continuing the meeting; and baton charged the DLF leaders and activists. At least 10 persons, including the Central Coordinator of the Democratic Left Front, Saiful Huq; central leader Moshrefa Mishu; and Shuvrangshu Chokraborty were injured.¹⁸ On the same day, the DLF activists arrived at the Kanchabazaar area in Magura on five buses. From there, a rally led by Central Coordinator of the DLF, Saiful Huq; Coordinator of Gono Shonghoti Andolon, Zonayed Saki; Central leader of DLF, Moshrefa Mishu and Shuvrangshu Chokraborty was initiated. Police barred the rally over the allegation of not having permission for this rally. Police baton charged at the procession it marched after breaking the police barricade. Saiful Huq and five more people were injured during this attack.¹⁹ It is to be mentioned that the National Thermal Power Company of India and the Power Development Board of Bangladesh are jointly working on this coal-based thermal power plant in Rampal under Bagerhat District. The government has already acquired 18 thousand acres of land.²⁰ This power plant will destroy the Sundarbans and the life and livelihood of the southern part of the country. For this, various environmental and human rights organisations, political organisations - Democratic Left Front, Socialist Party of Bangladesh, Communist Party of Bangladesh; and the National Committee to Protect Oil, Gas, Mineral Resources, Power and Ports have been protesting. There will be a destructive impact in the southern part of the country, including the Sundarbans, if the said power plant is established. Millions of tons of coal burnt in the Rampal Thermal Power Plant and the harmful gas, ashes and chemicals spewed into the atmosphere will pollute the air, water and soil of the adjacent areas. Sundarbans is the home of the Royal Bengal tiger and it is one of the largest mangrove forests in the world. The government is

¹⁸ The daily Prothom Alo, 17/10/2015

¹⁹ The daily Manabzamin, 18/10/2015

²⁰ Report sent by Human Rights Defender associated with Odhikar from Khulna.

implementing this hazardous project by ignoring the protests from different sectors.²¹

11. Odhikar believes that the present government has led the country towards a volatile situation by repealing the Constitutional provision of conducting Parliamentary elections under a non-partisan caretaker government. As a result, human rights violations, criminalisation of politics and the law and order situation have deteriorated. Odhikar demands an impartial election with the participation of all political parties, under a neutral government or under the supervision of the United Nations; in order to make a democratic and accountable government.

Extrajudicial killings continue

12. According to information gathered by Odhikar, in October 2015, 13 persons were killed extra judicially. Among them, four persons were killed in alleged 'crossfire/encounters/gunfights' by the police. Furthermore, one person was allegedly beaten to death by the police, one was tortured to death and one died in a grenade explosion while he was under police custody. Furthermore, five persons were killed in alleged 'crossfire/encounters/gunfights' by the RAB and one was tortured to death in RAB custody. Of the killed, one was an Assistant Director of the University Grant Commission, one was an alleged member of JMB²², two were members of Purba Banglar Communist Party, one was a member of Sarbahara Party, one was a *Kobiraj* (traditional healer) and seven were alleged criminals.
13. The law and justice delivery system of the country is becoming increasingly unstable due to the persistence of extrajudicial killings. Incidents of such killings were claimed to be 'gunfight' or 'crossfire²³' by RAB and police, however, the family members of the victims alleged that their relatives were shot dead by members of law enforcement agencies. The impunity of law enforcement agencies, in terms of extrajudicial killings, is all too common, despite repeated demands to bring the responsible parties to justice.
14. In the morning of October 9, 2015 the body of Enamul Kabir (50), a resident of Ichhali under Jessore Sadar Upazila, was found on the railway track in Barobazar Phulbari gate under Kaliganj Upazila in Jhenaidah District. His wife and daughter identified the body in the Jessore General Hospital

²¹ The daily Manabzamin, 19/10/2015

²² Jamaat-ul-Mujahideen Bangladesh

²³ On November 15, 2009 a Bench of the High Court Division of the Supreme Court of Bangladesh, issued a *suo moto* Rule on the government regarding the deaths of two brothers, Lutfar Khalashi and Khairul Khalashi in 'crossfire' in Madaripur. In the Rule the Court asked the government to show why the killings of the two brothers in 'crossfire' would not be declared illegal. On December 14, 2009 the State (Attorney General) appealed for time during the hearing to the same High Court Division Bench. The Court ordered that the practice of 'cross fire' be stopped until the hearing of the case is completed

morgue. Enamul Kabir's wife, Sheuly alleged that police killed her husband after arresting him and left the body on the railway track. His face had been distorted beyond recognition; but they could identify him from his clothes. On October 8, 2015 at night, police came to their house. They refused to open the door. However, the police threatened to break the door, so they let them in. Some policemen, including the Assistant Sub Inspector (ASI) Rassel and Constable Ibrahim, entered the house and took Enamul along with them in handcuffs. When the family asked the reason why Enamul had been picked up, police replied that he had been taken for interrogation and would be released later. Police claimed that Enamul was an active member of the Sorbohara Party²⁴. There were several allegations against him, including the killing of Chairman Mosharraf Hossain. However, police are now denying the arrest Enamul.²⁵

15. Everyone has the right to a fair trial; and equality before the law is a constitutional and fundamental right. Bangladesh is a party to the major human rights instruments as well, including the ICCPR and the CAT.

Torture in custody continues

16. Bangladesh ratified the UN Convention Against Torture on October 5, 1998; and every State Party has committed to enact a domestic law to criminalise torture. As a result of this commitment, after a prolonged campaign, on October 24, 2013 the Parliament, through voice vote, finally passed the Torture and Custodial Death (Prevention) Act, 2013. Despite this, incidents of torture in custody and deaths due to torture by law enforcement agencies continue, as the practice is so very ingrained in the fabric of law enforcement.
17. The Assistant Director of the University Grant Commission (UGC), Omar Siraj (35), who was arrested on September 18, 2015 in allegations of leaking out question papers of various admission tests, including the medical college admission test; died in the custody of the Rapid Action Battalion (RAB). He was taken into remand twice for interrogation. On September 29 Siraj was taken into remand for the second time. RAB claimed that on October 1, 2015 Omar Siraj died from a 'heart attack' during remand. Meanwhile, the deceased's wife Sabina Yeasmin Shompa, alleged that RAB killed her husband after taking him into remand. She said that her husband was not ill. She claimed that Siraj was in sound health and that RAB tortured him to death after arresting him.²⁶

²⁴ Sorbohara Party is an outlawed and underground left-leaning political organisation.

²⁵ Report sent by Human Rights Defender associated with Odhikar from Jessore.

²⁶ The daily Jugantor, 03/10/2015

18. Odhikar believes that despite the claim of 'zero tolerance' against 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 further such human rights violations.

The trend of shooting in the leg of arrestees

19. According to information gathered by Odhikar, from January to October 2015, 33 persons were shot in the leg by the law enforcement agencies after their arrest.
20. Apart from extrajudicial executions, shooting in the legs of detainees/accused persons has been observed as a new trend of police brutality since 2013. It was learnt that such incidents mostly took place at the time of resisting the protests of the opposition parties. As a result, political activists and even ordinary people have become victims of such brutality.
21. On October 8, 2015 a Chhatra Dal²⁷ leader, Rabiul Islam Nayan (26) was allegedly shot in the leg by police in a residential hotel at Moghbazar in Dhaka. He was admitted to Dhaka Medical College Hospital under police custody. Rabiul told journalists that he was eating lunch in a restaurant at Moghbazar. At that time, police arrested him and took him to Boikalik Residential Hotel nearby and shot him in his left knee.²⁸
22. Odhikar believes that such incidents are occurring due to the continuous suppression of the leaders and activists of the opposition political parties. This incident proves again that members of the law enforcement agencies are enjoying intense impunity and are being used to quell opposition and create fear. Sadly, this is a very common practice of all our regimes, although the violations seem to be more intense in the current situation. Odhikar urges the government to take legal action against the responsible persons after an unbiased investigation of all such incidents.

²⁷ Student wing of Bangladesh Nationalist Party (BNP)

²⁸ The daily Prothom Alo, 09/10/2015

Allegations of enforced disappearance²⁹ against law enforcement agencies continue

23. According to information gathered by Odhikar in October 2015, six persons have been disappeared; of them, four were shown as arrested after being disappeared. The whereabouts of two persons are still unknown.³⁰
24. Enforced disappearance is a serious violation of fundamental human rights. It is imposed against people who have been labeled as 'enemies of the State', on the pretext of maintaining peace and order and protecting national security. The families of the victims claim that the members of law enforcement agencies are making arrests and since then the victims have disappeared or their bodies are later found. In some cases, law enforcement agencies deny the arrest; but days later, the bodies of the disappeared persons are recovered or the arrested persons are produced in public or handed over to a police station and appear in Court. Incidents of enforced disappearance were denied by responsible persons of the government and no action was taken against any member of law enforcement agencies, despite having evidence after investigations by the Ministry of Home Affairs. As a result, incidents of enforced disappearance continue. Some incidents are as follows:
25. M A Motin, younger brother of Dhaka Metropolitan unit BNP Joint Secretary M A Quayum, had been allegedly picked up by men claiming to be members of the Detective Branch of Police, from the Badda area in Dhaka. Motin's wife, Dilruba alleged that Motin was returning home after late evening prayers on October 20, 2015. When he reached his house located at Badda Link Road, some men stopped him and took him away in a white microbus. At that time, people of that area and his family members approached the men who were taking Motin away. They said that they were the members of Dhaka Metropolitan Detective Branch. They said that Motin would be released after questioning. After that incident, the family members of Motin went to Badda Police Station, but they were informed that Badda Police Station had no news about any DB operation. Later they learnt through various media that Motin had been kept in the DB office. He was not produced before the court till the release of this report. Regarding this matter, the Deputy Commissioner (Media Centre) of the DMP, Muntasirul Islam informed that he was unaware

²⁹ Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance states, "enforced disappearance" as: "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."

³⁰ 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.

of the incident. The Deputy Commissioner (East) of the Detective Branch, Mahabubul Alam claimed also to be unaware of the incident.³¹

26. On October 26, 2015 Dhaka Metropolitan Police (DMP) claimed at a press conference organised in its Media Centre that, police arrested Mohammad Rassel Chowdhury (35), Minhazul Arefin Rassel (40), Tamzid Ahmed Rubel (35) and Shakhawat Hossain Sharif (35) after conducting operations in Gulshan and Badda areas in Dhaka on October 25, 2015, on the suspicion of being involved in killing of an Italian citizen Cesare Tavella. Meanwhile, Minhazul Arefin Rassel's father Sirajul Islam said that Minhazul was involved in a second-hand furniture business. On October 12, 2015 he was picked up from Badda area by men claiming to be members of DB Police. When he went to the DB Police office to search for Rassel, DB Police told him that no one named Minhazul Arefin Rassel had been arrested. On October 16, a General Diary (GD) was lodged in Badda Police Station about his missing son. Shakhawat Hossain Sharif's brother Mohammad Shohagh said that in the night of October 14, some men identified themselves as members of DB Police and arrested Shakhawat and his motorcycle. However, DB Police denied the arrest of Shakhawat when he visited the DB office to look for his brother. The family members of Mohammad Rassel Chowdhury claimed that Rassel was arrested on October 10, 2015 by DB Police from their house at South Badda. On the other hand, Tamzid Ahmed Rubel's mother Shirijan Begum said that Tamzid had been missing since October 12. The whereabouts of Tamzid was not found even after searching for him at different places including the DB Police office. It is to be mentioned that Italian citizen Cesare Tavella was shot dead in Gulshan, Dhaka in the evening of September 28, 2015.³²
27. Odhikar believes that every incident of enforced disappearance needs to be investigated in an independent and unbiased manner. Odhikar demands that the government take immediate measures to return the disappeared persons to their families and take action against the perpetrators.

Death in jail

28. In October 2015, a reported seven persons died in prison due to 'illness'.
29. It is alleged that due to lack of proper treatment facilities and negligence by the prison authorities, many prisoners become ill. Furthermore, allegations are made by inmates that they are given sub-standard and small amounts of food; and that the prisoners are ill-treated when they complain against such treatment.

³¹ The daily Manabzamin, 22/10/2015

³² The daily Prothom Alo, 27/10/2015

30. Odhikar demands the better treatment for all inmates in every jail. Deprivation of fundamental rights in jail is a violation of human rights.

Attacks on places of worship during Durga Puja and on preparation for a rally during Ashura

Attacks on Hindu places of worship during Durga Puja

31. Incidents of land grabbing, intimidation, extortion and various kinds of illegal activities, including attacks on places of worship belonging to religious minority citizens, continue. Attacks on places of worship have become a common phenomenon during Durga Puja, the largest religious festival of the Hindu community. Such attacks indiscriminately continue due to the unavailability of justice for similar incidents; and also due to the politicisation of these incidents.³³
32. On October 6, 2015 a group of criminals vandalized five effigies in a place of worship of the goddess Durga at Protapnagar Kormokarpara, under Ashashuni Upazila in Satkhira District. On October 18 at around 3:30 am, another group of criminals vandalized three effigies belonging to the Durga Puja festival in Babulia under Satkhira Sadar Upazila.³⁴
33. On October 19, 2015 local people apprehended a local Chhatra League³⁵ leader Mehedi Hasan and Chhatra League activists Shamim Mridha, Badiul Islam, Masud Sheikh, Miraz Howlader, Miraz Fakir and Shukhdeb Sarkar and handed them over to police for vandalising effigies belonging to the Durga Puja in the Chairmanbari area under Ujirpur Upazila in Barisal District. Four people were injured while protecting the effigies from the Chhatra League leaders and activists.³⁶
34. Odhikar strongly condemns the incidents of attacks on places of worship belonging to the religious minority community and demands the government bring all perpetrators involved into this incident to justice; and ensure security of citizens belonging to all minority communities.

³³ The attacks are blamed on the opposition parties and 'religious' groups although eyewitness accounts may state otherwise. See Odhikar's fact finding report on the attacks at Ramu and Cox's Bazaar, dated 29/09/2012 at www.odhikar.org

³⁴ The daily Manabzamin, 19/10/2015

³⁵ Student wing of Awami League

³⁶ The daily New Age, 21/10/2015

Attack on the Shia Muslim community during Ashura

35. On October 24, 2015 at around 1:45 am, five crude bombs were thrown at a large gathering of Shia Muslims as they were preparing to bring out a Tazia rally on the occasion of holy Ashura³⁷ at Hossaini Dalan area in old Dhaka. Three bombs exploded which caused the death of a 15-year old boy, Sajjad Hossain and about 150 people were injured. One of the injured persons, Jamaluddin (55), who was admitted to the hospital died on October 29. A case was filed under the Anti-Terrorism Act, 2009 (Amended 2012, 2013) with the Chokbazar Model Police Station and the police arrested four people for questioning.³⁸ It is to be mentioned that Ashura is observed by Shia Muslims as a symbol of "sacrifice and mourning" recalling the martyrdom of Hazrat Imam Hussain Ibn Ali (RA), a grandson of Prophet Hazrat Muhammad (PBUH), in the battle of Karbala on the 10th of Muharram and Tazia processions are being brought out from the Hossaini Dalan (the meeting and worship house for Shia Muslims) every year.
36. Odhikar condemns heinous incident and demands the government bring the actual perpetrators to justice through an independent and unbiased investigation into this matter.

Freedom of the media and expression

Freedom of media

37. According to information gathered by Odhikar, in October 2015, one journalist was assaulted, one was threatened, one was arrested and one was sued.
38. The acts of pressure on the media, threatening and filing cases against journalists continue. Odhikar believes that this kind of action is contrary to the rights to freedom of thought and expression.
39. On October 10, 2015 some judges of the lower court, lawyers and an Army officer were holding a meeting at a restaurant in Dhaka. New Age senior staff correspondent, Moniruzzaman went there to see if he could gather information. There, he was assaulted by the Bangladesh Tanti League³⁹ President Enajur Rahman Chowdhury and his accreditation card was taken away and his cell phone broken. After that, Moniruzzaman was handed over to the Dhanmondi Police Station. He was released from the police station with

³⁷ Ashura is observed as a symbol of "sacrifice and mourning" recalling the martyrdom of Hazrat Imam Hussain Ibn Ali (RA), a grandson of Prophet Hazrat Muhammad (PBUH), in the battle of Karbala on the 10th of Muharram in Hijri 61. On this day Shia Muslims bring out Tazia processions and parade along the main streets.

³⁸ The daily Prothom Alo and Jugantor, 26/10/2015

³⁹ The Bangladesh Tanti League is an affiliate of the ruling Awami League party.

his broken cell phone, but without his accreditation card. Restaurant employee, Mofazzal informed New Age that the Additional District Judge Javed Hossain had hired the place for the meeting.⁴⁰

40. Border Guard Bangladesh (BGB) arrested Rimon Rahman, a correspondent of the local daily Amader Rajshahi for reporting against drug smuggling. Godagari Upazila correspondent of the daily Amar Desh (online version), Saiful Islam was also accused in the same case and harassed by the BGB. Such allegations were made by the families of the two journalists. Saiful Islam said that they have been reporting in the local and national newspapers against extortion between some members of BGB and drug-business syndicates. Due to those reports, local BGB members were annoyed with them. On October 1, 2015 at around 5:30 pm, one of the BGB members called journalist Rimon Rahman to come in the Matikata College ground as he had some secret information to give. When Rimon reached there, BGB members dragged him up to a pick van and took him to the local BGB camp. Later BGB handed Rimon to Godagari Model Police Station showing him as an accused in a fake case of the recovery of 22 Yaba tablets and 50 grams Marijuana from him. Journalist Saiful Islam had also been accused in that case. Rimon is still detained in jail and Saiful has been absconded in fear of police harassment.⁴¹

Freedom of expression

41. On October 31, 2015 Faisal Arefin Dipan, the owner of the publishing house Jagriti Prokashony, was stabbed and killed in his office at Aziz Co-operative Super Market in Shahbagh, Dhaka City. On the same day, another publisher, Ahmedur Rashid Chowdhury Tutul and two bloggers Ranadipam Basu and Tareque Rahim, were attacked and stabbed at Tutul's office in Lalmatia, by a group of men. The three men are under treatment at Dhaka Medical College Hospital. It must be noted that Faisal Arefin Dipan published books by blogger Avijit Roy, who was attacked and killed in public at the TSC area on February 26, 2015.⁴² It is also to be mentioned that between January 2013 and October 2015, five bloggers have been killed.

⁴⁰ The daily New Age, 11/10/2015

⁴¹ Report sent by Human Rights Defender associated with Odhikar from Rajshahi.

⁴² The daily Prothom Alo, the Daily Star, 01/11/2015

Use of the repressive Information and Communication Technology Act 2006

42. According to information gathered by Odhikar, from January to October 2015, 28 persons were arrested under the Information and Communication Technology Act, 2006 (amended 2009 and 2013).
43. The latest amendment to the ICT Act was made on October 6, 2013. Section 57⁴³ of the ICT Act 2013, states that publishing or transmitting in a website in electronic form, of any defamatory or false information is considered to be a cognizable and non-bailable offence. Moreover, punishment for committing this offence has been amended from a maximum of 10 years imprisonment, with no minimum; to a term of a minimum of seven years and maximum of 14 years imprisonment. This law has curtailed the freedom of expression and the government is using this Act against human rights defenders, journalists, bloggers and people who have alternative opinions.
44. The present government is suppressing people and groups who have alternative beliefs and often denouncing them publicly. Furthermore, despite heightened security, bloggers and those having 'different' opinions are coming under attack, and little headway has been made to apprehend the perpetrators. Blogger Avijit Roy was stabbed to death by criminals in the presence of police and four other bloggers have been killed. Odhikar expresses grave concern over the persistence of such incidents and the violations to freedom of expression. Odhikar demands the government repeal the draconian Information and Communication Technology Act 2006 (Amended in 2009 and 2013). Odhikar also demands justice through impartial investigations into the killings of all bloggers, including the killing of publisher Dipon and attacks on publisher Tutul and bloggers Tareque Rahim and Ranadipam Basu.

Human rights violations by BSF in border areas

45. According to information collected by Odhikar, in October 2015, three Bangladeshi citizens were shot and killed by the Indian Border Security Force

⁴³ 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.

(BSF). Furthermore, one Bangladeshi man was shot and injured and three were tortured. Five men were allegedly abducted by the members of BSF.

46. BSF has continued human rights violations on Bangladeshi citizens at the border areas over the years, ignoring protests made by various rights groups from both sides of the border. This matter has also been repeatedly raised in regular meetings between border guards of the two countries. The BSF has not deviated from its policy of shooting at anyone seen near the border.
47. 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, over the years, repeatedly violating such treaties, killing or physically harming anyone seen near the border or anyone trying to cross the border; and also attacked Bangladeshi citizens by illegally entering Bangladesh, which are clear violations of international law and human rights. Some incidents are as follows:
 48. On October 7, 2015 at night, BSF members of Thakurbari Camp shot dead a Bangladeshi cattle trader named Anwar Hossain (25) while he was returning with cows through pillar 10/2 of Fatehpur border under Shibganj Upazila in Chapainabaganj District. Later BSF handed over the body of Anwar to the Indian police.⁴⁴
 49. On October 8, 2015 some BSF members of Singimari Camp patrol team under 21 Battalion of Koch Bihar in India, chased Bangladeshi farmers, who had gone to the border area to bring their cows back to Chouratari village, at Durgapur border under Aditmari Upazila in Lalmonirhat District. The BSF took away four cows from the villagers after entering Bangladeshi territory. When the villagers protested, BSF members shot rubber bullets at the villagers, which left two persons injured. Three others, including a woman, were also beaten by the BSF. Of the injured, Abdur Rahim and Sultan Hossain were initially admitted to Lalmonirhat Sadar Hospital and later they were shifted to Rangpur Medical College Hospital in critical condition. On October 9, Abdur Rahim succumbed to his injuries at the hospital.⁴⁵
50. Odhikar believes that the role of the Bangladesh Government should be strong, independent and sovereign in order to protect its citizens. No independent and sovereign state would passively watch its citizens being indiscriminately killed, tortured and abducted by another state.

⁴⁴ The daily Prothom Alo, 09/10/2015

⁴⁵ Report sent by Human Rights Defender associated with Odhikar from Lalmonirhat

Public lynching continues

51. In October 2015, eight people were reportedly killed due to public lynching.
52. People are being killed by public lynching in different places of the country. The lack of respect for law, distrust of the police and instability in the country has increased the fear and insecurity among people. Odhikar believes that due to a weak criminal justice system, the tendency to resort to public lynching is increasing, as people are losing their confidence and faith in the police and judicial system.

Violence against women continues

53. In October 2015, a significant number of women became victims of rape, of sexual harassment by stalkers, of dowry violence and of acid attacks.

Rape

54. In October 2015, Odhikar recorded a total number of 82 females who were raped. Among them, 20 were women, 57 were children below the age of 16 and the age of five victims could not be determined. Of the women, one was killed after being raped and seven were victims of gang rape. Out of the 57 child victims, two were killed after being raped; 16 were victims of gang rape. Furthermore, eleven women and children were victims of attempted rape.
55. On October 10, 2015 at around 6:00 pm, a Madrassa student named Smrity was killed after being raped by a group of criminals, when she returned home from the Madrassa, in Dharmoganj area under Fatulla Police Station in Narayanganj District. Her father Forkan Ali, who is a shopkeeper and mother Taslima Begum were not at home. At around 8:00 pm, Taslima returned home and found the body of her daughter on her bed. Police arrested college students Ibrahim (18), Nahid (19) and Kausar (22) on suspicion.⁴⁶

Sexual harassment

56. According to information gathered by Odhikar, in October 2015, a total of 16 girls and women were victims of sexual harassment. Of them two were killed, two were injured, one was assaulted and 11 were victims of stalking. During this time, one female was injured by the stalkers when she protested.
57. On October 13, 2015 a student of class ten in Bijoy Saroni High School, Kobita Moni Das (16) left for her school at Sutrapur area under Kaliakoir Upazila in

⁴⁶ Report sent by Human Rights Defender associated with Odhikar from Narayanganj.

Gazipur District. At around 1.30 pm when Kabita reached the front of the school gate, Bikram Chandra Sarkar (22), of Kanchanpur Pashchimpara under the same Upazila, stopped her. Bikram stabbed Kabita with a sharp knife in her stomach and shoulder. Hearing her screams, teachers, students and people of the adjacent area came forward and caught Bikram and handed him over to police. Kabita was sent to Kaliakoir Upazila Health Complex, where doctors declared her dead. The family of the deceased said that Bikram had been stalking and harassing for a long time.⁴⁷

Dowry-related violence

58. In October 2015, according to Odhikar documentation, 27 women were subjected to dowry violence. Of these women, it has been alleged that 10 were killed because of dowry, one committed suicide and 16 women were physically abused over dowry demands. Furthermore, a mother-in-law and her one and half year old daughter were allegedly burned to death over dowry by the son-in-law.
59. On October 2, 2015 a housewife named Rima Akhter (22) was allegedly strangled to death by her husband Jahangir over a dowry demand, at Tekpara area in Nilokkha Union under Raipura Upazila in Norshingdi District.⁴⁸

Acid violence

60. According to information gathered by Odhikar, in October 2015, it was reported that eight persons became victims of acid violence. Among them seven were women and one was a man.
61. On October 5, 2015 one Mohon Mia (20) allegedly threw acid on Sukhi Akhter, a first year student of Sunamganj Government College, after entering her house in Sunamganj Village under Jamalganj Upazila in Sunamganj District. Mohon Mia often used to stalk Sukhi Akhter. Sukhi was admitted to the burn unit of M A G Osmai Medical College Hospital in Sylhet. Police arrested Mohon Mia.⁴⁹
62. Odhikar expresses grave concern over the incidents of violence against women. Odhikar believes that women and men are affected due to the deterioration of the law and order situation, corruption and a failure of the judicial system; for which women are being severely victimized. Since the perpetrators of violence against women escape punishment, potential violators are encouraged and incidents of violence increase.

⁴⁷ The daily Prothom Alo, 14/10/2015

⁴⁸ The daily Prothom Alo, 03/10/2015

⁴⁹ The daily Manabzamin, 09/10/2015

Human Rights Watchdogs under the radar

Activities of Odhikar hindered

63. Odhikar, as a human rights organisation, has come under government fire during various regimes, for being vocal against human rights violations and for campaigning to stop them. However, the present Grand Alliance government, led by the Awami League, after assuming power in 2009, started harassment on Odhikar for its reports on the human rights situation of the country. On August 10, 2013 at 10:20 pm, 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. The police, at first, denied detaining him. Adilur and Odhikar's Director ASM Nasiruddin Elan, were charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were in jail custody and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. On August 11, 2013 at night, the DB police raided the Odhikar office and confiscated two CPUs (Central Processing Unit) and three laptops, which contained sensitive and confidential information and documents relating to victims of human rights abuses. 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.
64. On 29 August 2015, the National Press Club authority abruptly cancelled a programme, which was scheduled to be held 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, to remember all those who have been disappeared and to show solidarity and support to their families. 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. This was scheduled 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 a few 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.

65. The NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has barred the release of all project related funds of Odhikar, for about two years, 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.
66. As a human rights organisation, it is Odhikar's duty to highlight human rights violations and take appropriate action 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 Odhikar's activities.

Police Headquarters termed ASK's human rights report a contravention to law and destructive in nature

67. On September 30, 2015 human rights organisation, Ain O Salish Kendra (ASK) sent its human rights report to the media. On October 1, 2015, a report titled "148 persons killed in Police-RAB custody in 9 months" was published in the daily Jugantor. The Police Headquarters on October 2, stated in a press release that the statement of this NGO is incorrect, contradictory and tantamount to a destructive campaign. The press release also said that blaming police is tantamount to challenging the laws of the country. Blaming the police unlawfully is considered defamatory.⁵⁰ It is to be mentioned that on August 2, 2015 Police Headquarters had sent the same kind of threatening press release to the media against Odhikar and BAMAK regarding their human rights reports published in the newspapers.
68. The present government has taken very strong position against voluntary organisations specially those that focus on civil and political rights. Statements from the Police Headquarters are the reflection of this position. Human rights organisations, which are vocal against violations of civil and political rights, have been working to establish rule of law in Bangladesh and to stop the culture of impunity. Odhikar believes that such statements from

⁵⁰ The daily Jugantor, 02/10/2015

the Police Headquarters are unacceptable and intimidating and tantamount to a gag on the dissenting voice of human rights organisations, victims of human rights abuses and their families, violating freedoms of speech and assembly.

Government blasts TIB for publishing report on the 10th Parliament

69. On October 25, 2015 Transparency International Bangladesh (TIB) published a report on monitoring the second and sixth parliamentary sessions of the 10th National Parliament. On October 26 the ruling party Chief Whip ASM Firoze and Whip Iqbalur Rahim criticised TIB's report at a press conference in the media centre of the Parliament. Chief Whip ASM Firoze said in the conference that "Transparency International Bangladesh is working as a part of an international conspiracy to make the country and parliament a failure. They have been working as a paid organisation of a syndicate".⁵¹ He questioned the authority that allowed TIB to make such comments on the National Parliament and said that people want to know the source of money of the TIB and that its source of funds had to be investigated.⁵² On October 27, 2015 the Commerce Minister Tofael Ahmed stated in a press briefing that "TIB is an affiliated organisation of BNP. They are demanding elections as an affiliated organisation of BNP. Killing foreign citizens; the bomb attack on Tazia rally; ASI murder and TIB's report are stitched with the same yarn".⁵³
70. It is observed that blaming persons and groups who have alternative beliefs has become a habit of the government, if a report or statement is critical of government actions. The present government is too eager to restrain the rights of freedom of expression and assembly of human rights organisations and NGOs, which contravenes the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; and the UN Declaration of Human Rights Defenders.

⁵¹ The daily Prothom Alo, 27/10/2015

⁵² The daily Prothom Alo and Manabzamin, 27/10/2015

⁵³ The daily Manabzamin, 28/10/2015

Statistics: January-October 2015*												
Type of Human Rights Violation		January	February	March	April	May	June	July	August	September	October	Total
**Extrajudicial killings	Crossfire	12	30	9	8	14	6	7	19	9	9	123
	Shot to death	5	5	2	1	0	3	0	0	4	0	20
	Beaten to death	1	0	0	0	1	0	0	0	0	1	3
	Strangled to death	0	1	0	0	0	0	0	0	0	0	1
	Tortured to death	0	0	1	0	2	0	0	0	0	2	5
	Others	0	2	0	0	1	0	0	0	0	1	4
	Total	18	38	12	9	18	9	7	19	13	13	156
Shot on legs by law enforcement agencies		2	16	8	1	3	0	0	0	2	1	33
Disappearances		14	9	11	3	3	3	0	2	0	6	51
Human rights violations by Indian BSF	Bangladeshis Killed	2	5	1	9	3	3	5	3	4	3	38
	Bangladeshis Injured	11	7	5	4	2	6	5	6	7	4	57
	Bangladeshis Abducted	4	9	3	0	0	1	3	0	0	5	25
Attack on journalists	Injured	6	3	16	16	5	0	6	1	1	0	54
	Threatened	1	1	0	2	10	15	1	1	0	1	32
	Assaulted	2	1	0	0	0	0	0	3	0	1	7
	Tortured	0	0	1	0	0	0	0	0	0	0	1
	Arrested	2	0	1	1	1	0	1	1	0	1	8
Political violence	Killed	48	40	33	11	5	11	5	13	8	7	181
	Injured	1947	722	580	262	272	320	475	426	564	654	6222
Dowry related violence (including women victims, their children and relatives)		13	15	15	13	17	14	23	17	17	29	173
Rape		33	45	41	44	82	65	65	108	109	82	674
***Sexual harassment /Stalking of women		19	9	19	6	9	13	5	34	26	16	156
Acid violence		8	4	3	5	4	1	5	6	0	8	44
Public lynching		12	7	8	15	15	11	9	19	11	8	115
Arrest under Information and Communication Technology Act		1	2	3	1	1	6	2	4	7	1	28

*Odhikar's documentation

**On January-March five persons were allegedly extra judicially killed by the law enforcement agencies during political violence which is also included in the statistical part of the Political Violence.

***It is to be noted that numerous women became victims of sexual harassment by gangs in Dhaka University campus during celebrations of Bangla New year on April 14, 2015 which could not be determined as victim women didn't report, so that in the statistical part of sexual harassment/stalking of women couldn't be added.

Recommendations

1. In order to control unstable and confrontational politics, an initiative of forming an accountable government needs to be taken immediately through holding free and fair Parliamentary elections by ensuring the participation of all political parties, under a neutral, interim government or under the supervision of the United Nations.
2. Incidents of extrajudicial killings by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. Extrajudicial killings in the name of 'crossfire' and 'gunfight' must be stopped.
3. The law enforcement agencies must follow the international guidelines "Basic Principles on the use of Force and Firearms by Law Enforcement Officials" and the "UN Code of Conduct for Law Enforcement Officials".
4. The Government has to explain all incidents of enforced disappearance and post-disappearance killings allegedly perpetrated by law enforcement agencies. All victims of disappearance should be returned to their families. The Government must bring the members of the security and law enforcement agencies, who are involved in the incidents of enforced disappearance and killing; to justice. Odhikar urges the government to accede to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN on December 20, 2006.
5. Interference to freedom of expression and of the media must be stopped. The ban on the publication of the daily Amar Desh and the broadcasting of Diganta TV, Islamic TV and Channel One should be removed. All persons who were detained for political reasons, including Acting Editor of the daily Amar Desh Mahmudur Rahman, should be released immediately. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed.
6. The Government should refrain from attacking peaceful public events and from carrying out repressive, unconstitutional activities.
7. The world's largest mangrove forest Sundarbans must be protected by cancelling the destructive 'Rampal Coal Power Plant' project in Bagerhat.
8. The Government should take all measures to protect the rights of the citizens belonging to religious, ethnic and linguistic minority communities and ensure their security. Perpetrators of attacks on all minority communities and on their places of worship must be brought to justice.
9. The Government should protest strongly against human rights violations on Bangladeshi citizens by the BSF and take initiatives to investigate and make

the Indian Government accountable; and compensate the families of the victims. The Government should also ensure the safety and security of the Bangladeshi citizens residing at the border areas.

10. The Government must ensure the effective implementation of laws to stop violence against women 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.
11. 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 measure and harassment against human rights defenders associated with Odhikar should be stopped. The government must release the funds of Odhikar to enable it to continue its human rights activities.
12. The government must stop harassing human rights and civil society organisations which are critical against corruption and human rights abuses by the government.

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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.