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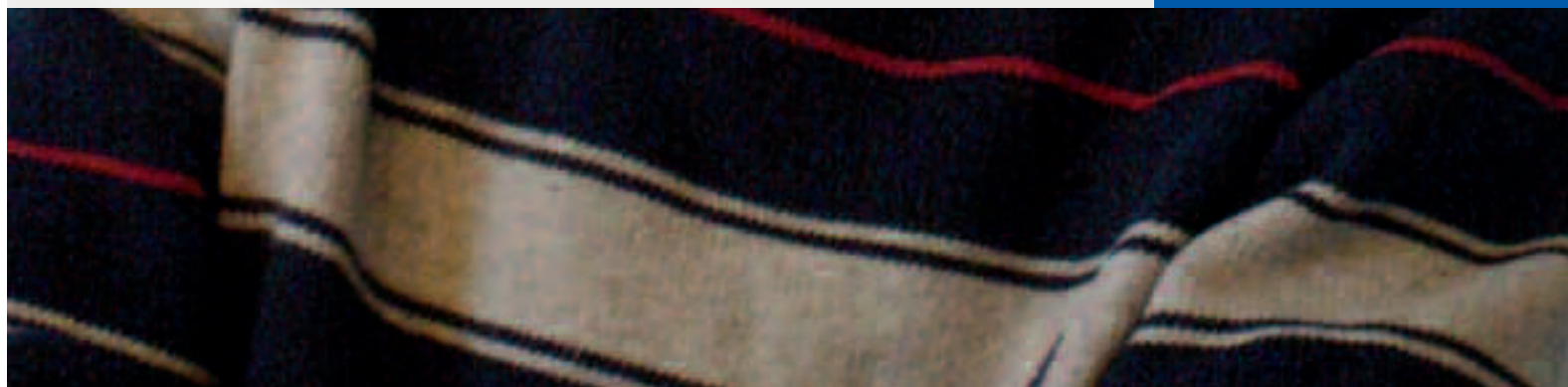


BANGLADESH

The Torture of Tasneem Khalil

How the Bangladesh Military Abuses Its Power
Under the State of Emergency

HUMAN
RIGHTS
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I. Summary

This report presents the testimony of Tasneem Khalil, recounting his torture at the hands of Bangladesh's military intelligence agency, the Directorate General of Forces Intelligence (DGFI). To our knowledge, this is the most detailed public account of a case of torture in Bangladesh available anywhere. It demonstrates the nature of ongoing state-sponsored violence in Bangladesh, including the torture of critics of the current government.

Bangladesh has been under a state of emergency for more than a year, led by an interim government that was not elected and claims to be reform-minded. The current government, appointed in January 2007, replaced a previous caretaker government. It aims to remain in power pending national elections scheduled for 2008, though no specific date has been set yet.

Although it was installed by the army and Bangladesh has a long history of coups and abusive military regimes, the interim government was welcomed by many Bangladeshis and international observers when it was formed in January 2007 as a necessary antidote to massive corruption, widespread abuse of power, and a sense that the political process was failing to offer even the possibility of good governance.

What happened to Tasneem Khalil – which, sadly, is not uncommon – makes clear that when it comes to human rights a critical part of what was promised is not being fulfilled. After one year, the state of emergency not only remains in place but is being used to limit political party activity and restrict freedom of expression and assembly, with torture a frequent consequence for those who do not toe the line and end up in the custody of the security services.

Increased domestic and international pressure to end such abuses cannot await elections or formation of a new government. The fundamental rights set out in the Constitution should be immediately restored and respected. Ending illegal arrests and torture should not await an election. These should be a top priority of the interim government. Those members of the security forces who have been responsible for such egregious human rights violations should be brought to justice.

II. Torture in Bangladesh

Torture has long been a familiar and widespread problem in Bangladesh. It is a routine feature of criminal investigations, used by the police to obtain confessions. And it is used for politically motivated purposes against alleged national security suspects, government critics, and perceived political opponents to obtain information, to intimidate, or to convey more broadly a message of fear. Torture has been perpetrated by law enforcement officials, paramilitary groups, and the army regardless of which government has been in power.

The torture techniques employed in Bangladesh, whether of longstanding practice or of more recent origin, are brutal. Methods documented by Human Rights Watch and other human rights organizations include burning with acid, hammering of nails into toes, drilling of holes in legs with electric drills, electric shocks, beatings on legs with iron rods, beating with batons on backs after sprinkling sand on them, ice torture, finger piercing, and mock executions.¹

Domestic and international prohibitions on torture and other ill-treatment are simply disregarded in Bangladesh. Torture is banned under the Bangladesh Constitution, which states: “No person shall be subjected to torture or cruel, inhuman, or degrading punishment or treatment.”²

As a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment³ and the International Covenant on Civil and

¹ Human Rights Watch, *Judge, Jury, and Executioner: Torture and Extrajudicial Killings by Bangladesh's Elite Security Force*, vol. 18, no. 16 (C), December 2006, <http://hrw.org/reports/2006/bangladesh1206/>. International Rehabilitation Council for Torture Victims, Country Report-Bangladesh, <http://www.irct.org/Default.aspx?ID=632&Printerfriendly=2> (retrieved January 22, 2008).

² Constitution of Bangladesh, art. 35 (5). However, there are no specific laws in Bangladesh that provide a clear definition and prohibition of torture in custody.

³ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), adopted December 10, 1984, G.A. res. 39/46, annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. doc. A/39/51 (1984), entered into force June 26, 1987.

Political Rights (ICCPR),⁴ Bangladesh is not only obligated to prohibit torture, but to proactively adopt measures to end the practice, bring those responsible to justice, and provide redress for the victims. During an officially proclaimed state of emergency, the ICCPR permits limitations on some rights to “the extent strictly required by the exigencies of the situation.” Certain basic rights, such as the right to life and the prohibition on torture and other cruel, inhuman or degrading treatment, may never be restricted.⁵

The military-backed interim government, which was appointed on January 12, 2007, has no better record than its predecessors regarding torture. In its popular public campaign against corruption, the interim government has routinely used torture to extract confessions from criminal suspects or to gain information against those charged with corruption.

Torture has also been used to punish and intimidate peaceful critics of the interim government and de facto military rule. For example, Shahidul Islam, founder and director of the human rights organization Uttaran, was beaten with sticks, boots, and rifle butts in an army camp, according to relatives who saw him carried unconscious from the room where he had been interrogated.⁶ One man who was present at the camp told Human Rights Watch, “I saw that they took him to the bathroom. I could hear them beating him. I could hear the sound of sticks. When they brought him out, his shirt was covered in blood. He could not walk and had to be carried. I think he was unconscious.”⁷ As of the time of writing Islam is out on bail, but charges are still pending against him.

Torture is also rampant in nonpolitical cases. A driver in Dhaka told Human Rights Watch that in February 2007 he had been granted leave while his employers visited relatives; the next day, soldiers detained and questioned him about his boss, who was suspected of corruption. The man remained in illegal detention for two weeks

⁴ International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, art 7.

⁵ See ICCPR, art. 4.

⁶ Letter of Kaniz Sayed Binte Sabah, wife of Shahidul Islam, to Dr. Fakhruddin Ahmen, Chief Advisor, Bangladesh government, March 29, 2007. Copy on file at Human Rights Watch.

⁷ Human Rights Watch interview, April 2007, details withheld.

and was tortured. “I said that I was only a servant and had simply been told that they were going away,” he said. “But they kept beating me. They said that since I was the driver, I would know where they were hiding.... They beat me so much I still need medicines.”⁸

One reason torture remains rampant is the use of emergency rule by the interim government for more than a year. This gives unprecedented powers to already abusive military, paramilitary, and police forces. Adopted on its first day in office, the Emergency Power Ordinance allows the interim government to, “by notification in the official Gazette, make such rules as appear to it to be necessary or expedient for ensuring the security, the public safety and interest or maintaining public order or for protecting the economic life of Bangladesh or for maintaining supplies or services essential to the life of the community.”⁹

On January 25, this was followed up by the issuing of the even more draconian Emergency Power Rules (the “Emergency Rules”). The Emergency Rules initially prohibited political activity, processions, meetings, assemblies, demonstrations, industrial action, and trade union activities.¹⁰ Political meetings have since been allowed but under severe restrictions.¹¹ Section 5 imposes severe restrictions on press freedom, banning any reporting that can be considered “provocative.” Section 10 allows all offences under the Emergency Rules to be brought before a Speedy Trial Court or Speedy Trial Tribunal where proceedings can be held in secret, with the public and press excluded. Section 16 (2) allows non-police law enforcers the same powers as the police to search and to arrest, without a warrant, any person on suspicion of acting against the interests of the state.¹²

These broad emergency powers, which were purportedly put in place to end violent demonstrations and to enable the government’s anti-corruption drive, deprive

⁸ Human Rights Watch interview, all details withheld.

⁹ Emergency Powers Ordinance, 2007, art. 3. Unofficial translation. Copy on file at Human Rights Watch.

¹⁰ Emergency Power Rules, 2007 framed under the Emergency Power Ordinance, January 25, 2007. Copy available with Human Rights Watch. Asian Legal Resource Center, “Bangladesh State of Emergency is Unjustifiable and Ensuring Abuses of Human Rights,” Statement to the UN Human Rights Council, September 6, 2007 [online] http://www.alrc.net/doc/mainfile.php/alrc_statements/44/ (retrieved January 22, 2008).

¹¹ “Partial Lifting of Ban on Politics Falls Short,” Human Rights Watch, press release, September 12, 2007 [online] <http://hrw.org/english/docs/2007/09/11/bangla16851.htm>.

¹² Emergency Power Rules, 2007 framed under the Emergency Power Ordinance, January 25, 2007.

people of legal protections and due process rights including the right to a fair trial. The emergency regulations have also facilitated arbitrary arrests of a wide range of government critics, peaceful protesters, and political party members. Although exact figures are unavailable, tens of thousands of people have been arbitrarily arrested under emergency rule.¹³

Those detained include nearly 200 senior political leaders, prominent businesspeople, and government officials. The leaders of both major political parties, Sheikh Hasina of the Awami League, and Khaleda Zia of the Bangladesh Nationalist Party, have been arrested and denied bail.

Arrests under the emergency powers encourage mistreatment in detention. The security forces frequently arrest people in the middle of the night without warrant. They are often in plainclothes and offer no identification, and cite the emergency laws to justify their actions. Instead of bringing those arrested immediately before a magistrate, the security forces routinely take them to army barracks and other unofficial places of detention where they are subject to mistreatment and torture.

Of particular concern is the use of torture by Bangladesh's military intelligence agency, the Directorate General of Forces Intelligence (DGFI). The DGFI was established in 1978 under the dictatorship of General Ziaur Rahman and modelled after Pakistan's Inter-Services Intelligence (ISI) agency. In Dhaka alone, the DGFI maintains at least three unofficial detention centers, known as "black holes." "Black Hole 1" is located in DGFI headquarters inside Dhaka cantonment near BNS Haji Moshin naval base. "Black Hole 2" is near Kachukhet, a civilian residential area inside Dhaka cantonment. "Black Hole 3" is maintained in the Uttara residential district near Zia International Airport. Research by Human Rights Watch has established that the DGFI also interrogates and tortures detainees in the facilities of other security agencies, such as those located at Special Branch headquarters in Mogbazar, Detective Branch headquarters on Mintoo road, and the Rapid Action Battalion (RAB) headquarters and RAB-1 camp in Uttara.

¹³ Local human rights groups such as Odhikar suggest that the numbers who have been arbitrarily arrested runs into the hundreds of thousands.

Successive governments, including those of military ruler General HM Ershad and the elected governments of Prime Ministers Begum Khaleda Zia and Sheikh Hasina, have used the DGFI to serve partisan interests in violation of its organizational charter. For many years, the agency has been employed as a weapon for quashing political opponents and engineering covert campaigns that benefit those in power.¹⁴ The DGFI's covert campaigns, which have resulted in widespread human rights abuses, have ranged from engineering anti-Hindu communal riots to aiding "ethnic cleaning" of ethnic minority communities in the Chittagong Hill Tracts.¹⁵

Since the declaration of a state of emergency on January 11, 2007, the DGFI under its current director general, Major General Golam Mohammed, has been a driving force behind de facto military rule in the country. It has carried out overt and covert operations against government critics and opposition party leaders and members, threatening and intimidating officials in the two main political parties and members of the media.

In the past year alone, the DGFI has arbitrarily detained and tortured numerous politicians, journalists, businesspersons, academics, professionals, and activists. Among the cases reported to Human Rights Watch include those of businessmen Abdul Awwal Mintoo and Noor Ali; Dr. S Mollah, a physician; Anwar Hossain and Harun ur-Rashid, professors at Dhaka University; Manabendra Dev, a student leader at Dhaka University; and, Deen Islam Angel, a student at Dhaka University. The methods of torture used by the DGFI reported by victims to Human Rights Watch include general beating, electric shocks, beatings of hands and soles of the feet, and forcible water intake.

¹⁴ Bibhuti Bhusan Nandy, "DGFI: State within a state" in Jaideep Saikia, ed., *Bangladesh: Treading the Taliban trail* (New Delhi: Vision Books, 2006), pp. 173-187.

¹⁵ Ibid.

III. Assaults on Media Freedom

While the interim government claims there is media freedom in Bangladesh, the reality is far different. The Emergency Rules impose severe restrictions on media freedoms, which limit criticism of the government. These include provisions that allow the government to censor any media, stop distribution of any news or information published in violation of a government order, or bring criminal charges against a person who makes “provocative” remarks against the government and its programs. Violations of the Emergency Rules subject an individual to up to five years of imprisonment and significant fines.¹⁶

The Emergency Rules violate media freedoms set out in Article 19 of the International Covenant on Civil and Political Rights, to which Bangladesh is a party. They allow pre-publication censorship. They make “provocative” criticism of the government a crime. They are overbroad and vague, leaving journalists and editors unable to know what would be a violation and what would not. It is impossible to know, for example, what would be considered “provocative.” Because of their vagueness, the Emergency Rules are inherently subject to arbitrary application: media outlets favoured by the government may be left alone, while those disliked by the government can be sanctioned.

In September authorities shut down the only 24-hours news channel, CSB News, citing an irregularity in its registration process. Earlier in August CSB News and Ekushey TV were served with warning notices from the Press Information Department for broadcasting “provocative news” about anti-government protests by university students.¹⁷

In addition to the restrictions under the Emergency Rules, journalists face physical abuse. Bangladeshi intelligence agencies often threaten and intimidate journalists

¹⁶ Mahfuz Anam, “Can this be the CA’s vision of Bangladesh?” *The Daily Star*, January 28, 2007, <http://www.thedailystar.net/2007/01/28/d7012801033.htm> (accessed December 3, 2007).

¹⁷ “Curfew imposed to quell chaos,” *The Daily Star*, August 23, 2007, <http://www.thedailystar.net/story.php?nid=1213> (accessed November 18, 2007).

and editors.¹⁸ They issue unofficial press advisories threatening journalists who publish critical news or opinions. The security forces have carried out such threats and beaten journalists.¹⁹ Those taken into custody, like Tasneem Khalil, face even worse treatment.

A number of journalists are now arbitrarily detained.²⁰ In March 2007, Atiqullah Khan Masud, the editor of *Daily Janakantha*, one of the most widely read Bengali newspapers, was arrested at his office in Dhaka for "tarnishing the image of the country" and was later charged with corruption.²¹ On October 17, a Dhaka court acquitted Masud of fraud charges but other criminal and corruption charges levelled against him are still under investigation and he is yet to be released from detention.²²

Outside Dhaka, regional correspondents of national news outlets are regularly physically intimidated and threatened with arrest, often on false charges, if they run afoul of the local administration or the military.²³

Intelligence agencies, including DGFI and National Security Intelligence, jointly operate a "media cell" from the DGFI headquarters in Dhaka cantonment. This cell – headed by an army colonel – routinely summons reporters and editors to issue directives, to interrogate them, or to admonish them for publication of "provocative, irresponsible news."²⁴ The cell is also responsible for issuing unofficial press

¹⁸ Odhikar, a Dhaka based human rights organization reported that at least 35 journalists were injured, 13 arrested, 35 assaulted, and 83 threatened in 2007. Odhikar, "Annual Human Rights Situation in Bangladesh", 2007, January 1, 2008.

¹⁹ Mashuqur Rahman, "A Journalist's Tale," *E-Bangladesh*, August 24, 2007, <http://www.e-bangladesh.org/2007/08/24/a-journalists-tale> (accessed November 18, 2007). Also see: "Newsmen beaten, harassed," *New Age*, August 24, 2007, <http://www.newagebd.com/2007/aug/24/front.html#9> (accessed November 18, 2007).

²⁰ Asif Saleh, "Meet the Tipu Sultan of 2007," post to "Unheard Voices" (blog), October 30, 2007, <http://www.drishtipat.org/blog/2007/10/30/meet-the-tipu-sultan-of-2007> (accessed November 18, 2007). Also see: "Rab picks up Sylhet editor, reporter," *The Daily Star*, April 8, 2007, <http://www.thedailystar.net/2007/04/08/d7040801119.htm> (accessed December 2, 2007) and Reporters Without Borders, "Concerns over unfair arrests after anti-corruption drive," March 13, 2007, http://www.rsf.org/article.php3?id_article=21306 (accessed December 2, 2007) and Reporters Without Borders, "Cartoonist arrested over harmless play on name Mohammed," September 19, 2007, http://www.rsf.org/article.php3?id_article=23700 (accessed December 2, 2007).

²¹ "In Bangladesh, editor of outspoken daily arrested in military raid," Committee to Protect Journalists news release, March 8, 2007, <http://www.cpj.org/news/2007/asia/bangla08march07na.html> (accessed November 18, 2007).

²² "Janakantha editor acquitted," *E-Bangladesh*, October 17, 2007, <http://www.e-bangladesh.org/2007/10/17/janakantha-editor-acquitted> (accessed November 18, 2007).

²³ "In Bangladesh, reporter jailed for reporting on local mismanagement," Committee to Protect Journalists news release, March 26, 2007, <http://www.cpj.org/news/2007/asia/bangla26mar07na.html> (accessed November 18, 2007).

²⁴ Human Rights Watch interviews with journalists who attended such meetings. Details withheld.

advisories by SMS and telephone. Operators from the cell are assigned as "minders" to reporters to monitor and advise them. The cell also issues programming instructions (such as with news, talk -shows, and interviews) to private satellite channels and editorial instructions to newspapers. Occasionally, it plants tailored reports in different newspapers.²⁵

All of this encourages self-censorship. Under the interim government, the Bangladeshi media, with a few exceptions, has not reported government abuses such as the tens of thousands of arbitrary arrests that have accompanied the government's anti-corruption drive, the failure to provide due process to those arrested, interference in the independence of the judiciary, the many cases of torture and death in custody, and the continuing fake "cross-fire" killings committed by RAB and other security services.

²⁵ Human Rights Watch interviews with journalists and editors. Details withheld.

IV. A Midnight Arrest, 22 Hours of Torture: The Case of Tasneem Khalil

A reporter for the respected English language newspaper *The Daily Star*, Tasneem Khalil also worked on projects for Human Rights Watch and was CNN's news representative in Bangladesh. On May 11, 2007, the Directorate General of Forces Intelligence (DGFI) arrested Khalil, apparently for his outspoken criticism of the military's role in extrajudicial killings, torture, arbitrary arrests, and other abuses. Khalil had also publicly expressed concern through his blog and in newspaper interviews²⁶ that the military was using the interim government as a cover for de facto army rule.

Khalil paid a heavy price for exercising his right to freedom of expression. His case is a window into a system where the security forces routinely commit arbitrary arrests and torture. While the government has sought to claim the mantle of reform, cases such as this, and the government's failure to stop them and punish those responsible, belie such claims. The following is Tasneem Khalil's story, written by himself a few months after his release.

* * *

At around 12:50 a.m. on the morning of May 11, 2007, I was playing with my six-month-old son, Tiyaash, in my apartment in Dhaka, when the private security guard in my complex called my name from outside my door. In previous weeks I had received calls from the [government] security services complaining about my work as a journalist, so I looked through the peephole to see who it was. I only saw the guard, so I opened the door. Then I saw the other men. There were four or five of them, it happened so fast I'm not entirely sure. They had been hiding out of view when I looked through the peephole. One asked me

²⁶ "Bangladesh Military Accused of Stalling on Elections", *Washington Post*, January 25, 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/01/24/AR2007012401984.html> (accessed February 1, 2008), and "Nobel Laureate Eyes Election as Next Prize," *Washington Post*, March 15, 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/03/14/AR2007031402624.html> (accessed February 1, 2008).

if I was Tasneem Khalil. Then they entered my apartment and instructed me to get dressed. They said they were the “joint forces,” which means police and army, though under the state of emergency it usually means the police are present only to make the army’s participation legal.

I asked them what they were doing in my apartment and whether they had an arrest warrant for me. I asked for their identity, rank and where I was being taken. At first they kept on dodging the questions, then they said that since they were from the “joint forces” they didn’t have to show me any arrest warrant due to the state of emergency.

I told them that I was an accredited journalist with *The Daily Star*, one of Bangladesh’s biggest and most influential newspapers, and CNN. I said that as a citizen of Bangladesh I have the right to know, and my family has a right to know, who is detaining me and where I am being taken. At one point one man, who apparently gave me a fake name, said I would be taken to the Sangshad Bhaban army camp, an army camp near the parliament.

They took me to my study and their leader sat down before my computer, where I was drafting an email to a foreign diplomat who had expressed concern about my security. I was describing how I was under constant surveillance and that I had received phone calls from a Lieutenant Colonel of the Directorate General of Forces Intelligence [DGFI], asking me to meet him at his office.

I was sceptical about the invitation, as the DGFI was notorious for torture. I had spoken at length about the phone calls with colleagues at *The Daily Star* and Human Rights Watch, who I had also worked with in the past on a report about abuses by the paramilitary Rapid Action Battalion [RAB], which was involved in many extrajudicial killings and torture. Members of RAB saw themselves as above the law and therefore above criticism. My work on RAB had not made me popular

with the security services, but I thought it was essential that the facts about what they were doing—in the name of fighting crime—were documented and published.²⁷

As I watched the man reading my computer screen, I was disgusted and told him he could not do so without my permission. When he ignored me, almost reflexively I pushed the restart button on my computer so he could not read my private correspondence. He jumped up from the chair, pulled out a revolver from his holster, pushed it against my lips, and started shouting, “You are under arrest.” I started shouting back, telling them that what they were doing was illegal. Then all of them started shouting abusive words at me, telling me to shut up, otherwise there would be problems for my wife and child. Throughout, my wife Shuchi and son Tiyaash were watching the whole thing.

Then they made me stand in the middle of the room while they disconnected my and Shuchi’s computers. I told them I did not work on my wife’s computer and it was for her design work. I asked them again and again not to take it, but they didn’t listen. They started going through all of my files, notepads, CDs, important documents, bills, and reports, and put them in a pile. They went to my bedroom and searched through my wardrobe. They took my passport, two cell phones and other documents. They asked me about my personal diary. I told them I did not maintain one. Then they asked me to put on some shoes. I told them I was more comfortable with sandals. They whispered among themselves, and told me that was okay.

I was taken out of my apartment. While climbing down the stairs, I remembered that I had forgotten to bring my inhaler. When I told them, they said they would give me whatever I wanted once I was at the army

²⁷ Human Rights Watch, *Judge, Jury, and Executioner; Torture and Extrajudicial Killings by Bangladesh’s Elite Security Force*, vol. 18, no. 16 (C), December 2006, <http://hrw.org/reports/2006/bangladesh1206/>.

camp. I told them that I suffer chronic bronchial asthma, so they allowed me to go back to my apartment and take my inhaler.

At this point they asked Shuchi whether I take any other medication and about my physical condition. She told them I have asthma. I was taken to the lobby of the building. They instructed me to “absolutely shut up” and “not create any scene,” because people from the other apartments were now watching what was happening.

I went blank. “Whatever is going to happen to me is going to happen anyway,” I told myself. When I was coming out of my house I hugged Shuchi and Tiyash and whispered, “If I don’t come back, then you must know that I love you. And tell Tiyash that his father died for a cause.” Shuchi told me, “You just go. I must start calling up people.” Since we feared something like this might happen, Shuchi had a list of people—friends, colleagues, diplomats and organizations—to contact immediately. Tiyash was watching as if he knew something very wrong was taking place before his eyes: some strangers were taking his father away.

I was pushed into a luxurious SUV that was waiting outside the gate. I was sitting in the middle of the backseat with one person on each side. They blindfolded me with two pieces of black cloth. I was handcuffed with metal chain handcuffs. The car started driving. As I knew the road very well, I could figure out that I was being taken to Dhaka cantonment, home to the headquarters of the army, navy and air force.

They stopped driving. I think we were at a checkpoint or at the entrance to Dhaka cantonment. The guy sitting on my left opened his door and I could hear foot thumping salutes. The car then drove for five to 10 minutes and stopped. At that point, I heard someone hand a piece of paper to someone and say, “These are his allegation papers.”

They took me out of the car. I could feel that I was walking on grass, then on a cement floor and then there was a stair, where I stumbled. The guy who was holding my arm said, “Sorry, sorry, be careful,” and guided me inside. I was taken to a room and made to sit down on a wooden bench without any back. All the while I remained handcuffed with my hands in front. I was told to keep my hands down.

There was a table in front of me. Someone came in and started asking me for my name, address, profession, father’s name, etc. I could hear someone taking pictures. Then I was taken to another room, where I was made to lie down on a bed, where a doctor took my blood pressure, pulse, temperature and checked my breathing. He also inquired about my physical disabilities and ailments. I told him about asthma and low blood pressure. Then they took me back to the first room and made me sit on the wooden bench again, still handcuffed and blindfolded.

A voice suddenly yelled, “Son of a bitch! Where is *salam*?” I then said, “*Salam-alekum*,” which in Arabic means “peace be upon you.” The man screamed, “Louder!” I cried out “*salam*” once again. He then told me to stand up straight and cry out louder still, which I did. Then he told me to sit down and not to raise my hands off the table at any point. Then another voice asked me why I was there. To which I answered, “I have no idea.” Then he asked me my name. I gave it and then a third voice said, “Khalil *Shaheb* [Mr. Khalil]. What do you do?” I told them that I worked for *The Daily Star* and CNN. The second voice then asked me what stories I reported on for CNN. I said whenever something major happened in Bangladesh that was newsworthy for an international news network like CNN, I reported it. Then another voice asked me to give examples of my recent reports. I could not remember anything at that moment. And then the second voice said, “*Baanchot* [an abusive word], you have only reported on negative things. And you have fucked Bangladesh by your bloody anti-state reports. Whatever you have reported for CNN in all these years is all negative news. You

shit on the same plate you eat, you are a traitor. You work for a foreign agency, and damage Bangladesh's image outside."

Someone started punching the side and back of my head. I started crying out in pain. Then someone cried out an order, "Bring in salt and nails!"

At one point they asked me why I did not go to DGFI headquarters when they called me on May 2 [2007]. I told them that my editor, Mahfuz Anam, strictly instructed me not to meet any DGFI officials as he had a prior understanding with the agency that no journalist at *The Daily Star* would be contacted directly without his consent and knowledge. I myself never wanted to go to DGFI headquarters, which was notorious for being a torture center. DGFI had been calling many journalists at that time in for meetings to tell them what not to report and to be patriotic, or else.

They asked me what things I had reported for *The Daily Star*. I said I had reported on human rights issues: the persecution of Ahmaddiyas, a heterodox Muslim sect that fundamentalists had been attacking with at least semi-official backing; RAB and extrajudicial killings; indigenous and minority rights; and other violations. Then they asked me whether RAB had done anything wrong by killing criminals like Picchi Hanan, a notorious gangster. I wanted to say that it is wrong to kill anyone in cold blood and that they should have arrested him and put him on trial, but I did not say anything. Suddenly people on both sides of me started brutally beating me with batons on the lower back, just below and next to my kidneys. The pain was excruciating.

In that instant I assessed my situation. I could be a tough guy and get more of this, or I could cooperate. I quickly decided that it was time to cooperate with these people and do my best to dodge more beatings.

I said I was sorry for whatever I had done.

But at that moment another guy shouted, “How dare you bastard write these things against the son of the ex-prime minister?” Apparently turning to whoever was in charge, he said, “Sir, you see what he wrote?” This was a reference to a story I did for *Forum* magazine on Tarique Rahman, the son of the Bangladesh Nationalist Party leader Khaleda Zia and the power behind the throne. Tarique was arrested on March 8, 2007, by the interim government, but as a political conservative and strongman he retained great loyalty among many members of the security services. My article was about DGFI’s ties with Islamic militancy in Bangladesh. Another guy said, “Fuck Tarique Zia.”²⁸ This bastard has written against the patriotic armed forces and its intelligence agencies. He shits on the plate he eats from. He is a traitor and a threat to national security.” They asked who my source in DGFI was. To avoid disclosing my source I said I did not have any source in DGFI and whatever I wrote was made up. I said I was repentant for doing this. Throughout this whole conversation I continued to receive beatings.

Then they asked me about my connections with Human Rights Watch. I told them I worked as their consultant. When they inquired further, I told them I had worked with Human Rights Watch since 2006. I worked with Human Rights Watch on a report about extrajudicial killings by RAB. That suddenly infuriated them so much that all of them started hitting the table with hands and sticks and started shouting at me, saying that RAB executed Picchi Hannan. “How dare you write against our brothers in RAB? You are a burden on society. You are an immoral, unethical insect, an anti-state criminal. We will hand you over to RAB.” Someone came around the table and started punching me on my head again.

²⁸ Tarique Rahman is also known as Tarique Zia.



Tasneem Khalil was photographed 48 hours after his release from DGFI custody with bruises on his body resulting from torture. © 2007 Human Rights Watch

They stopped for a little bit and then asked about my background, about my education and family. They asked me how old I was. I told them I was 26. They asked me the same question again and again. They were not impressed by my family background.

They called me “a rootless asshole.... That’s why you don’t love your country. Did you come from India by any chance?” When I told them I studied English linguistics at North South University in Dhaka, they did not understand what linguistics was. I tried translating it to Bengali and they started making fun of me, mocking me, saying that I had not even studied journalism and yet thought myself “a big champion of journalism and human rights.”

Then they asked me how many times I had been to India. I told them I went there twice. The first time was years back on a personal visit. The second was in 2005 or 2006 on a business trip as I was working as the public relations coordinator for an advertising agency that represents the Tata company in Bangladesh. One guy said, “You have been under

surveillance for four to five years. We had to send our guys after you to India.” There is a deep vein of fear and paranoia about India, based of course on some reality, among many in Bangladesh. Accusing or even implying that someone is spying for India is a very serious allegation.

I was then questioned about my job with the advertising agency.

Then they asked me about the apartment where I had lived in Uttara about two years earlier. They also asked me about another house I used to share with my friends during my university time. Another person, whose voice was very familiar to me but, as hard as I tried, I just could not identify, said I was “a bastard.” He said I smoked too much, even though I had asthma and after smoking had to take puffs from my inhaler. I was surprised because this is a piece of information that only people near and close to me knew. They asked me about my apartment. I told them I did not have any property whatsoever in Dhaka and all the properties have been rented.

They clearly had done their homework. In retrospect I don’t think they followed me to India. I doubt that they can do this very often, and I just wasn’t important enough then to be followed there. And they probably picked up the stuff about me using my inhaler in the days before I was arrested. But with all the information they were throwing at me about my personal life, I certainly believed them at the time. It was unnerving and frightening.

They asked me about my bank account. I said I had one at IFIC bank, with a balance of 1,000 taka [US\$15]. I told them I received 25,000 taka a month from *The Daily Star* and that I did not get any regular income from Human Rights Watch, CNN and other freelance jobs. They asked me how much the international embassies pay me, suggesting I was a spy. I told them, “If I was paid by embassies, then I wouldn’t be struggling to pay my bills!”

The interrogation soon became much more aggressive. They asked me about my contacts among the international community in Dhaka. I told them I knew people from the US embassy through Human Rights Watch and CNN. I know people from the Indian, Australian, Canadian, and British embassies through personal and professional contacts. They asked me “Do you think that they [the diplomats] are going to come and rescue you? You met them, and passed on secret information that is threatening national security.” They didn’t tell me what secret information I had. What I knew came from my work as a journalist and human rights researcher. But it did show that the security forces were involved in killings, torture, “disappearances,” and illegal arrests. They certainly did not want this publicized. They were furious that I had reported these things. They asked me when I last met these diplomats (The diplomats had wanted to know details about the intimidating and somewhat sinister phone calls I had received from the RAB intelligence wing. I had therefore met them over lunch at a popular restaurant in Dhaka’s Gulshan area.).

They also asked about the story I wrote for the magazine *Forum*. In that story, titled “Prince of Bogra,” I exposed how Tarique Rahman was sponsoring militant groups and how DGFI creates and harbors Islamic militant organizations in Bangladesh. Based on video evidence and my interview with one of the top leaders of the International Khatme Nabuwat Movement (IKNM)—a radical group that campaigned against the Ahmaddiya sect—I reported that the DGFI was directly sponsoring IKNM. The report also explored allegations that the DGFI and National Security Intelligence were actively supporting Jamaatul Mujahedden Bangladesh (JMB) and Jagrata Muslim Janata Bangladesh (JMJB), organizations that had been responsible for bomb attacks and assassinations around the country. The United States and other governments had spoken out against the repression of Ahmaddiyas and were quite worried about the growth of radical Islamic groups, so this was very sensitive for the security agencies.

The *Forum* article made my interrogators furious. They started beating me again mercilessly, from all possible directions with hands and batons and kicks. I pleaded with them to give me one last chance. I said I would not do those things again. But one person said I had already “made the blunder.” I think this was a reference to my lunch with the diplomats.

I started begging for mercy. The beating continued for some time. Then another person said, “We will think about giving you a chance, but you have to do as we say.” He said I had to write a confession to the AIG [Additional Inspector General] of police, saying what they wanted me to say. Then I had to beg for his mercy.

They dictated some points I should include, such as admitting that I was engaged in anti-state, anti-military, anti-RAB activity, and that I smuggled out sensitive national security information to foreign organizations. That I kept close ties with the opposition Awami League party (I am friends with many in the Awami League and other political parties but I was not a member and was not involved in party politics). That I was engaged in propaganda against the current interim government. That I wanted to destabilize Bangladesh, that I was immoral and unethical, a yellow journalist. That whatever I wrote, I wrote for name and fame and money.

There was other stuff but I cannot remember what it was. They instructed some junior level staff to give me a pen and paper and take my statement after they had left. They also instructed them not to allow me to go to the toilet or eat anything.

After they left, a security guard came in and took off my blindfold. He was wearing a khaki uniform with bullet pouches. His insignia I could not recognize, but it comprised three monograms together: army, navy, and air force. On his green beret there was a triangular red figure. I later found out that this is the DGFI monogram.

Then two people came into the room in plainclothes. One was such a familiar face – maybe he worked as a security guard at the apartment complex where I live, or maybe as a cab driver or rickshaw driver, but I am sure I had seen that face 100 times in my life. Even his body language indicated that he feared that I might recognize him. But I could not connect it. They were carrying a file, a form, and sheets of paper. The second guy sat down and instructed the first one to fill out the form. I was asked my name, my father's name, family history, address, about my property, educational background, siblings, in-laws, wife, child, and other stuff.

While they were filling out the form I stole a glance at the form and the folder. I saw that both had a "Very Confidential/Top Secret" label and, in Bengali, "Directorate General of Forces Intelligence" was written on them. Though I had surmised it before, this was the first time that I confirmed that I was in the custody of DGFI.

With my blindfold off I could finally see where I was. The room I was in was a torture cell. It was a small room with no windows, one doorway with a wooden door, and a second grill like in a prison. The room was soundproofed with a wooden wall covered with small holes, like in an old recording studio. There were two CCTV cameras in the corners attached to the ceiling. There was a fan. I was sitting in front of a table and three batons were on the table along with some stationery. One was a wooden baton, about a meter long. The other two were covered with black plastic. Poking out of the end of these two were metal wires which appeared to fill the plastic covers. The plastic and wire batons were a little shorter than the wooden one. I assume these were the batons they tortured me with. When one guy saw that I was looking at them, he put them aside. I'm not sure if they used electricity on me. The pain often came like shocks, but they were hitting me so hard that I'm not sure whether it was just the force that hurt like this or if it was electricity.

Then I glanced behind me and I saw what looked like a metal bed frame. It was the same size as a normal single bed, but it was placed on a platform with steps up to it. The bed had straps fitted at the top and bottom, presumably for tying people onto it. There was a wheel to change the angle of the bed to lift it up or down. There were spikes at the top of the bed. Right beside that there were ropes fitted to the ceilings with rubber loops for wrists to go through.

Before I started writing my statement as instructed, I wanted to go to the toilet. They agreed and called in a guard, who took off my handcuffs and blindfolded me again. Holding me by my arms, he guided me through a series of corridors. In the corridor I could hear people crying from different directions and screaming in pain. This guard was very kind to me. He seemed to feel sorry for me. He kept the blindfold loose and I could glance out by the side of my nose. On my way back I saw what appeared to be prison cells. I saw someone apparently saying prayers inside one of the cells.

I was taken back to the torture cell, where I sat down and started writing a confession as instructed. I wrote one to 20 points. I do not exactly remember what I wrote, but it was along the lines they had instructed. I deliberately did not sign it or address it to anyone. I do not know if that undermined the confession, I just did it.

When I had finished writing I guess it was around 7 in the morning. I had totally lost track of time and they would not have told me even if I asked. I tried chatting with my minders. In the beginning they were not that eager to talk but at some point one guy started asking me questions about politics in Sylhet, a major city in northeastern Bangladesh where I grew up. I did not know much about politics in Sylhet anymore, but just to pass the time I started giving him cooked up, bogus information. Two guys were apparently very satisfied with their questioning skills and took notes religiously. As they went through my file, I tried convincing them to tell me what the charges

were against me. At one point one guy told me, “You have been charged as a foreign spy.” When I asked him for which agency I supposedly worked, he got confused and kept mum. They stopped talking.

At one point my blood pressure shot down and I was having heartburn. I started moaning in pain and immediately they brought in a doctor. The doctor came in and took my blood pressure and pulse, and they gave me my inhaler back. I was given oral saline. I took two puffs from the inhaler. I was given biscuits to eat. I felt a little better, but after a few minutes I again started feeling bad. I felt like I was dying.

They then blindfolded me again and took me to another room where they took off my blindfold. It was like a prison cell, with a big window through which I could see buildings outside. It was an empty room with a fan and a mattress on the floor. They instructed me to lie down on the mattress and one person brought in two pieces of *paratha* [flatbread] and vegetables. I asked the person whether the vegetable contained papaya. He said yes. I am allergic to papaya, so didn’t eat the vegetable and just ate one *paratha*. Then the doctor came in and saw that my breakfast was half eaten. I told him I am extremely allergic to papaya so I could not eat it. He gave me two biscuits and a cup of tea and asked me to sleep for two or three hours. He said no one would disturb me. He gave me a tablet, which I took.

I slept for a little while, then they woke me up and said someone else was coming into the cell, so I had to move. I said I wanted to go to the toilet. They took me to the toilet blindfolded. Near the toilet there was a closed iron gate. I could see vehicles through the gate in front of the next building. These were probably Bangladesh navy staff buses, which can be easily recognised from their navy blue and light blue colors. DGFI headquarters is right behind the navy’s Haji Mohsin Camp.

They took me to another room where I was made to sit on a plastic chair. After a few minutes a guy in pajamas and a *Punjabi* [a long shirt] came in. The blindfold I now had was only a single piece of cloth so I had blurred vision through it. He greeted me, “*Salam, Tasneem Shaheb.*” He asked me what I did and why I was there. I told him I was a journalist and I presumed I was there for my anti-state activities.

The guy was tense. He asked me how many people I told about my being under surveillance. I told him that Australians, Americans, Canadians, CNN, Human Rights Watch, and *The Daily Star* knew that. Then he told me that a bed had been prepared for me so I could rest. After that I was taken back to the cell. They took off my blindfold and I was allowed to sleep a little bit more.

Then I was woken up and blindfolded again. I went to the toilet once more before they took me to the torture cell. The officers who had questioned me earlier were apparently back and told me they were thinking of giving me a chance, but needed a video statement from me. I told them I would say whatever they wanted me to and they should give me a list of bullet points.

I was taken upstairs into a room and made to sit down in a comfortable plastic chair. An officer gave me a piece of paper and explained what I had to confess. Then he left, my blindfold was taken off, and I saw two persons with a camcorder on a tripod. I went through the bullet points. Then I started recording my confession. While they were recording I kept glancing down to make it clear to any audience that I was reading from a written statement. After the statement was recorded, they blindfolded me again.

I still don’t know what happened at DGFI or who in the government may have intervened, but a person then came in and told me “*Tasneem Shaheb*, this is such a quick recovery. You are a lucky bastard, that within 24 hours you are going to have a chance of

release. I am in this place for five years, and have never seen someone go out of this place in less than a week. This is unprecedented.” I subsequently learned that Human Rights Watch had immediately issued a press release calling for my release and contacted many governments and embassies. CNN called a visiting Bangladeshi government official in Washington. The story was picked up by the international media and blog networks. A global campaign was on demanding my release. Discussions were held with my editor at *The Daily Star*. But I still don’t know exactly why things turned in my favor.

The same person then asked me for my email accounts and passwords. I surrendered my passwords.

Some other people came in and took me to another room, handcuffed me and made me stand in front of a table. They pinned a piece of paper on my chest, apparently with my name written on it. Through my blindfold I could see a table on which there was a revolver on a white sheet of paper, and seven to eight bullets. They took my picture. For me it was a clear sign that I was being set up for a faked “crossfire” killing.²⁹ They usually photograph people sitting at tables stacked with weapons before having them killed. The official story is almost always that the suspect was arrested, taken to the scene of the crime where friends attack the police, the suspect escapes and gets killed in crossfire. The photo serves to show that the suspect was a nasty character. Such a procedure is often followed by RAB and other security forces before they execute detainees. They took me downstairs and told me they were taking me somewhere where negotiations were to be conducted to see if they could release me. I remained just blank: I do not know what I felt. I do not have the words

²⁹ A “crossfire” death occurs when an individual is accidentally killed in a shootout between government security forces and criminal groups. The Bangladesh security forces frequently commit extrajudicial executions and then announce that the victim died during the crossfire, even when unarmed and in the custody of security forces. The Dhaka based human rights organization Odhikar has documented at least 130 incidents that were officially described as “crossfire,” although other terms such as “encounter” or “gunfight” are also used to describe the incident. Odhikar, “Annual Human Rights Situation in Bangladesh 2007,” January 1, 2008.

to explain. I cannot even explain the disgust, fear, terror. I do not know what to say.

They started driving and near Gulshan-2 intersection they took off my blindfold. The guy who arrested me was sitting next to me on my left. There was a driver and another person in the back of the car. For the first time I saw the lieutenant colonel who called me earlier asking me to appear at the DGFI offices. He was sitting next to the driver.

To my surprise, we drove to the residence of my editor at the *Daily Star*, Mahfuz Anam. From there I was allowed to call my wife. I was only given a very short time. I just told her that I was okay. Later she told me that she understood from my words that I was lying.

With my captors in the room, I told Mahfuz that I repented for the anti-state things I wrote. He explained that he had reached an agreement with DGFI that he would take responsibility for me, since I was a *Daily Star* staff member. He then told me that the official reason behind my “questioning” was my blog and text messages where I was very critical of the military-backed government, in particular of human rights violations committed by the security forces.

Mahfuz said he was going to release a press statement as suggested by the DGFI. I don’t understand why I wasn’t released then and there, but I wasn’t. Instead, I was taken back to DGFI headquarters for more beatings and threats. This shows the absolute impunity enjoyed by the DGFI: a senior officer took me to the house of one of the most influential newspaper editors in Bangladesh, thereby admitting not only that they had abducted me but, since they had to assume I would tell him about how I was treated, also about being responsible for torture. And they were right. Out of security concerns, *The Daily Star* never reported what happened to me.

The lieutenant colonel promised Mahfuz that I would be returned to *The Daily Star* office by 9 p.m. After a few minutes of cordial discussion, we left Mahfuz's house, got back into the car, and started driving. While in the car, the lieutenant colonel called his superior, a brigadier general, on his cell phone and discussed the draft of the statement to be issued by my editor. "Sir, the words are not clear and certain. There are gaps. I think you should talk to him about this."

I was blindfolded again and taken back to DGFI headquarters. While they were taking me back inside, I heard an officer telling the lieutenant colonel, "I don't like the sound of this guy. We should give him treatment again."

When we returned, I was taken to a cell and made to stand still for 10 to 15 minutes. I was still blindfolded. Then they took me to the torture cell once more. I was made to sit down on the bench again. The officers came in, apparently with copies of emails I had written.

They started with my communications with the Awami League's international lobbyist, Sajeeb Wazed Joy. Joy is a good friend of mine. They were going through our emails line by line, inquiring in minute detail about information, comments, and analysis that I had shared with Joy in the previous few months. They inquired about how CNN had been planning to cover the return to Bangladesh of Sheikh Hasina, the president of the Awami League party, who had refused to go into exile. They inquired about my contacts with senior figures of the Awami League. Given my profession, my meetings with them were hardly remarkable.

They instructed me to confess that I worked for the Awami League and that I knew of a plan by a senior Awami League figure to assassinate people, create mass unrest, engineer bomb blasts, and topple the current interim government. I told them I had read something along

this line on a pro-military online discussion board widely believed to be run by DGFI.

At one point, another officer came in and everyone stood up to show him respect. I think he was one of the top brigadier generals. Still blindfolded, I was told to greet him by standing up. He then asked me to sit down. My head was facing downwards. He asked to hold my head up, and said to me, “You bloody look like a ‘*malaun*’ [an anti-Hindu slur].” Again and again, he called me a *malaun* and said I was “ugly like a Hindu.”

He then asked me, “Why did you go to the Indian High Commission? Who did you meet there? Speak the truth because I have all the information with me.” I said I went there to get a long-term Indian visa and meet an official who could arrange it. They were pressing me to confess that I worked for Indian intelligence. They started beating me again. The senior officer took a baton and kept ramming it hard under my navel and lower abdominal area. I was in severe pain. The beating and torture seemed to go on for an eternity. At some point it stopped.

Someone started reading from a Bengali translation of the Human Rights Watch report on extrajudicial executions by RAB that I had worked on. In the recommendation section it was suggested that the United Nations end the participation of Bangladesh military personnel with a record of involvement in torture in UN peacekeeping operations. This touches a raw nerve, as the military’s involvement in international peacekeeping is both a great source of pride and money for the army. These funds allow the military to buy the loyalty of many in its ranks. Anyone who touches this sacred cow is an enemy of the army.

Another asked me about my reporting on Chalesh Ritchil’s death. Ritchil was an indigenous Mandi leader in Modhupur who on March 18, 2007, was tortured to death by members of the Bangladesh army. His gruesome death had created a furor in Bangladesh. The man said

to me, “You have written that Chalesh Ritchil’s dead body was mutilated in 15 places. Is that humanly possible? He was a drunkard who tried running away from the ‘joint forces,’ fell down and died. How could you report that?” Once again they started showering me with obscenities.

The senior officer asked me whether I would work for DGFI from now on and I said yes. Someone said, “But we think once you go out of here you will again contact your international friends, resume your anti-state activities, and fuck with us.” I pleaded, “I did not realize you had such a long hand. Please let me work for you. I can be very helpful to your cause. I want to serve my motherland. I want to amend all the damage I have done to my dear country.”

They said I had to give another video statement with all the things I said in the morning plus a few other things they would instruct me on. They said this may ensure my release. “You can try to get released, or you can go to recover illegal arms.” This was a threat to set me up for a “crossfire” killing.

The senior officer told me that he would see if they could give me a final chance. He told me that he was 52 and his daughter was 27, so he had a soft spot for me, because I was 26, half his age. “Because you are immature, we will think about giving you a second chance.” He offered me a cigarette, asked someone to light it up and left. I had the cigarette.

When they all left the room, I began having an asthma attack and serious pain in my chest. I was crying in pain. I was crying out for water. But as it was a soundproof room, no one was there. After about 15 minutes someone came in and recognized I was having physical trouble. A doctor was called in, but he took a while to arrive. I was taken back to my cell, where the doctor did a quick checkup, gave me a packet of biscuits, and gave me a new inhaler. I didn’t see the label

but he said it would help me. He took some money out of his pocket and asked someone to buy some medicine for me. And I was made to lie down on the mattress. I was semi-conscious.

After a little while three to four junior staff came in. They were, for the most part, kind to me. One of them advised me to cooperate with the officers. He said, “Whenever they come, you will be blindfolded so that you don’t recognize them. But you can see us and whatever you need you can tell me.” He described how DGFI recently kidnapped another journalist and tortured him so much that he was unconscious for six to seven hours. A businessman had his nails torn out. Compared to that, he said, I was tortured less. I told him I could not even stand up because of the torture. Another guy said, “Just pray to Allah. ‘The worst time is visiting upon us.’” This is a Bengali phrase meaning, “We are going through terrible times.” He told me that a team of DGFI operators picked me up, saying it was a “routine mission” they carried out: abducting people, taking them to the secret DGFI torture cell, and torturing detainees. After a few minutes they gave me a capsule. I rested for a while and was taken to the bathroom.

Then I came back and they took me to the torture cell again. The doctor did a checkup. I heard one officer suggesting that I be tied onto the torture bed. But the doctor vetoed this, saying “No, he is unfit for that.”

They told me that I had to give another video statement, saying that I was engaged in anti-state activities and propaganda and that I did such things on direct instructions from my editor, and my editorial manager at *The Daily Star*. I was also ordered to say that, in the guise of working for CNN and Human Rights Watch, I smuggled out sensitive national security information to *bidesh* [foreign countries]. They told me to say that I was part of an Awami League conspiracy to topple the interim government and that I made things up about Chalesh Ritchil’s death in army custody. I was also supposed to admit that I deliberately

wrote misleading accounts of press freedom violations in Bangladesh as instructed by a specific staff member at Human Rights Watch. And I was supposed to say that certain government critics, including two journalists, two writers, and two human rights activists were all allegedly engaged in anti-Bangladesh, anti-government conspiracies. There were other things—I cannot remember them all.

They took me upstairs again and recorded my statement on video once more. While I was in the corridor and before I entered the room, I overheard them talking about executing me in a “crossfire.”

“This is not done, this is not done,” someone said. It would be nice to say he was objecting to killing me, but I think he was objecting to me being released. They continued to argue about releasing me as I was led in.

They emphasized again to make it clear that I did all the things they accused me of on the direct instructions of my editor and manager. They took off my blindfold, recorded my video statement and blindfolded me again. The lieutenant colonel came in and slapped me on my shoulder. He said, “We will let you go but why on earth did you report that Chalesh Ritchil had 15 of his body parts mutilated? It is not humanly possible. I was there on the spot. It did not happen.” Another officer asked me if I wanted to have a pair of pliers applied to my penis and have my testicles crushed as I had reported had happened to Chalesh Ritchil.

They told me not to even tell my wife about what had happened to me in custody. I was instructed not to write anything against the army or the government. If the press asked me questions about my period inside, I was instructed to say that I was questioned nicely on issues related to my blogs and a few text messages I had sent. I was warned that the DGFI would not tolerate any more of my “anti-state” activities and that I must act as instructed by the agency. My minder, the

colonel, informed me that I must be in touch with him and always report to him. “Next time you will be picked up and no one will even find your bloody dead body,” someone barked at me at one point, adding, “Even your international friends will be useless.” They told me not to be in contact with any foreigner, let alone any diplomat. “If we catch you talking to your international friends and talking about what happened to you here, you cannot be saved by anyone.”

I was then taken to another room, apparently someone’s office, where everyone showered me with obscene abuse, calling me a traitor, a “*malaun*.” Then the officer whose office I was taken to said, “I am letting you go but make sure you continue writing in your blog. You have 15 days and your assignment is to write things that will amend your past actions.” He asked me if I was beaten up during my time in custody. I said no. He then asked me to turn around and asked someone to give me a strong kick on my backside so I would remember. With one final kick, I was taken downstairs and put into a car, blindfolded.

I could tell we were driving out of the Dhaka cantonment via Farmgate to Karwan Bazaar. The driver went around the whole Karwan Bazaar area several times, apparently to confuse me. At one point they stopped the car. I was dropped in front of the Hotel Sonargon. From there I walked back to *The Daily Star* office, about five minutes away on foot.

* * *

Immediately after my release from DGFI custody I went into hiding with my wife and son.

DGFI was forced to release me under serious pressure from national and international quarters. I believe a death-sentence was hanging over my head. I never intended to keep my mouth shut or cooperate

with DGFI. Why should I? Everything I promised was the result of torture and fear for my life. So the only choice I had was to leave Bangladesh for safety abroad.

While we were in hiding, friends and colleagues started negotiating through diplomatic missions with the military for the return of my passport and safe passage. It was a frustrating and long process.

On May 11, right after my release, one of my friends, a prominent human rights defender commented in an online discussion board that, “There will be an attempt to dig up dirt on Tasneem from tonight onwards. I predict an *Amader Shomoy* newspaper article [a privately owned newspaper which often acts as a government mouthpiece] on his suspicious activities.” His prediction was soon proven to be accurate.

On one blog, a commentator claimed he was a representative of the military. He alleged that I was involved with terrorism and was a paid spy of several foreign intelligence agencies. He even started threatening bloggers who were campaigning for my release, implying that the Bangladesh military had a long hand that could reach anyone, anywhere. His IP [Internet Protocol] address was later tracked to a server that I identified as one monitoring my own website on a regular basis before my arrest—dgfi.rad1.global-bd.net.

The first official government statement regarding my arrest came on May 12 during a press briefing by Syed Fahim Munaim, press secretary for the head of the interim government, Dr. Fakhruddin Ahmed. Responding to a question regarding my detention, Munaim said, “Tasneem was in possession of information that goes against the interest of the country.... [He] should have thought about country’s interest first before doing anything under the current state of emergency.” Munaim declined to comment when he was pointedly

questioned by several reporters on the exact charges against me or any information obtained from me.

I must note that the information that was seized from my possession by the DGFI team was mostly documentary evidence of how security forces in Bangladesh carried out torture and extra-judicial executions, and how the intelligence agencies in Bangladesh harbor and sponsor militant groups. I still wonder what exactly there was in my possession that went “against the interest of the country.”

Then the attacks in the media escalated. On May 24, a cover story titled, “Laptop conspiracy to topple the government,” appeared in *Jonotar Chokh*, the weekly supplement of the tabloid newspaper *Manabzamin*. *Manabzamin* has often been a mouthpiece of Bangladesh’s intelligence agencies. The article explained that the security forces seized my laptop and claimed that they found seditious emails.

The story failed to establish any conspiracy to topple the government. Instead, the unnamed reporter took my emails with Sajeeb Wazed Joy, son of Awami League President Sheikh Hasina, and with our common friend Rubel Ahsan, and tried to arrange them in an order that would establish that I was receiving foreign funds to destabilize Bangladesh. Sentences were cut and pasted out of context in a clear bid to smear me and Sajeeb. Normal, private discussions among friends containing political analysis, observations and rants were turned into something evil and sinister.

The report alleged that I had received millions of dollars to finance my “anti-Bangladesh” conspiracy. The smear worked, at least a bit. I was in no position to respond and this allegation gained some currency, including by being repeated by the son of one of the advisors of the interim government through his blog. Depending on the version one

reads, the amount I allegedly received varied from US\$1 million to US\$15 million.

Amader Shomoy, a daily newspaper widely believed to be a mouthpiece of the military establishment, republished the *Manabzamin* story on May 25 under the title, “Tasneem’s laptop: Sensational emails by Hasina’s son Joy and Rubel.” DGFI was clearly engineering a campaign to smear me.

Yet I have never been charged with anything—at a time when the government has arrested tens of thousands on corruption and other charges. Instead of illegally arresting me, torturing me, and then defaming me, if there were any credible allegations against me the Bangladeshi government should have taken me to a court of law and put me on trial for my crime. Their failure to do so says all that needs to be said.

I do not hesitate to state that I was and remain opposed to the current de facto military government. I have been openly critical of it since it came to power on January 11, 2007. This was never a secret, but I was never involved in any secret conspiracy. After this report is published I am sure I will have to suffer more smear campaigns against me.

I urge the authorities to explain in clear terms why a brigadier general of the Bangladesh army personally offered me an apology before returning my passport and ensuring safe passage for me and my family if, as they have alleged, I was “in possession of information that goes against the interest of the country.” I would love to know what that information was that landed me in a DGFI torture cell and later forced me to leave my country.

On June 6, 2007, I was provided with safe passage through Zia International Airport. Before that, DGFI sought a meeting with me, hinting that they would return my passport. They were pushing me to

meet them at the DGFI headquarters. That was not going to happen. I agreed to meet them at a neutral place. They agreed. Two representatives of DGFI – a brigadier general and the colonel who was assigned as my minder – met me and handed me my passport and two cell phones. In the beginning they were apologetic, saying they had “no doubts about my patriotism and nationalism and good-intentions to serve Bangladesh” but that I “should have taken a more reformist approach.” The brigadier general said he was ready to apologize if that made me happy.

When the person on my side inquired about torture, the colonel said I was not tortured. Then the person said he saw torture marks on my body. The colonel replied that it was “simple, regular conditioning.”

When I discussed leaving the country they tried pushing for a “cooling-off” period in Bangladesh instead. Then the brigadier general cautioned me not to write anything “against the interest of the armed forces” because he has “a long nose that can reach anywhere in the world.” He said he would “personally guarantee” my safety and security.

However, just as we were feeling safer, that very night the same people who arrested me arrived at my Central Road apartment searching for me. Luckily, I had decided to remain in hiding until the last moments before I went to the airport. If I had been home, I fear I would have been taken away again and “disappeared,” this time not to resurface.

* * *

Tasneem, his wife Shuchi and their son Tiyaash had to leave Bangladesh as refugees. With impressive speed, Sweden offered the family political asylum, where they now live.

V. Tasneem's Experience in the Context of the State of Emergency

In a sense, Tasneem was fortunate. He had the advantage of foreign friends, colleagues, and diplomats who were in a position to appeal to the government for help. However, there are thousands now in custody, unable to secure bail and often subjected to torture, who are not so well connected.

The consequences of the emergency for many Bangladeshis have been severe. The interim government had initially been welcomed by many Bangladeshis because it was installed by the army on the promise to end corruption, abuse of power, and political violence. But after one year, the state of emergency remains in place, seemingly as much to limit party political activity, restrict freedom of expression and assembly, and provide political protection to the government as to address corruption or real internal security problems.

Many Bangladeshis are worried about the indefinite suspension of rights and have begun to question whether the military will be willing to give up power to one of the main parties following the 2008 elections. As *The Daily Star*, a newspaper that has often supported the interim government, lamented in a July editorial:

The only reason that the caretaker government has survived six months in power, and the chief advisor acknowledges it every time an occasion arises, is because the general public think of it to be an instrument to strengthen democracy. But now if this very instrument of “strengthening democracy” becomes a symbol of mindless and arbitrary use of power, then how will the public distinguish it from such previous abusers of power and continue to lend it support?³⁰

When challenged on the rights situation, government officials often claim that the human rights situation is no worse than under the previous democratically elected government. This is a highly contested assertion. However, even if true, this is not

³⁰ Mahfuz Anam, “This Is No Way to Strengthen Democracy,” *The Daily Star*, July 17, 2007, <http://www.thedailystar.net/2007/07/17/d7071701022.htm> (accessed August 11, 2007).

the appropriate standard. Torture is never acceptable. The government's failure to address it seriously is a black mark on its record.³¹

The government as well as donor countries point to the scheduled 2008 elections as a panacea, suggesting that the government needs to focus on elections and that other problems either will be resolved by, or can wait for, elections. This is a false assumption. Ongoing and future victims of abuses cannot wait for a future government to end their suffering, provide redress, and prosecute those responsible.

The interim government may claim that it does not have the power to move against the DGFI and other human rights abusers in the security services. It is unclear how much control the army, under the interim government, has over the DGFI. Many senior Bangladeshi officials and some diplomats have told Human Rights Watch that they believe that the DGFI operates as a de facto independent entity beyond army control. Others argue that it is under the control of the army. Under elected governments, the DGFI reported directly to the minister of defense. Both Khaleda Zia and Sheikh Hasina simultaneously held the defense portfolio while prime minister, ensuring the DGFI was under their direct control.

However, referring to article 61 of the constitution, the current interim government does not have responsibility for defense. Instead, this rests with the president. But President Iajuddin Ahmed was removed as chief advisor by the army in January 2007 and is in no position to supervise or give orders to the military. Thus, at present, the army and DGFI appear to be powers unto themselves. For this reason, many argue that DGFI now has the ability to run a de facto parallel government in Bangladesh with no institutional or legal oversight. The result is rampant impunity for DGFI officials, who continue arbitrarily to arrest and detain suspects without charge and to torture detainees, such as Tasneem Khalil.

But, whatever the extent of its power, there are no signs that the interim government has made any attempt to rein in the DGFI or that it even disapproves of its actions

³¹ As pointed out in a recent editorial in the English language newspaper *The Bangladesh Today*: "Each government's failure to address the issue of torture has constituted a dereliction to fulfill obligations of the Constitution, of Justice, of rule of law and of human rights; inaction on the issue of torture has effectively contributed to the continuation of this endemic violation of the rights of citizens and of human beings." "Tortures in Custody" *The Bangladesh Today*, January 20, 1998, <http://www.thebangladeshtoday.com/archive/January%2008/20-01-2008.htm#editorial> (accessed January 23, 2008).

when taken against government critics and opponents. Politically, however, the interim government is in a strong position to take on issues like torture. It has claimed to be reformist, it has considerable international backing, and the army needs the interim government as much as the government needs the army, since if it resigned it would expose the reality of military rule.

The government knows who was responsible for Tasneem Khalil's torture—Human Rights Watch informed government officials soon after he was released—and that of the many other DGFI victims. The government knows where they work and where the torture centers are located. To date we are unaware of any disciplinary or legal action taken against any of those responsible for Khalil's arrest and torture. The government is aware that his case was not an isolated one—credible reports of torture continue to be legion, suggesting that torture continues to be frequently used by both law enforcement officials and members of the armed forces. The chief advisor and other members of the government chose to enter government. We do not believe they did so in order to preside over a government and security forces that routinely abuse human rights. But that is the reality in Bangladesh today.

VI. Recommendations

Human Rights Watch urges the interim government to recognize that genuine reform cannot be built on a foundation of torture, arbitrary arrest, and impunity. Reforms must be carried out with respect for basic rights as found in international human rights law and norms.

If the government does not have the power to act against the abusers, it should say so publicly so that attention can be fully shifted to the army, DGFI and others to address the problem. Specifically, Human Rights Watch urges the interim government, with the active and public support of concerned governments and international agencies, to:

General issues

- Immediately repeal the emergency regulations under the state of emergency and restore fundamental rights guaranteed by the constitution.
- Make ending torture a top priority.
- Discipline, or prosecute as appropriate, members of the security forces, including the DGFI, the army, RAB, police and other government officials, regardless of rank, responsible for arbitrary arrests and mistreatment of persons in detention.
- End the use of coercion, intimidation and threats in government dealings with the print and electronic media. Halt threats to the media by the DGFI, army, police and RAB.
- Announce as early an election date as feasible.

Arrest and detention

- End the practice of arbitrary arrest; arrests should be made only for legally cognizable offenses and in accordance with the law.
- Use only official places of detention and end the use of irregular sites, such as those maintained by DGFI, that facilitate the use of torture.
- Close the DGFI's detention centers.

- Allow access by independent monitors to all places of detention.
- Provide detainees prompt access to legal counsel and family members.
- Promptly charge or release all emergency detainees, including those held under emergency rules.
- End impunity for the security forces for human rights violations by initiating credible and impartial investigations and prosecutions.
- Establish a credible witness protection program for witnesses who testify in cases involving members of the security forces.

Legal reforms

- Reform the law concerning non-bailable offenses to ensure that pre-trial custody be ordered only if there is a reasonable suspicion that the accused has committed the alleged offense and is likely to abscond, interfere with the course of justice, or commit a serious offense.
- Ensure that those whose rights have been violated have an effective remedy in independent courts, with identification and prosecution of those responsible for torture, and fair and adequate compensation.
- Ratify the Optional Protocol to the Convention against Torture on monitoring places of detention to prevent torture, and rapidly implement it.
- Make the required declarations under Article 21 and 22 of the Convention against Torture so that the Committee Against Torture can receive individual communications.
- Ensure the separation of the judiciary from the executive in practice as well as in law and the independent and professional operation of the Judicial Service Commission.
- Ensure that an independent National Human Rights Commission now being contemplated is established in accordance with international standards (the “Paris Principles”), which include ensuring the commission has authority to investigate abuses by the army and all other security forces.

The international community

- Press the interim government, through public and private diplomacy, to implement the above recommendations.

- Insist on the lifting of the state of emergency and restoration of fundamental rights guaranteed by the constitution and international law.
- Urge the government and army to announce an election date for as early as feasible in 2008. Provide all necessary technical assistance, including to ensure creation of a voter registration list without fake voters or other irregularities. Insist on the appointment of an independent national election commission with independent members.
- End support and training programs for the army, DGFI and RAB—unless specifically to promote human rights—until there is an end to the pattern and practice of torture and extrajudicial executions.
- Encourage the United Nations Department of Peacekeeping Operations (DPKO) to thoroughly review the participation in peacekeeping operations of all Bangladeshi soldiers and police, including commanders, to ensure that they have not committed or been responsible for ordering or tolerating serious human rights violations.

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The Torture of Tasneem Khalil

How the Bangladesh Military Abuses Its Power Under the State of Emergency

This report presents a blow-by-blow account of the arbitrary arrest and torture of Bangladeshi journalist Tasneem Khalil, told in his own words. The torturers were military intelligence agents working for the Directorate General of Forces Intelligence (DGFI), an agency notorious for abuse.

Late one night in May 2007, Khalil was taken from his home in front of his wife and child, blindfolded, and driven to an interrogation center. At the center, run by the DGFI, he was beaten and tortured, threatened with execution, and forced to make false confessions. He was released after 22 hours in custody.

The case, compelling in its own right, illustrates a much larger problem: thousands of people are being held in Bangladesh today under emergency laws. It is likely that many of those detained are being or have been tortured.

In a sense Khalil was fortunate. A reporter for the respected English language newspaper *The Daily Star* who also had worked on projects for Human Rights Watch and was CNN's "news representative" in Bangladesh, Khalil had the advantage of friends, colleagues, and diplomats who could appeal to the Bangladesh government for help. The same cannot be said for most detainees.

Ending illegal arrests, arbitrary detentions, and torture should be a top priority of the interim government in Bangladesh. Those members of the security forces who have been responsible for these egregious human rights violations should be brought to justice.

Tasneem Khalil

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