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Amnesty International Annual Report 2011 - Bangladesh

Head of state: Zillur Rahman

Head of government: Sheikh Hasina

Death penalty: retentionist

Population: 164.4 million

Life expectancy: 66.9 years

Under-5 mortality (m/f): 58/56 per 1,000

Adult literacy: 55 per cent

Rapid Action Battalion (RAB) personnel and other police officers detained more than 1,500 people, many of them arbitrarily, during demonstrations. They used excessive force against demonstrators, injuring hundreds. RAB and the police continued to be implicated in extrajudicial executions. At least six detainees died in police custody, allegedly from torture. Nine men were executed and at least 32 men were sentenced to death. Six people were detained for war crimes. The government failed to adequately protect the Jumma Indigenous people of the Chittagong Hill Tracts against attacks from Bengali settlers.

Background

In February, the Supreme Court upheld a 2005 High Court judgement that declared the Fifth Amendment to the Constitution unlawful. The ruling did not provide new scope for investigation of human rights violations committed between August 1975 and April 1979, which the Amendment had shielded.

In March, Bangladesh ratified the Rome Statute of the International Criminal Court.

Violence against women and girls

According to government figures, violence against women topped all crimes reported to the police in the first six months of the year. of 7,285 complaints made, 1,586 were rape cases. Parliament passed the Domestic Violence (Prevention and Protection) Bill in October.

Arbitrary arrests and detentions

RAB and other police officers detained more than 1,500 opposition supporters, many of them arbitrarily, for between one week and two months during student protests or street rallies, which were at times violent. Dozens of the detainees were charged with violent criminal activity. The rest were released without charge.

- In February, police arrested some 300 supporters of Islami Chhatra Shibir, the student wing of the opposition party Jamaat-e-Islami, and detained them for up to two months in Dhaka, Rajshahi, Chittagong and other cities. The arrests followed a wave of student violence at major university campuses. Four students died during clashes between rival groups. Scores of Awami League party student activists were also reported to be involved in the violence. Police detained around a dozen of them.
- In June, more than 200 people, including 20 leading members of the opposition Bangladesh Nationalist Party (BNP), were arrested and detained for between one and five weeks, during and immediately after a general strike called by the party.

Excessive use of force

- On 27 June, RAB personnel used excessive force during a raid on the house of Mirza Abbas, a leading BNP politician and former mayor of Dhaka. They attacked those gathered peacefully inside the house during the general strike called by the opposition. They beat and injured at least 20 people, mostly women.
- Dozens of people were injured in June and August as police clashed with hundreds of striking textile workers calling for higher wages. No RAB or other police personnel were charged for the attacks.

Extrajudicial executions

The government failed to fulfil its pledge to end extrajudicial executions. Bangladeshi human rights groups estimated the number of suspected extrajudicial executions by RAB and other police officers at more than 60 for the first 10 months of the year.

- On 3 May, witnesses saw police officers arresting Abdul Alim, aged 32, in Kolabaria village, Kushtia District. The next morning, the family discovered he had been killed. A police officer claimed that Abdul Alim was killed while resisting arrest. In July, the family filed a complaint before a Kushtia court accusing several police officers of unlawfully killing Abdul Alim. Kushtia police investigated the incident and submitted a report in August – on a court order. The report reiterated the police's initial account of Abdul Alim's death. The family challenged the validity of the report before the court. A decision on this challenge remained pending.

Torture and other ill-treatment

Torture of detainees held by the police or other security forces reportedly led to the death of at least six individuals. Six police officers were reportedly investigated for torturing detainees but no one was brought to trial. A private member's bill criminalizing torture remained pending before parliament.

- Mahmoodur Rahman, editor of *Amar Desh* newspaper, was detained on 2 June for allegedly running the paper without a valid licence. He testified before a magistrate that police officers had beaten him severely while he was in custody.
- At least six garment workers detained in early August, one of whom was pregnant, were beaten by police officers during interrogation. Their arrest followed a wave of garment workers' street rallies calling for higher wages.

Death penalty

Five men found guilty of killing the country's founding leader, Sheikh Mujibur Rahman, in 1975 were executed in January. Their hasty execution – less than 24 hours after their final conviction – was unprecedented. Contrary to usual practice, the President dismissed clemency petitions by three of them before the court's final verdict. Four other men were executed in three different jails on 15 September.

Impunity

In March, the government set up the International Crimes Tribunal to try "those who committed crimes, assisted criminals and took part in the genocide during the Liberation War". Between August and November, the Tribunal ordered the arrest of five leaders of

the Jamaat-e-Islami for war crimes. They were Motiur Rahman Nizami, Ali Ahsan Muhammad Mojahid, Muhammad Kamaruzzaman, Abdul Quader Molla and Delwar Hossain Sayeedi. Salauddin Quader Chowdhury, a BNP leader detained since mid-December, was later declared a war crimes suspect. They all had been arrested initially on unrelated charges. The International Crimes (Tribunal) Act 1973 and its 2009 amendment, under which the trials were being held, lacked adequate fair trial safeguards. It denied, among other things, the right to challenge the jurisdiction of the Tribunal, the right to the possibility of bail and the right to challenge the impartiality of the judges.

Indigenous Peoples' rights

The government's failure to ensure the security of Jumma inhabitants of the Chittagong Hill Tracts often exposed the Jumma to attacks from Bengali settlers encroaching on their land. At least two Jumma Indigenous people died on 20 February after the army, which maintained a heavy presence in the area, opened fire on hundreds of Jumma Indigenous demonstrators. They were peacefully demanding protection after Bengali settlers had set fire to at least 40 of their houses in the Baghaichhari area of the Rangamati district on the night of 19 February. There were no reports of an investigation or of anyone being prosecuted for the attacks or the killings.

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