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THREE-MONTH HUMAN RIGHTS MONITORING REPORT ON BANGLADESH

Reporting Period: July – September 2021

Prepared by Odhikar
Date of Release: 10 October 2021

Foreword

Since its inception in October 1994, Odhikar has been relentlessly fighting for the protection of the civil, political, social, economic and cultural rights of the people. Odhikar does not see the human rights movement in Bangladesh as merely a matter of protecting the ‘individuals’ who are victims of human rights violations; rather, it considers the struggle for the establishment of civic and human dignity of the individual as inseparable from the movement and struggle for the formation of a democratic state. As a human rights organisation, Odhikar has always sought to raise awareness of all human rights violations committed by the state and to campaign, protest and restrain the state from violating internationally recognized civil and political rights. Odhikar unconditionally stands beside the victims; and works to establish justice for the victims of human rights violations, regardless of political views and identities.

On 10 October 2021, Odhikar turned 27 years old. Odhikar commemorates the victims of human rights violations worldwide on its 27th founding anniversary and expresses solidarity with the people around the world who are engaged in the struggle against authoritarianism and the establishment of self-determination. Odhikar expresses its sincere gratitude to all human rights defenders, local and international networks, activists, supporters and well-wishers who have stood by it for the past 27 years; and those who have expressed solidarity with Odhikar, as well as speaking out against the human rights violations committed by governments.

Odhikar’s founding anniversary is being commemorated at a time when the people of Bangladesh have been deprived twice of their right to vote, under an authoritarian rule that is eroding rule of law and human rights in the country. Gross human rights abuses, including enforced disappearances; torture; extrajudicial killings; violations of the rights to freedom of expression, assembly and association; and violence against women; and corruption are rampant. The incumbent government has been cracking down on Odhikar since 2013 due to its voice against human rights violations and for defending the rights of victims. Despite this adverse situation, Odhikar has prepared this three-month human rights report for the period from July to September 2021, on the basis of reports sent by the human rights defenders associated with Odhikar and data published in various media.

To see the previous human rights reports of *Odhikar*, please visit www.odhikar.org; Facebook: [Odhikar.HumanRights](https://www.facebook.com/Odhikar.HumanRights); Twitter: @odhikar_bd

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Executive Summary

1. This report reviews cases of civil and political rights violations, including state repression, deprivation of the right to life, violence against women and other gross human rights violations.
2. The authoritarian government has carried out widespread repression by arresting, torturing and prosecuting many people for their involvement in opposition politics and for being dissenting voices. The government has brutally suppressed the right to freedom of assembly as well. The government has put a bar on meetings and rallies without police permission for a long time. During this reporting period, the police obstructed various programmes of the opposition and dissidents; and Juba League and Awami League-backed Chhatra League¹ attacked those who had gathered.
3. There are allegations against leaders and activists of the ruling Awami League and its various affiliated organisations of various criminal acts, including killing civilians² and the leader of the Opposition³; displaying firearms and firing in public⁴; attacking women and children⁵; attacking opposition leaders-activists⁶ and opposition party offices⁷ and the residence of the government officials.⁸ During this period, they have also been involved in multiple clashes due to conflicts of interest among themselves.
4. The Awami League government, which came to power without the people's vote, has systematically reduced various important state institutions to subservient ones, through partisanship and introduced a culture of fear in the country through authoritarian rule. The role of the Election Commission is the most pathetic. It has become an ally of the ruling Awami League and has destroyed the electoral system by introduced a unilateral and government-controlled election system in the country. The people have lost their confidence in the Election Commission as they have been deprived of their right to vote through farcical elections. Due to this lack of confidence, opposition parties and independent candidates refrain from contesting elections in most places. As a result, the ruling party nominated candidates are being elected unopposed. In addition to this, the National Human Rights Commission, another state body, has also been accused of various controversial activities and of being loyal to the government. Although the government has committed massive human rights violations in the country,

¹ The youth and student wings of the Awami League (the party in power since 2009).

² The daily Prothom Alo, 17 July 2021; <https://epaper.prothomalo.com/?mod=1&pgnum=1&edcode=71&pagedate=2021-7-17>

³ The daily Prothom Alo, 14 July 2021; <https://www.prothomalo.com/bangladesh/district/নোয়াখালীতে-বিএনপি-নেতাকে-কুপিয়ে-ও-গুলি-করে-হত্যা>

⁴ The daily Prothom Alo, 7 September 2021; <https://www.prothomalo.com/bangladesh/district/আলীগের-দুই-পক্ষে-ব-ধাওয়ার-মধ্যে-অস্ত্রধারী-তিন-তরুণের-ভিডিও-ভাইরাল>

⁵ The daily Prothom Alo, 24 July 2021; <https://www.prothomalo.com/bangladesh/district/মুরলীগ-নেতার-হামলায়-নারী-শিশুসহ-আহত-১০>

⁶ The daily Prothom Alo, 20 July 2021; <https://www.prothomalo.com/bangladesh/district/বাউফলে-ছাত্র-অধিকার-পরিষদের-নেতা-কমীর-ও-পব-ছাত্রলীগের-হামলা>

⁷ The daily Prothom Alo, 17 August 2021; <https://www.prothomalo.com/bangladesh/district/যশোর-জেলা-বিএনপির-কার্যালয়ে-ছাত্রলীগের-হামলা-নেতা-আহত>

⁸ New Age, 19 August 2021; <https://www.newagebd.net/article/146815/12-al-activists-held-for-uno-house-attack>

the National Human Rights Commission has praised the government for its great achievements in promoting human rights.⁹

5. During this reporting period, the government has severely violated freedom of speech, thought, conscience and expression of citizens by blocking free flow of information. It has also carried out persecution, including suing and arresting citizens from different walks of life. Although various incidents have not been published in the mass media due to pressure on the print and electronic media, they have been published on social media. In this situation, social media has also been brought under the scrutiny of the government and ruling party leaders and activists and many citizens of different walks of life have been arrested under the repressive Digital Security Act, 2018 and imprisoned for criticizing various failures, corruption and massive irregularities of the government and writing or sharing any post on social media criticizing high-ranking members of the ruling party, including the Prime Minister of Bangladesh. Moreover, the government has also upheld the repressive Information and Communication Technology Act 2006 (amended 2009 and 2013) and punished an opposition party leader to seven-year imprisonment in a case filed under this Act in 2015, on charges of sharing distorted pictures of the Prime Minister Sheikh Hasina and former Indian Prime Minister Manmohan Singh on social media.¹⁰
6. The government has put pressure on the media in various ways, disrupting objective and impartial news coverage and in most cases journalists were forced to apply self-censorship.¹¹ During this period, journalists were attacked for carrying out their professional duties and false and fabricated cases were filed against them.
7. In the last three months, there have been allegations against the country's law enforcement officials for committing various forms of violations, including enforced disappearances, extrajudicial killings and torture and degrading treatment. Members of the law enforcement agencies are enjoying impunity and have become reckless due to the government's use of these agencies to suppress political opponents, government critics and dissidents. Despite being employees of the Republic, members of law enforcement agencies are participating at the ruling party programmes and chanting party slogans.¹²
8. An investigation committee of the Home Ministry has found evidence of various irregularities and corruption against the officials and employees of 37 out of 68 prisons in the country. The report said that although there were specific allegations against the officers and prison guards, they were only transferred elsewhere as punishment.¹³ The total capacity of prisons across

⁹ The daily Prothom Alo, 31 August 2021; <https://www.prothomalo.com/bangladesh/বন্ধুশুদ্ধে-হত্যাগুমের-মতো-ঘটনা-পাশ-কাটাচ্ছে-মানবাধিকার-কমিশন>

¹⁰ New Age, 20 September 2021; <https://www.newagebd.net/article/149627/bnp-leader-jailed-for-7yrs-for-distorting-photos-of-hasina-manmohan>

¹¹ The Daily Star, 5 May 2021; <https://www.thedailystar.net/city/news/self-censorship-not-choice-1738813>

¹² The daily Prothom Alo, 5 August 2021; <https://www.prothomalo.com/bangladesh/district/আলীগের-কর্মসূচিতে-ওসির-স্লোগানের-ভিডিও-ছড়িয়েছে-ফেসবুকে>

¹³ The daily Samakal, 18 September 2021; <https://samakal.com/bangladesh/article/210977704/>

the country is 42,450.¹⁴ In these three months too, there were more prisoners in the 68 jails of the country than their capacity. During this period some prisoners fell ill and died in prison. According to the South Asia Peace Action Network, Bangladesh has the highest prison occupancy rate among all South Asian countries, standing at 195 percent. It also has the highest proportion of pre-trial detainees, at 81.3 percent.¹⁵

9. During the three months from July to September 2021, there were incidents of public lynching across the country. Due to mistrust in the police and the judiciary, the ordinary people are taking the law into their own hands and engaging in crimes such as mob violence and beatings.
10. The provision of the death penalty exists in criminal laws of Bangladesh. In many cases, death sentences are given on the basis of confessional statements obtained through torture. A review of the death penalty has shown that the tendency to impose capital punishment by the courts has increased significantly, despite the provision of alternative punishments. As a result, prisoners remain on death row for years due to a very slow appeals process. During this reporting period, an Islamic extremist named Asaduzzaman Ponir was hanged to death at the Kashimpur High Security Central Jail in Gazipur.¹⁶
11. During these three months, workers in various sectors have been subjected to human rights violations. On 8 July 2021, 54 workers were killed and more than 50 others injured in a deadly fire at Hashem Foods and Beverages factory belonging to Sajeeb Group in Rupganj, Narayanganj. Most of the workers in this factory were under age.¹⁷ In addition, members of the law enforcement agencies attacked readymade garment workers as they protested for various demands, including payment of arrears of wages.
12. In the last three months, many women and girls have been subjected to various forms of violence, and in some cases, government leaders and police have been involved.
13. India's dominance over Bangladesh continues. Part of the maritime baseline that India has used to determine its own maritime boundary, falls within Bangladesh's maritime boundaries. Bangladesh has registered two protests to the United Nations against the claims of India made on some of the geographical coordinates, concerning the straight baselines for measuring the breadth of the territorial sea and setting outer limits of the Continental Shelf. This matter has not been resolved bilaterally for seven years. Bangladesh requested a bilateral solution after the International Arbitral Tribunal ruled in 2014 that the two neighbours had demarcated the maritime boundaries. However, India did not respond to Bangladesh's request.¹⁸ In

¹⁴ World Prison Brief, <https://www.prisonstudies.org/country/bangladesh>

¹⁵ The Daily Star, 31 August 2021; <https://www.thedailystar.net/news/bangladesh/news/bangladesh-jails-among-the-worst-south-asia-2164946>

¹⁶ The daily Prothom Alo, 16 July 2021; <https://www.prothomalo.com/bangladesh/district/জেএমবি-সদস্যের-কাঁসি-কার্যকর>

¹⁷ Dhaka Tribune, 9 July 2021; <https://www.dhakatribune.com/bangladesh/nation/2021/07/09/narayanganj-factory-fire-rages-on-many-feared-dead>, Al Jazeera, 9 July 2021; <https://www.aljazeera.com/news/2021/7/9/deadly-fire-at-bangladesh-food-processing-factory>

¹⁸ New Age, 18 September 2021; <https://www.newagebd.net/article/149405/bangladesh-files-protests-at-un>

addition, despite repeated promises by the Indian Border Security Force (BSF) to bring the border killings down to zero, the BSF continues to kill, torture and rape Bangladeshi nationals at the border.

14. Despite objections from international human rights organisations, including the United Nations, the Bangladeshi government relocated about 19,000 Rohingya refugees from the camps in Cox's Bazar to Noakhali's Bhasan Char Island in six phases.¹⁹ However, the Rohingyas have complained that many of the promises the government had made before they were brought to Bhasan Char had not been fulfilled.²⁰ In this situation, Rohingya refugees are fleeing from Bhasan Char at the risk of their lives.²¹
15. The government has commenced the proceedings of the case against Odhikar's Secretary Adilur Rahman Khan and Director Nasiruddin Elan that was filed in 2013 under the Information and Communication Technology Act 2006 (amended 2009). When Odhikar's Secretary and Director appeared before the Dhaka Cyber Tribunal on 12 September 2021, their lawyer informed the court that an application for Review was pending in the Appellate Division of the Supreme Court against its (the Appellate Division) verdict to commence the trial. The lawyer appealed to the Tribunal to commence the trial after the Review hearing. The Tribunal instead fixed 5 October as the date for taking evidence in Cyber Tribunal Case No. 1/2013 and, in effect, commencing the proceedings against Adilur and Elan.

¹⁹ Bdnews24.com, 25 August 2021; <https://bdnews24.com/bangladesh/2021/08/25/four-years-into-the-influx-are-rohingya-refugees-any-closer-to-a-return-home>

²⁰ Human Rights Watch, 7 June 2021; <https://www.hrw.org/report/2021/06/07/island-jail-middle-sea/bangladeshs-relocation-rohingya-refugees-bhasan-char>

²¹ The daily Prothom Alo, 14 August 2021; <https://www.prothomalo.com/bangladesh/district/ভাসানচর-থেকে-পালানোর-চেঁটা-উলারডুবিতে-২৭-রোহিঙ্গা-নিখোঁজ>

Statistics: Human Rights violations (January-September) 2021

Statistics: January-September 2021*											
Type of Human Rights Violation		January	February	March	April	May	June	July	August	September	Total
Extrajudicial killings	Crossfire	2	7	3	1	6	1	6	5	4	35
	Tortured to death	1	0	0	2	1	0	0	1	0	5
	Shot to death	0	0	21	9	0	0	0	0	0	30
	Beaten to death	0	0	0	0	0	0	0	0	1	1
Total		3	7	24	12	7	1	6	6	5	71
Enforced Disappearances		1	0	10	1	0	4	1	1	0	18
Death in Jail		3	4	3	6	5	7	6	15	5	54
Death Penalty (Sentenced to death)		40	56	56	0	0	0	0	10	27	189
Human rights violations by Indian BSF	Bangladeshis Killed	1	0	1	1	0	1	3	2	1	10
	Bangladeshis Injured	2	2	0	0	2	1	1	0	0	8
Total		3	2	1	1	2	2	4	2	1	18
Attack on journalists	Killed	0	1	0	0	0	0	0	0	0	1
	Injured	0	1	2	12	5	3	1	5	1	30
	Assaulted	6	3	2	4	1	0	0	1	1	18
	Attacked	0	6	6	2	1	2	1	1	1	20
	Threatened	0	0	2	4	0	0	0	2	3	11
	Total	6	11	12	22	7	5	2	9	6	80
Political violence	Killed	10	9	11	8	12	12	13	6	5	86
	Injured	719	600	870	382	341	536	288	231	255	4222
Dowry related violence against women		9	12	22	21	21	19	14	20	23	161
Rape	Girl under the age of 18	68	47	75	92	77	76	82	81	69	667
	Women	41	47	48	59	54	47	51	48	47	442
	Age could not be determined	2	5	0	4	3	6	5	17	1	43
	Total	111	99	123	155	134	129	138	146	117	1152
Sexual harassment /Stalking of females		11	8	10	12	8	10	9	7	6	81
Acid violence		4	1	4	6	1	2	2	2	8	30
Public lynching		2	1	1	7	4	5	1	1	5	27
Arrest under the Digital Security Act, 2018	For allegedly posting critical post against Prime Minister, high-ranking officials of the government and their family members and the Indian Prime Minister's visit to Bangladesh in social media	2	3	10	41	5	4	6	5	5	81
	For allegedly making derogatory remarks and/or provocative statement on religion or religious people	0	0	4	3	1	0	0	0	1	9
	Total	2	3	14	44	6	4	6	5	6	90

* Odhikar documentation

Political Repression, Violation of Freedom of Assembly and Acts of Criminalisation

Political repression

1. The authoritarian Awami League government continues to crack down on the opposition parties and dissidents. Leaders and activists of the opposition and dissident groups have become the main targets of this repressive government, that came to power through controversial elections by destroying the democratic system. Cases have been filed against the protesters and many have been kept in jail and various forms of harassment are deployed. Members of law enforcement agencies in plainclothes pick them up and later they are shown as arrested in various criminal cases. It is alleged that hundreds of cases have been filed against each of the leaders and activists of the opposition, especially the out of Parliament BNP. In addition, anti-government statements are being seen as sedition and opposition leaders and activists have been arrested from indoor meetings and prosecuted under the Anti-Terrorism Act 2009.
2. On 16 July 2021, Ishaq Sarkar, a former organising secretary of Jatiyatabadi Chhatra Dal²², was released on bail after being detained for 38 months in jail. There are 313 cases against him.²³
3. On 31 July 2021, a group of plainclothes men claiming to be members of the Detective Branch (DB) of Police picked up Dr. Mohammad Abu Obaid and his brother Abu Sufian from their home in Sardarpara area of Nazipur Municipality under Potnitola Upazila in Naogaon District. Dr. Mohammad Abu Obaid is the Director of Nazipur Medical Center and is involved in the politics of Jamaat-e-Islami. His brother Abu Sufian is a former Councilor of Nazipur Municipality and a BNP leader. The family members alleged that they were mistreated by the plain clothed men when asked about their identities and when they asked why they were being detained, they were treated badly.²⁴ The next day, on 1 August, the two were handed over to Potnitola Police Station after being shown as arrested in a case involving clashes between the BNP and the police on 30 March 2021.²⁵
4. On 6 September 2021, police arrested 10 people, including the Secretary General of Jamaat-e-Islami's Central Committee, Mia Golam Parwar and Assistant Secretary General Hamidur Rahman Azad, from the Bashundhara area of Dhaka. Mia Golam Parwar had taken part in a meeting at the National Press Club on 22 August where he had strongly criticized the government. He was then arrested. Police said that they raided the Bashundhara Residential Area after receiving information that the men had gathered at a secret meeting there to conspire against the state and destabilize the country.²⁶ A

²² Student wing of Bangladesh Nationalist Party (BNP)

²³ The daily Jugantor, 16 August 2021; <https://www.jugantor.com/politics/454612/>

²⁴ The daily Manabzamin, 2 August 2021; <https://mzamin.com/article.php?mzamin=286241&cat=9/>

²⁵ Information sent by local human rights defender associated with Odhikar, Naogaon

²⁶ The daily Prothom Alo, 7 September 2021; <https://www.prothomalo.com/politics/গোলাম-পর্বোয়ারসহ-জামায়াতের-৯-নেতাকর্মী-আটক>

case has been filed against them under the Anti-Terrorism Act 2009 at Dhaka's Bhatara Police Station on 7 September.²⁷

Hindrance to and attacks on freedom of assembly

5. The authoritarian government continues to restrict the right to freedom of assembly of the opposition and dissidents. During this reporting period, police obstructed various programmes of the opposition parties and Juba League²⁸ and Chhatra League²⁹ attacked those attending the programmes.
6. On 18 August 2021, Swechchasebak Dal³⁰ organised an event to distribute various equipment for the treatment of COVID-19 patients, including oxygen cylinders and protection against the Coronavirus, in Manohardi under Narsingdi District. During the programme, leaders and activists of Manohardi Upazila unit Chhatra League and Juba League attacked the event and stopped it. As a result of this attack, 13 BNP leaders and activists were injured. Furthermore, Chhatra League and Juba League leaders and activists also beat Channel I's³¹ Narayanganj district correspondent Sumon Roy and cameraman Ismail Mia with iron rods, leaving them severely injured and smashed their cameras.³²
7. On 2 September 2021, Chittagong Metropolitan unit BNP organised a meeting on the occasion of the founding anniversary of the political party. When the Pahartali BNP leaders and activists came to join the meeting, the police baton-charged at them and disrupted the procession. At that time, police arrested seven BNP leaders and activists.³³



Police baton-charged BNP leaders-activists in front the BNP office in Chittagong when they brought out a rally on its founding anniversary. Photo: Prothom Alo, 3 September 2021

²⁷ The daily Manabzamin, 7 September 2021; <https://mzamin.com/article.php?mzamin=291846&cat=1>

²⁸ Youth wing of Awami League

²⁹ Student wing of Awami League

³⁰ A voluntary wing of BNP

³¹ A private television channel.

³² The daily Prothom Alo, 18 August 2021; <https://www.prothomalo.com/bangladesh/district/স্বচ্ছসেবক-দলের-অবৃত্তানে-ছাত্রলীগের-হামলা-সাংবাদিকসহ-আহত-১৫>

³³ The daily Prothom Alo, 3 September 2021; <https://epaper.prothomalo.com/?pagedate=2021-9-3&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

8. On 7 September 2021, local Jamaat leaders and activists brought out a procession in Begumganj and Chaumuhani of Noakhali District to protest the arrest of Jamaat-e-Islami's central leaders. The police filed a case against them at Begumganj Police Station alleging 'sabotage'. On the same night, police arrested three people, including Noakhali District unit Jamaat-e-Islami's Amir Mohammad Alauddin.³⁴

Acts of Criminalisation by the ruling party

9. In the absence of an accountable government, acts of criminalisation have become rampant in every sector and citizens are becoming victims of political violence. There are allegations that leaders and activists of the ruling Awami League and its various affiliated organisations are involved in criminal acts, including killing civilians³⁵ and a leader of the Opposition³⁶; and are displaying firearms and firing in public³⁷, are attacking women and children³⁸, opposition leaders-activists³⁹, opposition party offices⁴⁰ and even the residence of the government officials⁴¹. During this reporting period they have been involved in multiple acts of violence over conflicts of interest.



A still from a video of two factions of the Awami League chasing each other in Noakhali, has gone viral. A young man can be seen with a weapon. Photo: Prothom Alo, 7 September 2021

³⁴ The daily Prothom Alo, 8 September 2021; <https://www.prothomalo.com/bangladesh/district/নোয়াখালীতে-বিক্ষোভের-পর-তিন-জামায়াত-নেতা-গ্রেপ্তার>

³⁵ The daily Prothom Alo, 17 July 2021; <https://epaper.prothomalo.com/?mod=1&pgnum=1&edcode=71&pagedate=2021-7-17>

³⁶ The daily Prothom Alo, 14 August 2021; <https://www.prothomalo.com/bangladesh/district/নোয়াখালীতে-বিএনপি-নেতাকে-কুপিয়ে-ও-গুলি-করে-হত্যা>

³⁷ The daily Prothom Alo, 07 September 2021; <https://www.prothomalo.com/bangladesh/district/আলীগের-দুই-পক্ষে-ধাওয়া-মধ্যে-অস্ত্রধারী-তিন-তরুণের-ভিডিও-ভাইরাল>

³⁸ The daily Prothom Alo, 24 July 2021; <https://www.prothomalo.com/bangladesh/district/যুবলীগ-নেতার-হামলায়-নারী-শিশুসহ-আহত-১০>

³⁹ The daily Prothom Alo, 20 July 2021; <https://www.prothomalo.com/bangladesh/district/বাউফলে-ছাত্র-অধিকার-পরিষদের-নেতা-কমীর-ও-পর-ছাত্রলীগের-হামলা>

⁴⁰ The daily Prothom Alo, 17 August 2021; <https://www.prothomalo.com/bangladesh/district/যশোর-জেলা-বিএনপির-কার্যালয়ে-ছাত্রলীগের-হামলা-নেতা-আহত>

⁴¹ New Age, 19 August 2021; <https://www.newagebd.net/article/146815/12-al-activists-held-for-uno-house-attack>



BNP leader Golam Reza, who was injured in an attack by Chhatra League activists in Jashore City, was admitted to Jashore General Hospital. Photo: Prothom Alo, 17 August 2021

10. From July to September 2021, at least 24 people were killed and 774 injured in political violence. Furthermore, 58 incidents of internal violence in the Awami League and three incidents of internal violence in the BNP were recorded during this period. Seven persons were killed and 332 were injured in internal conflicts within the Awami League while 41 persons were injured in internal conflicts within the BNP.
11. Shahjalal, a cattle trader, was shot dead and thrown into a pond on 15 July 2021 in the Sultanpur area of Feni, by Abul Kalam, a Councilor of Ward No. 6 of Feni Municipality and General Secretary of the ward unit Awami League and his three associates. Shahjalal's body was recovered from the pond in Sultanpur on 16 August. A case was registered in this regard but the police 'could not' arrest Abul Kalam and his associates. It is to be noted that Abul Kalam was elected unopposed as a Councilor in the Municipality elections held on 30 January 2021.⁴²
12. On 24 July 2021, a group of miscreants led by Obaidul Haque and his cousin Kabir Mollah attacked the house of a man named Abdul Baten in Kalapahariya Union under Araihaazar Upazila in Narayanganj District and hacked and injured 10 people including women and children. It was learnt that Abdul Baten was campaigning for the upcoming Union Parishad Elections from Ward No. 7. Obaidul Haque was also interested in getting elected from the same ward. For this reason, Obaidul Haque and his followers were threatening Abdul Baten and later attacked him.⁴³
13. On 17 August 2021, Awami League-backed Chhatra League leaders and activists vandalized the Jashore district unit BNP office. At that time, Chhatra League leaders and activists stabbed the district unit BNP member Golam Reza and beat the district unit BNP Joint Convener Delwar Hossain.⁴⁴

⁴² The daily Prothom Alo, 17 July 2021; <https://epaper.prothomalo.com/?mod=1&pgnum=1&edcode=71&pagedate=2021-7-17>

⁴³ The daily Prothom Alo, 24 July 2021; <https://www.prothomalo.com/bangladesh/district/যুবলীগ-নেতার-হামলায়-নারী-শিশুসহ-আহত-১০১>

⁴⁴ The daily Prothom Alo, 17 August 2021; <https://www.prothomalo.com/bangladesh/district/যশোর-জেলা-বিএনপির-কার্যালয়ে-ছাত্রলীগের-হামলা-নেতা-আহত>

14. On 4 September 2021, clashes broke out between supporters of Awami League MP Mohammad Ekramul Karim Chowdhury and Sadar Upazila unit Awami League President Shihab Uddin Shahin in Noakhali district town. At that time they were seen openly firing at each other with weapons in hand.⁴⁵

Constitutional and State Institutions

15. All state institutions of Bangladesh, including the Election Commission, Anti-Corruption Commission, and National Human Rights Commission have become dysfunctional. The Awami League government is using these institutions to implement its own political agenda through party affiliation.

Democratic system and Election Commission

16. Conspiracies to destroy democracy began after the military-backed caretaker government took power on 11 January 2007. Earlier, the country had an elected government, albeit in a weak democratic system. The Awami League came to power with two-thirds majority in the 2008 national elections under a military-backed caretaker government; and the Awami League abolished the caretaker government system in 2011 by force of majority. The intention of abolishing the caretaker government system was clearly understood during the next two Parliamentary elections, held on 5 January 2014 and 30 December 2018, under the Awami League government. Both elections were highly controversial and riddled with fraud, violence, violations, and irregularities. The Awami League usurped the people's right to vote and seized power through these two 'elections'. The role of the Election Commission at that time was abominable. They became an ally of the Awami League and destroyed the country's electoral system. As a result, a government-controlled unilateral election system was established in the country. Regardless of whether a candidate is popular or not, it is certain that the candidate will definitely win if he is nominated by the ruling party. The people have lost their confidence in the Election Commission as they have been deprived of their right to vote. Due to this mistrust, the opposition and independent candidates refrain from contesting in most places. As a result, the ruling party nominated candidates are elected unopposed. Although the Jatiya Party (the ruling party's trusted opposition in Parliament), candidates contest in the elections, in many cases they give opportunity Awami League nominated candidates to be elected unopposed by withdrawing nomination papers with financial benefits taken from the latter.⁴⁶ In addition, in many centres during national and local level elections, the polling officials themselves were stamping ballot papers and stuffing ballot boxes.⁴⁷ Several

⁴⁵ The daily Prothom Alo, 07 September 2021; <https://www.prothomalo.com/bangladesh/district/আলীগের-দুই-পক্ষের-ধাওয়া-মধ্যে-অস্থায়ী-তিন-তরুণের-ভিডিও-ভাইরাল>

⁴⁶ The daily Prothom Alo, 19 September 2021; <https://www.prothomalo.com/politics/সুবিধা-নিষে-জাপার-প্রার্থীরা-ভোট-থেকে-সবে-যাচ্ছেন>

⁴⁷ The Daily Star, 21 September 2021; <https://www.thedailystar.net/bangla/সংবাদ/বাংলাদেশ/অপরাধ-ও-বিচার/৪-সহকারী-প্রিজাইডিং-অফিসারসহ-৬-জনের-বিরুদ্ধে-মামলা-263451>

elections and by-elections were also held during this reporting period in similar fashion.

17. The by-election of Sylhet-3 constituency⁴⁸ was held on 4 September 2021. The BNP boycotted this election and the voter turnout was very low. The polling officials were seen sitting idle in most of the polling centres. For example, the total number of voters in South Surma East Model Government Primary School polling centre was 1,929. However, only 399 votes were cast. Although there were Awami League candidate's polling agents in all the booths, no agents of other candidates were seen.⁴⁹



A Village Policeman on guard in front of the empty polling center of Model Government Primary School in the eastern part of South Surma in Sylhet-3 constituency by-election. Voter turnout was very low. The polling officials were seen sitting idle in Hazi Mohamaad Raja Chowdhury High School polling centres. Photo: Prothom Alo, 5 September 2021

18. According to the schedule of the Election Commission, polling was held in 204 out of 361 Union Parishads (UP) on 21 June 2021 in the first phase. When the main opposition party BNP boycotted the elections, Awami League rebel candidates contested against the Awami League nominated candidates in most of the UPs.⁵⁰ In the remaining 69 UPs, the opposition candidates withdrew their nomination papers while the Awami League nominated candidates were elected unopposed.⁵¹ Furthermore, the Awami League nominated candidates were elected unopposed for the post of Chairman in four Upazila Parishads and the by-elections for Member of Parliament for Comilla-7 constituency.⁵² Elections were held on 20 September in 180 UPs that were postponed in the first phase. Various irregularities were observed in these elections including violence, forcefully stamping ballots, ballot snatching and barring other polling agents from entering the polling booths. A fisherman named Abul Kalam was shot dead in a clash between supporters of Awami League nominated Chairman candidate Sheikh Kamal and Awami League rebel candidate Mosharraf Hossain, over 'capturing' Jameus Sunnah

⁴⁸ The seat became vacant on the death of Awami League MP Mahmud Ud Samad Chowdhury.

⁴⁹ The daily Prothom Alo, 05 September 2021;

<https://epaper.prothomalo.com/?mod=1&pgnum=1&edcode=71&pagedate=2021-9-5>

⁵⁰ The daily Prothom Alo, 19 September 2021; <https://www.prothomalo.com/bangladesh/বিনা-ভোটে-৪৩-ইউপিতে-আলীগ-প্রার্থীদের-জয়>

⁵¹ The daily Prothom Alo, 21 September 2021; <https://epaper.prothomalo.com/?pagedate=2021-9-21&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁵² The daily Prothom Alo, 21 September 2021;

<https://epaper.prothomalo.com/?mod=1&pgnum=7&edcode=71&pagedate=2021-9-21>

Dakhil Madrasa polling centre in Kutubjom Union Parishad under Maheshkhali Upazila in Cox's Bazar District.⁵³ Supporters of Awami League nominated Chairman candidate Abul Kalam tried to snatch away ballot papers at Pilatkata Government Primary School polling centre in Boroghop Union under Kutubdia Upazila in Cox's Bazar District when members of law enforcement agencies, including police blocked them. As a result, an altercation took place between the police and supporters of the Awami League nominated candidate. Halimur Rashid, General Secretary of Awami League in ward 7, was killed when police opened fire.⁵⁴ Ballot snatching also took place at Unchiprang Government Primary School and Lomberbil Emdadia Madrasa polling stations in Huaikong Union under Teknaf Upazial in Cox's Bazar District. In this incident, the voters protested and blocked the election officials.⁵⁵



Abul Kalam, who was shot at a polling station in Maheshkhali, died on the way to hospital. Photo: Jugantar, 21 September 2021

19. Clashes took place between supporters of Awami League nominated Chairman candidate Gazi Zakir Hossain and Awami League rebel candidate Sheikh Ansar Uddin, at the North Barakpur Government Primary School polling station in Barakpur Union No. 2 under Dighalia Upazila in Khulna. Five people were injured when a hand grenade exploded and a shotgun was fired. Supporters of Awami League-nominated chairman candidate Jahangir Hossain barred voters from going to the polling centre soon after the voting commenced in Koila Union under Kalaroa Upazila in Satkhira District.⁵⁶

⁵³ The daily Prothom Alo, 21 September 2021; <https://epaper.prothomalo.com/?pagedate=2021-9-21&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁵⁴ The daily Prothom Alo, 21 September 2021; <https://epaper.prothomalo.com/?pagedate=2021-9-21&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁵⁵ The daily Manabzamin, 21 September 2021; <https://mzamin.com/article.php?mzamin=293859&cat=2/->

⁵⁶ The daily Manabzamin, 21 September 2021; <https://mzamin.com/article.php?mzamin=293859&cat=2/->

National Human Rights Commission

20. The National Human Rights Commission is manned by former senior Secretary Nasima Begum as the Chairman and former Secretary Dr. Kamal Uddin Ahmed as a fulltime member and five other members, since 22 September 2019.⁵⁷ As the current Commission has become completely bureaucratic, there have been allegations of it being more loyal to the government. The National Human Rights Commission (NHRC) sees huge success of the government in improving the human rights situation, despite horrific human rights violations continuing in the country.⁵⁸ There are allegations that serious human rights violations like extrajudicial killings, enforced disappearances and torture in custody are being ignored by the NHRC. Furthermore, the current Commission has remained silent on the widespread government crackdowns on citizens' freedom of expression. In a report published in August 2021, the NHRC said that extrajudicial killings and allegations of abuses against some members of law enforcement agencies had created a "somewhat image crisis" for the government. However, the government has made significant progress in improving the human rights situation. The reports did not contain details of extrajudicial killings, enforced disappearances, torture and deaths in custody. In relation to the killing of many people in "gunfight" during anti-drug drives, the Commission said the deaths of drug dealers and injuries to law enforcement officials during the "gunfight" had raised concerns across the country. In its report, the Commission also referred to the incidents of extrajudicial killings as "so-called allegations".⁵⁹

Freedom of Expression, Repressive Laws and Freedom of Media

21. Access to information and freedom of expression are Constitutional rights of the citizens of Bangladesh. During this period, the authoritarian government has carried out various persecutions, including filing lawsuits and arresting citizens, violating their freedom of speech, thought, conscience and expression. On 8 February 2021, Dr. Tasneem Siddiqui, a Professor of Dhaka University and Chairperson of the Refugee and Migratory Movement Research Unit (RMMRU), an organisation working with migrant workers and expatriates, gave an interview in the daily Prothom Alo entitled “Remittance flow and expatriates do not match reality”. She was summoned before the Parliamentary Standing Committee on the Ministry of Finance on 23 September to explain her comments in the interview.⁶⁰ In addition, due to the pressure on the media, various incidents and occurrences are not published

⁵⁷ The daily Manabzamin, 23 September 2019; <https://www.mzamin.com/article.php?mzamin=191493>

⁵⁸ The daily Prothom Alo, 31 August 2021; <https://www.prothomalo.com/bangladesh/বলুকাখুদ্দ-হত্যাগুপ্তের-মতো-ঘটনা>

⁵⁹ The daily Prothom Alo, 31 August 2021; <https://www.prothomalo.com/bangladesh/>

⁶⁰ The Business Standard, 27 September 2021; <https://www.tbsnews.net/bangla/>

there, but they have been published on social media. Thus, the government and ruling party leaders and activists have now brought the social media under extensive surveillance.

Repressive Laws: Information and Communication Technology Act, 2006 and the Digital Security Act, 2018

22. The authoritarian government is cracking down on opposition parties and dissidents by enforcing the repressive Information and Communication Technology (ICT) Act, 2006 and the Digital Security Act (DSA), 2018. Citizens of different walks of life have been sued and arrested under the Digital Security Act for posting or sharing on social media, items criticizing the various failures of the government, corruption and massive irregularities and which are critical of high-ranking individuals of the government, including the Prime Minister of Bangladesh and/or leaders of the ruling party. Cases have also been filed against journalists under the Digital Security Act for publishing certain news. In most instances, leaders and activists of the ruling party have filed those cases. The Center for Governance Studies (CGS), which has monitored 668 cases over the past 21 months, said that most of these cases were filed by ruling party activists on behalf of their leaders rather than by the victims/targets of the criticism; and that among the political cases found by CGS, 85percent had been filed by the ruling Awami League leaders and activists. There are 1516 accused persons in these cases, of which 142 are journalists, 35 are teachers, 194 are politicians and 67 are students. According to the CGS, a total of 74 defamation cases have been filed under the DSA during this period for criticising Prime Minister Sheikh Hasina. Of these cases, 13 have been filed by law enforcement agencies and 61 cases have been filed by others.⁶¹ The accused persons in these cases are unable to get bail. Moreover, the opposition political party leaders, activists and dissidents continue to be arrested and punished in cases filed under the Information and Communication Technology Act, 2006 (Amendments 2009 and 2013).
23. **In the three months of July-September 2021, a total of 17 people have been arrested under the Digital Security Act, 2018. Among them, 16 were arrested for posts/comments criticizing the Prime Minister, high-ranking persons of the government and/or their family members; and one religious speaker was arrested for posting 'provocative' religious comments.**
24. On 7 July 2021, police arrested a youth named Monfasir Mia (28) in Habiganj Sadar Upazila on charges of insulting Prime Minister Sheikh Hasina and spreading propaganda against the government on Facebook. Mohammad Abdul Odud Swapan, President of Sadar Upazila's Gopaya Union unit Krishak League⁶², filed a case under the Digital Security Act 2018, at Chunarughat Police Station on 6 July, accusing Monfasir Mia and his brother Alamgir Mia along with 2-3 other unknown persons.⁶³

⁶¹ The Daily Star, 30 September 2021; <https://www.thedailystar.net/bangla/000000/00000000/00000000-00000000-0000-0000-0000-00000000-00000000-266961>

⁶² Farmer wing of the ruling Awami League

⁶³ The daily Jugantor, 07 July 2021; <https://www.jugantor.com/country-news/440327>

25. On 8 August 2021, police arrested a 16-year-old adolescent named Monirul Islam in Rangpur's Pirganj for posting a defamatory post about former President Sheikh Mujibur Rahman on Facebook.⁶⁴
26. On 20 September 2021, Akhtar Hossain (45), General Secretary of Sherkuli Union unit BNP under Shingra Upazila in Natore District, was charged under the repressive Information and Communication Technology Act 2006, (Amendment 2009 and 2013) for allegedly distorting pictures of Prime Minister Sheikh Hasina and former Indian Prime Minister Manmohan Singh on Facebook. Judge Mohammad Ziaur Rahman of the Rajshahi Cyber Tribunal sentenced him to seven years imprisonment and fined him one hundred thousand taka. He was sentenced to three more months for failing to pay the fine. It is to be noted that on 3 September 2015, Mokhlesur Rahman, Vice-President of Sherkuli Union unit Awami League, filed a case against Akhtar Hossain with Shingra Police Station under Section 57 of the ICT Act, 2006.⁶⁵

Freedom of the media

27. The ruling Awami League government controls most of the media, especially the electronic media, through its supporters. As a result, the publication of fair and objective news is being hampered and an extreme deficit has been created in the maintaining of professionalism and a neutral media. Being subservient to the government, most of the media in the country are distorting information against opposition parties/organisations and dissidents. Although a few media outlets have tried to operate independently, the government has continued to put pressure and intimidation on them. Journalists have been subjected to various forms of harassment, including arrests and cases have been filed against them under the repressive Digital Security Act, 2018 for publishing various news items, including information of corruption against the government and its allies. The current government has shut down pro-opposition electronic and print media - Channel One, Diganta TV, Islamic TV and Amar Desh - for many years.
28. **Between July and September 2021, seven journalists were injured, two were assaulted, three were attacked, two were arrested and five were threatened while carrying out their professional duty.**
29. Akhtaruzzaman, Bogura District correspondent of the daily Baniya Protidin, was picked up from his home by members of the Detective Branch (DB) of Police late at night on 17 July 2021, for publishing news about corruption in the distribution of allowances to employees working on a project in the family planning department in Bogura. At that time the family planning officer Dr. Samir Hossain Mishu and his Office Assistant Shamima Akhter were with the the DB Police. Twenty hours after Akhtaruzzaman's arrest, Shamima Akhter

⁶⁴ The daily Prothom Alo, 10 August 2021; <https://www.prothomalo.com/bangladesh/district/>

⁶⁵ New Age, 20 September 2021; <https://www.newagebd.net/article/149627/bnp-leader-jailed-for-7yrs-for-distorting-photos-of-hasina-manmohan>

filed a case against him under the Digital Security Act, 2018 with Bogura Sadar Police Station.⁶⁶

State Repression, Impunity and Lack of Accountability

Torture and lack of accountability of law enforcement agencies

30. Incidents of widespread torture and degrading treatment on citizens by members of law enforcement agencies, continue to occur in the country. Members of law enforcement agencies are enjoying impunity for acting on behalf of the government to crackdown on political opponents, government critics and dissidents. Despite being employees of the Republic, they have joined government party programmes and many of them have been seen chanting party slogans.⁶⁷ All this patronage has made them reckless. In the last three months, members of law enforcement faced allegations of robbing gold from a businessman, taking money from innocent citizens by threatening arrest⁶⁸, illegal detention, kidnapping, harassment, and extortion. During this reporting period, a woman was allegedly sexually and physically abused while in police custody. Moreover, deaths occurred due to torture in custody. Although the Torture and Custodial Death (Prevention) Act was passed in 2013, this law remains in force only on paper.



Akhter Hossain, OC of Sadar Palang Model Police Station, was chanting slogans while participating in a programme organised by Awami League in Shariatpur. Photo: Prothom Alo, 5 August 2021

31. A woman arrested in a murder case was produced before the Judicial Magistrate-3 Court in Barishal on 2 July 2021, after being interrogated in remand. The Judge, Mahfuzur Rahman, wanted to know why the accused woman was limping. The woman alleged that she was sexually and physically abused by some police while in remand. The Judge took

⁶⁶ The daily Naya Diganta, 18 July 2021; <https://www.dailynayadiganta.com/organization/595954/>

⁶⁷ The daily Prothom Alo, 05 August 2021; <https://www.prothomalo.com/bangladesh/district/>

⁶⁸ The daily Prothom Alo, 14 July 2021; <https://epaper.prothomalo.com/?mod=1&pgnum=6&edcode=71&pagedate=2021-7-14>

32. On 23 August 2021, a Rangpur Criminal Investigation Department (CID) team went to arrest a man named Lutfar Rahman in Nanderai Village under Chirirbandar Upazila in Dinajpur District, on the basis of a complaint. However, after failing to get Lutfar Rahman, they took his wife Zahura Begum and son Jahangir Alam away. Later they demanded a ransom of 15 hundred thousand taka instead of releasing them. On 24 August, Lutfar Rahman's brother Khalilur Rahman filed a case with Chirirbandar Police Station in this regard. Later, when Lutfar Rahman's relatives went to meet those CID members in Doshmail area of Dinajpur District with the ransom money, the locals apprehended Rangpur CID Assistant Superintendent of Police (ASP) Mohammad Sarwar Kabir, Assistant Sub-Inspector (ASI) Mohammad Hasinur Rahman and Constable Ahsanul Haque and their driver Habib Mia from the spot; and handed them over to the police of Chirirbandar Police Station.⁷⁰
33. On 8 August 2021, Gopal Kanti Das, a gold trader of Chittagong, was on his way to Dhaka from Chittagong with 20 gold bars worth Tk 12.3 million. At that time Feni District's Detective Branch of Police Inspector, Mohammad Saiful Islam, Sub-Inspectors Motaher Hossain, Nurul Haque and Mizanur Rahman, Assistant Sub-Inspectors Abhijit Barua and Masud Rana stopped his vehicle at the Fatehpur Railway Overpass area under Feni Sadar Upazila on the Dhaka-Chittagong Highway and took gold bars from him. They then took him to a secluded place, beat him after putting a pistol to his head, threatened him with crossfire and demanded 10 million taka. The DB officers also threatened him that if he did not pay them, they would produce him before the court with Yaba (a banned drug containing methamphetamine). Later, Gopal Kanti Das was put into another vehicle and dropped off at Baroiarhat area of Mirsarai in Chittagong. When Gopal Kanti Das filed a case with FeniSadar Police Station, the police arrested the accused six DB police officers.⁷¹
34. The daughter of a hotel employee in Rajshahi came to her father's house after being abused by her husband and called the government emergency service number 999 on 4 August 2021 to seek police help. Later, ASI Mohammad

⁷¹ The daily Prothom Alo, 12 August 2021;
<https://epaper.prothomalo.com/?mod=1&pgnum=16&edcode=71&pagedate=2021-8-12>

of the disappeared persons on the list sent by the Working Group are opposition leaders and activists.⁷⁵

37. On 16 August 2021, Human Rights Watch (HRW), a US-based human rights organisation, published a report on disappearances in Bangladesh since 2009 entitled [“No Sun Can Enter: A Decade of Enforced Disappearances in Bangladesh”](#). HRW has verified 86 enforced disappearance cases in Bangladesh over the last decade, in which the victim’s whereabouts remain unknown. Despite [credible](#) and [consistent evidence](#) in various investigation reports, that members of the security forces were involved in the acts of enforced disappearance, the Awami League government has ignored calls by international organisations, including United Nations. The families of the victims of enforced disappearances say that when they went to file complaints, the police and other security forces did not accept them.⁷⁶
38. 30 August was the International Day of the Victims of Enforced Disappearances. On this day, Mayer Daak, a platform of the victim-families and Human Rights Defenders Network associated with Odhikar, jointly organised rallies, human chains and discussion meetings with the families of the disappeared in different parts of the country. The Asian Federation Against Involuntary Disappearances (AFAD), Mayer Daak and Odhikar, in a [joint statement](#) issued on the occasion, called for the return of disappeared persons to their families.
39. **From July to September 2021, a total of two persons were allegedly disappeared⁷⁷ after being picked up by men claiming to be members of law enforcement agencies. Of them, one disappeared person was shown as arrested after a few days of disappearance and the whereabouts of the other remain unknown.**
40. On 6 July 2021, Islamic speaker Mufti Mahmudul Hasan Gunbi went to meet Ustad Qari Yusuf in the village of West Shullakia under Karmulya Union of Noakhali District. Mahmudul Hasan Gunbi’s family members alleged that some people in plainclothes said they were members of the law enforcement agency and picked him up. After that, the family members went to various departments of the law enforcement agencies, including the police station and searched for him. They all denied the arrest of Gunbi.⁷⁸ On 16 July, RAB said in a press release that on 15 July, the Intelligence Branch of RAB Headquarters arrested Gunbi on suspicion of being a militant from the area adjacent to Beribadh under Shah Ali Police Station in Dhaka.⁷⁹

⁷⁵ Bangla Tribune, 09 August 2021; <https://www.banglatribune.com/695071/>

⁷⁶ Human Rights Watch, 16 August 2021; <https://www.hrw.org/news/2021/08/16/bangladesh-86-victims-enforced-disappearance-still-missing>

⁷⁷ 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.

⁷⁸ The daily Inqilab, 09 July 2021; <https://www.dailyinqilab.com/article/397398/>

⁷⁹ The daily Naya Diganta, 17 July 2021; <https://www.dailynayadiganta.com/first-page/595591/>



The family of Mufti Mahmudul Hasan Gunbi organised a press conference to search for him. He was disappeared from Noakhali. Photo: Inquilab, 09 July 2021

41. Rizwan Hassan Rakin, a student at Al-Azhar University in Egypt and his wife's brother Mahfuzur Rahman, arrived at Hazrat Shahjalal International Airport in Dhaka on 4 August 2021, from Egypt. Rizwan's grandfather Selim Sarwar went to the airport to pick up his grandson. Soon after Mahfuzur got off the plane, he informed Selim Sarwar on cell phone, that they had arrived. Mahfuz said that after crossing the immigration desk, both he and Rizwan were blindfolded and put in a car. They were taken to an unknown place and interrogated separately. Mahfuz was also asked about Rizwan's political identity and whether Rizwan was involved in any crime. Mahfuz did not know where Rizwan was during interrogation. Later, Mahfuz was dropped off at Jatrabari at around 11:30 pm by some men. Immediately after the incident, Rizwan's father Abu Zafar went to the Airport Police Station to file a General Diary (GD), which the police did not accept. Later, on 3 September, the police accepted a GD in this regard. Abu Zafar said the family hoped that whoever took Rizwan might release him after the questioning. However, no one has been able to say anything about Rizwan's fate. Abu Zafar went to the police station and also to the Detective Branch of Dhaka Metropolitan Police, but it did not help.⁸⁰ Abu Zafar believes that his son has been disappeared.⁸¹



Rizwan Hassan Rakin. Photo: Prothom Alo, 6 September 2021

⁸⁰ The daily Prothom Alo, 06 September 2021; <https://www.prothomalo.com/bangladesh/crime/□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□>

⁸¹ The Daily Star, 08 September 2021; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/student-taken-arrival-hisa-2170851>

42. Sheikh Abdur Rashed, father of disappeared homeopathic physician Mokhlesur Rahman Jony of Satkhira, filed a case at the Satkhira Chief Judicial Magistrate's Court on 17 August 2021, alleging that his son had been killed after disappearance. Following a hearing of the case on 29 August, the court directed the Criminal Investigation Department (CID) of the police to investigate the case.⁸² It is to be noted that Mokhlesur Rahman Jony has been missing since 4 August 2016.⁸³

Extrajudicial killings

43. Members of law enforcement agencies were involved in extrajudicial killings in the past three months from July to September 2021. Extrajudicial killings continue across the country under the pretext of anti-drug drives, due to the government's lack of accountability, a dysfunctional judiciary and impunity enjoyed by law enforcement agencies. There are allegations that law enforcement agencies consider such killings as "deaths in gunfight". In many cases, killing a person extra-judicially after picking him up, is covered by the excuse that the person died in a 'gunfight' while preparing for the robbery and that law enforcement shot in 'self defense'.
44. **From July to September 2021, a total of 17 persons were allegedly killed extra-judicially, as reported. Among the 17 persons killed, one person was killed by police, 11 by RAB, four by BGB and one was killed by River Police. Among these 17 persons, 15 were killed in 'gunfight', one was beaten to death and one was tortured to death. Among them, three Rohingyas were reportedly killed extra-judicially in the name of 'gunfight' during this period.**
45. On 16 August 2021, two brothers, Sajeeb Hossain (35) and Tajul Islam (38), were shot dead by RAB in South Keraniganj under Dhaka District. According to RAB, 8/9 people including the two killed, were preparing for robbery in the middle of the night. Sensing the presence of RAB members, they shot at them. When RAB members fired back in self-defense, two persons were killed. Nasrin Begum, wife of the deceased Sajeeb Hossain, said the two brothers were picked up from Abdullahpur Bazar area of South Keraniganj on 23 July in the afternoon. They have been missing ever since. Tajul Islam's wife Amena Begum said the same thing.⁸⁴

⁸² Information sent by local human rights defender associated with Odhikar, from Satkhira.

⁸³ On 2 March 2017, disappeared victim Mokhlesur Rahman Jony's wife Jasmine Nahar Reshma, filed a writ petition (No. 2833/2017) before the High Court Division of the Supreme Court. Based on this petition, on 16 May 2017 a High Court Division Bench consisting of Justice Kazi Reza-ul Huq and Justice Mohammad Ullah asked the Chief Judicial Magistrate of Satkhira to submit an inquiry report to the High Court Division by 3 July 2017 regarding the disappearance of homeopathy physician Jony. A Senior Judicial Magistrate of Satkhira, Habibullah Mahmud, submitted an inquiry report to the High Court Division on 4 July 2017 that found the Superintendent of Police Mohammad Altaf Hossain and former Satkhira Sadar Police Station officer-in-charge Emdadul Huq, former Sub-Inspector Himel Hossain, were involved in the arrest of Jony and his subsequent disappearance. It was mentioned in the probe report that OC Emdadul Huq and SI Himel Hossain, were directly involved. After hearing the investigation report of the High Court Division on 17 July 2016, the court directed the Police Bureau of Investigation (PBI) to find Jony and also directed the Inspector General of Police to take appropriate action in this regard. The PBI investigated the matter and submitted a report to the High Court Division of the Supreme Court, which said that the police were not involved in Jony's disappearance. After hearing the report, the court directed the Superintendent of Police (SP) to take action against the guilty policemen. However, the SP did not take any action whatsoever.

⁸⁴ The daily Prothom Alo, 18 August 2021;

<https://epaper.prothomalo.com/?mod=1&pgnum=6&edcode=71&pagedate=2021-8-18>

Human rights violations in prisons

46. Officials and employees in many (if not all) of the 68 prisons in the country, have been accused of various irregularities and corruption, including torture and degrading treatment of inmates. According to a report by the inquiry committee of the Ministry of Home Affairs, irregularities and corruption in 37 prisons of the country are an 'open secret'. Although there are specific allegations against officers and prison guards, they are only transferred elsewhere as 'punishment'. Prison officials hire a controller from the old inmates in each ward, in exchange for money and the ward is run through them, the report said. If the controllers do not get money from the inmates, the latter are tortured. Inmates have to pay 8 to 15 thousand taka per month for 'treatment' in the prison hospital. Each prisoner has to pay Tk. 5,000 to get a thick blanket or extra blankets in winter. They also have to pay to get enough water. Prisoners have to pay large sums of money to the jail authorities for better food and accommodation.⁸⁵ All these items and healthcare are supposed to be free – but that is on paper only. The total capacity of prisons across the country is 42,450.⁸⁶ However, prisons are overflowing and bursting at the seams. It is to be mentioned that Bangladesh has the highest prison occupancy rate among all South Asian countries, standing at 195 percent, as well as the highest proportion of pre-trial detainees, at 81.3 percent, according to statistics presented during a virtual discussion on 29 August 2021, organised by the South Asia Peace Action Network (SAPAN). It also mentioned that Bangladesh jails are among the worst in South Asia.⁸⁷
47. **In the three months of July – September 2021, 26 persons reportedly died in prisons due to 'illness'.**

Public Lynching

48. Members of law enforcement agencies are enjoying impunity and the criminal justice system has become dysfunctional. People have lost their confidence in the state institutions due to widespread corruption. For this reason, there is a tendency to take the law into one's hands and as a result mass beatings continue in public lynching.
49. **In the three months between July and September 2021, seven persons were killed in public lynching.**
50. Zahura Begum, wife of a local resident Hazrat Ali, went to Nawabganj Health Complex in Dhaka on 26 September 2021 to get the COVID-19 vaccine. After standing in line for the vaccine, she noticed that the gold necklace around her neck was missing. She then suspected the two young women standing next to her and called her husband and forcefully took the two young women to their house. Upon receiving the news, people gathered and beat the two women,

⁸⁵ The daily Samakal, 18 September 2021; <https://samakal.com/bangladesh/article/210977704/>

⁸⁶ World Prison Brief, <https://www.prisonstudies.org/country/bangladesh>

⁸⁷ The Daily Star, 31 August 2021; <https://www.thedailystar.net/news/bangladesh/news/bangladesh-jails-among-the-worst-south-asia-2164946>

Runa Akhter and Poppy Akhter, for allegedly stealing the necklace. Runa Akhter died on the spot.⁸⁸

Death Penalty and Human Rights

51. Criminal laws in Bangladesh still contain provisions for the death penalty. Most of the convicted persons, who were given death sentence, are from poor and disadvantaged backgrounds.⁸⁹ Moreover, the police force the accused to confess through torture during remand and based on this, the court sentences the accused. Every year a large number of accused persons are sentenced to death in the courts in this manner. As a result, many are languishing in condemned cells all over the country, for years.
52. **Between July and September 2021, a total of 37 persons were sentenced to death and one convicted was executed in jail.**
53. On 15 July 2021, Asaduzzaman Ponir, a member of the Islamic extremist group Jamaat-ul-Mujahideen Bangladesh (JMB), was hanged at Kashimpur High Security Central Jail in Gazipur.⁹⁰

Violence against Women

54. In the three months from July to September 2021, women have been subjected to rape, sexual harassment, dowry violence and domestic violence. Despite various forms of oppression and violence against women and children, the number of trials and convictions of all these cases is very low.

Rape

55. Victims of rape are being deprived of justice as rapists have been acquitted due to loopholes in the laws and a dysfunctional justice system. As punishment for rapists has not been ensured, this encourages the commission of rape in the country. At present, even older women⁹¹ and children⁹² are not spared. One of the main reasons behind lack of justice is the non-cooperation of the police. Many women and children and their family members are being harassed at the police station while filing complaints. Influential people threaten the family members of the victims to withdraw the cases. Women have also been killed after rape.⁹³ Although cases are being filed, police are reluctant to arrest the accused and in several cases police released the accused from the police station after consultations with the leaders and activists of the ruling party.⁹⁴ This is common. Despite a direction from the High Court Division of the Supreme Court to take necessary steps to prevent 'arbitration'

⁸⁸ The daily Prothom Alo, 27 September 2021; <https://www.prothomalo.com/bangladesh/district/>

⁸⁹ The daily Prothom Alo, 18 June 2021; <https://www.prothomalo.com/bangladesh/>

⁹⁰ The daily Prothom Alo, 16 July 2021; <https://www.prothomalo.com/bangladesh/district/>

⁹¹ The daily Jugantor, 8 July 2021; <https://www.iugantor.com/country-news/440733>

⁹² The daily Manabzamin, 18 July 2021; <https://mzamin.com/article.php?mzamin=284162>

⁹³ The daily Jugantor, 8 July 2021, <https://www.jugantor.com/country-news/440733>

⁹⁴ The daily Naya Dignata, 01 July 2021; <https://www.dailynayadiganta.com/chattagram/592033/>

56. Between July and September 2021, a reported total of 401 women and children became victims of rape. Among them, 146 were women, 232 were girls below the age of 18 while the age of 23 female individuals were unknown. Of the number of women who were raped, 35 were victims of gang rape and six were killed after being raped. Out of the 232 girls, 40 were victims of gang rape, seven were killed after being raped, and two committed suicide. Furthermore, 91 women and girls were also victims of attempted rape during this period.
57. On 26 July 2021, Abu Bakkar Siddique, a former Organising Secretary of the Awami League-backed district unit Chhatra League, abducted a girl student of Galachipa Government College in Kalapara under Patuakhali District; and took her to his house and raped her. The victim filed a case against Abu Bakkar Siddique with Kalapara Police Station in this regard.⁹⁷

58. Sexual harassment continued unabated in the three months from July to September 2021. Allegations of the sexual harassment of women have been made against the police during this period.
59. **A total of 22 females were victims of sexual harassment in the three months from July to September 2021. Of them, three committed suicide, two were injured and 17 were victimised in different ways due to stalking/sexual harassment. Furthermore, two men (fathers of two victims) were killed while protesting incidents of sexual harassment and six male and one female relatives of victims were injured and one man was assaulted by stalkers while protesting the sexual harassment.**
60. A seventh grade school girl was harassed by a young man named Saeed Munshi while on her way to and from tuition with a private teacher, in Kotalipara Upazila under Gopalganj District. On 11 July 2021, Saeed Munshi grabbed the girl and tried to rape her on her way home after finishing her tuition. Police have arrested Saeed Munshi in the incident.⁹⁸

61. Violence against women over dowry demands has been widespread in the last three months. There have been incidents of women being burned to death, beaten, suffocated and hacked to death over dowry demands. Pregnant women are not spared. Although giving and taking dowry is a criminal

⁹⁸ The daily Naya Dignata, 15 July 2021; <https://www.dailynayadiganta.com/bangla-diganta/595096/>

62. **From July to September 2021, a total of 55 women and two under-age brides were subjected to dowry violence. Twenty five of them were killed, 30 were physically abused, and two committed suicide due to dowry demands.**
63. On 8 July 2021, Asadul Islam was stabbed to death by his son-in-law Sabbir as he failed to give five hundred thousand taka dowry, in Sherpur under Bogura District. Sabbir married Asadul Islam's daughter Shimu a year ago.⁹⁹
64. On 23 July 2021, an 8-month-pregnant housewife named Pinky Akhter was beaten to death by her husband Billal Hossain in Cumilla City. Although Billal Hossain was given money as dowry on several occasions, he stabbed and injured his wife and mother-in-law because he failed to get more money.¹⁰⁰

65. Acid violence continues due to the lack of proper implementation of the Acid Control Act 2002 and the Acid Crime Prevention Act 2002.
66. **From July to September this year, a total of 12 persons were subjected to acid violence. Among them, five were women, five were girls, one was a man and one was a boy.**
67. In the night of 2 August 2021, a madrasa student named Sumaiya Akhter (16) and her younger brother Mohammad Ali (12) were sleeping in their house in Patuakhali Sadar. Some miscreants entered the house after cutting a part of one of the bamboo outer walls, and threw acid on Sumaiya Akhter and Mohammad Ali. They were admitted to Sher-e-Bangla Medical College Hospital in Barishal in critical condition.¹⁰¹

Deadly fire at Hashem Foods Limited

68. On 8 July 2021, a fire broke out at Hashem Foods factory belonging to Sajeeb Group, in Rupganj of Narayanganj, resulting in the death of 54 workers and the injury of 50 others.¹⁰² Most of the victims were children.¹⁰³ The warehouse

¹⁰³ The Sun, 10 July 2021; <https://www.thesun.co.uk/news/worldnews/15551650/dozens-children-killed-bangladesh-fire-locked-forcing-workers-jump/>

inside the building compound was built illegally and there was no fire extinguishing system in the factory. Furthermore, the emergency exit was closed and the building's gates were kept shut during the fire.¹⁰⁴ As a result, the workers were trapped inside and could not exit the factory. The building that collapsed due to the fire was built without a proper plan and without complying with the Building Code.¹⁰⁵ Various reports released in the aftermath of the fire, revealed that a series of other labor rights violations had been occurring at the factory, including the fact that workers' wages and overtime were not paid on time and that children between the ages of 11 and 15 were employed in the factory, in clear violation of Bangladeshi Labor Law.¹⁰⁶ 11-year-old worker Jannat Akhter, and a 13-year-old worker Halima Akhter of the factory told Odhikar that they were forced to work from 8:00am to 8:00pm everyday without any weekly or public holidays. If they were absent for one day for any reason, their attendance bonus for the whole month was deducted. According to them, most of the workers in this factory were children.

69. Despite a legal and policy framework aimed at eradicating such violations, irregularities and shortcomings in the building of factories and conducting factory inspections have become widespread as a result of pervasive corruption and mismanagement within the relevant government agencies. Many workers have been killed and injured in factory fires, in many cases due to exits being blocked, a lack of fire-fighting equipment and other forms of negligence. It is to be noted that such incidents occurred at Tazreen Fashions in 2012, Smart Garments in 2013, Tampako Foil Factory in 2016, and a chemical warehouse in Old Dhaka in 2019. Most of those responsible for these incidents have not been brought to justice and most of the victims and/or families have not been compensated. Moreover, the use of child labor in factories remains prevalent and has only increased as a result of a growing economic gap worsened by the COVID-19 pandemic.

Situation of RMG factories

70. The closing of garment factories without informing the workers, retrenchment of workers and non-payment of wages on time are often causes of dissatisfaction among the workers in the readymade garment industry. In many factories, workers are still deprived of the right to form trade unions.
71. On 14 July 2021, workers of Lakhsma Innerwear Ltd. in Shreepur Municipal area under Gazipur District blocked the road demanding arrears of wages. At that time, some unidentified miscreants attacked the women workers with sticks and chased the workers, trying to make them lift the blockade. Eight

¹⁰⁴ The daily Jugantor, 09 July 2021; <https://www.jugantor.com/country-news/441120/>

¹⁰⁵ Al Jazeera, 09 July 2021; <https://www.aljazeera.com/news/2021/7/9/deadly-fire-at-bangladesh-food-processing-factory>

¹⁰⁶ According to section 34(1) of the 2006 Bangladesh Labor Act, 'no child shall be employed or permitted to work in any occupation or establishment. Available at: <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/76402/110637/E-1265526237/BGD76402%20Eng.pdf>. Dhaka Tribune, *Child workers still missing in disastrous Narayanganj factory fire*, 09 July 2021, <https://www.dhakatribune.com/bangladesh/nation/2021/07/09/child-workers-still-missing-in-disastrous-narayanganj-factory-fire>

workers, including women, were injured in the attack. The injured workers received treatment at different hospitals.¹⁰⁷



Workers of Lakhsma Innerwear Ltd took position on the factory road in Chapilapara of Shreepur in Gazipur demanding payment of arrears of salary-bonus. Photo: Prothom Alo, 15 July 2021

72. Workers and employees of Style Craft Garment Factory in Laxmipur area under Gazipur City have been on strike and protest since 6 July 2021, demanding payment of arrears of three years' salary and allowances. The factory authority announced multiple dates for the payment of workers and employees, but did not pay. Due to this, workers and employees gathered at the factory gate on 18 July and went on strike and protested. As a result, the road in front of the factory was blocked. The protesting workers were outraged as the factory authorities did not take any initiative to resolve the issue and when they marched towards Chandina intersection to block the Dhaka-Mymensingh and Dhaka-Tangail highways, the police baton charged them and fired tear gas shells and sound grenades. Six people were injured in the incident.¹⁰⁸



Police fired tear gas shells and sound grenades at workers in the Laxmipur area of Gazipur when they blocked roads demanding payment of arrears of wages and bonuses. Photo: Naya Diganta, 18 July 2021

¹⁰⁷ The daily Prothom Alo, 15 July 2021; <https://epaper.prothomalo.com/?mod=1&pgnum=6&edcode=71&pagedate=2021-7-15>

¹⁰⁸ The daily Naya Dignata, 18 July 2021; <https://www.dailynayadiganta.com/dhaka/595945/>

Bangladeshi migrants drown in Mediterranean Sea

73. The Awami League government is continuing its crackdown on the opposition and dissidents. Thousands of opposition leaders and activists have been charged under different cases and arrested. Numerous opposition leaders and activists have been subjected to enforced disappearances, torture and extrajudicial killings. In such a situation, many leaders and activists are going abroad and seeking political asylum. Unemployed youth from the poorer sections of the population and opposition leaders and activists, for political reasons, are risking their lives in the hands of human traffickers, migrating abroad on inaccessible routes, losing their lives or living in inhumane conditions while being detained abroad. 43 migrants who went missing after their boat capsized off the coast of Tunisia on their way to Italy from Libya, on 3 July 2021, drowned. 84 people were rescued. The Tunisian Red Crescent said that the boat was carrying migrants from Bangladesh, Egypt, Sudan and Eritrea.¹⁰⁹

Relations with neighbouring countries: India and Myanmar ***India's interference with Bangladesh and human rights violations by BSF***

74. A new dimension of India's domination over Bangladesh has been added in this reporting period. Part of the maritime baseline that India has used to determine its own maritime boundary, actually falls within Bangladesh's maritime boundaries. After failing to resolve this issue bilaterally for seven years, Bangladesh sent a diplomatic letter to the UN Secretary General informing him about India's position. Meanwhile, India had written a letter to the United Nations in April 2021, objecting to Bangladesh's demand of the Continental Shelf in the Bay of Bengal. In a separate letter to the UN Secretary-General on 13 September 2021, Bangladesh said that it had determined the demand for the Continental Shelf following a 2014 ruling by the International Court of Arbitration. Bangladesh has registered two protests to the United Nations against the claims of India made on some of the geographical coordinates concerning the straight baselines for measuring the breadth of the territorial sea and setting outer limits of the continental shelf. Bangladesh requested a bilateral solution after the International Arbitral Tribunal ruled in 2014 that the two neighbours had demarcated the maritime boundaries. However, India did not respond to Bangladesh's request.¹¹⁰ Bangladesh has not informed this matter to the UN and its member states for a long time. Now Bangladesh is opposing India's position. Bangladesh's objection to India's baseline states that India enacted the Territorial Water and Maritime Zone Act in 1976. Thirty-three years later, in 2009, it introduced amendments to set the baseline. Although the previous rules provided for the determination of the baseline from the sea level, they now use the "Straight

¹⁰⁹ The daily Prothom Alo, 05 July 2021; <https://epaper.prothomalo.com/?mod=1&pgnum=2&edcode=71&pagedate=2021-7-4>

¹¹⁰ New Age, 18 September 2021; <https://www.newagebd.net/article/149405/bangladesh-files-protests-at-un>

Baseline” method, which is contrary to Article 7 of the [UN Convention on the Law of the Sea](#).¹¹¹

75. The repeated promises by the Indian Border Security Force (BSF), to bring the border killings down to zero, have been proved false, as the BSF continues to kill, torture and rape Bangladeshi nationals at the border. On 10 July 2021, BSF Director General Rakesh Asthana inspected the border along the Tinbigha corridor in Patgram Upazila under Lalmonirhat District. At that time, in a meeting with the Border Guard Bangladesh (BGB), he promised that the border killings would be brought down to zero.¹¹² The day after the meeting, on 11 July, a Bangladeshi youth named Abdur Razzak (19) was shot dead by BSF members at the Bashantapur border in Kaliganj under Satkhira District.¹¹³
76. **From July to September 2021, six Bangladeshis were reported killed by the Indian Border Security Force (BSF). Among them, five were shot dead and one was stoned to death. During this period, one person was injured. Furthermore, one Bangladeshi woman was raped by the BSF.**
77. On 28 July 2021, two Bangladeshi women were arrested by BSF members on their way back to Bangladesh through Jhaudanga border in Gaighata under North 24 Parganas District of West Bengal, India. After the arrest, the two women were taken to BSF 158 Battalion Camp. On the instructions of BSF camp in-charge Sub-Inspector Rameshwar Kayal, BSF members came out of the camp to arrest the brokers who are hired to help cross the border. Rameshwar Kayal, who was in the camp at the time, raped one Bangladeshi woman. After the rape Rameshwar Kayal released the two women. After being released, the two women came to Gaighata Police Station on 29 July and lodged a complaint of rape. Gaighata Police later arrested accused Rameshwar Kayal.¹¹⁴
78. On 29 August 2021, BSF members shot dead two Bangladeshi nationals, Yunus Ali and Sagar Chandra, at the Burimari Maiyamoraghat border in Lalmonirhat District.¹¹⁵ On 31 August, locals, including relatives of the victims staged a sit-in protest on the road outside the BGB outpost at International Migration Post (ICP) at Burimari land port, demanding the return of the bodies. Hearing the news of protests, the police of Patgram Police Station dispersed protesters.¹¹⁶
79. On 3 September 2021, a Bangladeshi citizen named Sahibur Rahman (40) was shot dead by BSF members at Roumari border in Kurigram. Sahibur’s mother Chhokiran Bewa said that her son was an agricultural labourer. He was shot

¹¹¹ Ibid

¹¹² The daily Jugantor, 11 July 2021; <https://www.jugantor.com/todays-paper/second-edition/441720/>

¹¹³ The daily Prothom Alo, 12 July 2021; <https://www.prothomalo.com/bangladesh/district/□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-3>

¹¹⁴ Dhaka Tribune, 30 July 2021; <https://www.dhakatribune.com/world/south-asia/2021/07/30/bangladeshi-woman-raped-by-bsf-member-in-india>, The daily Manabzamin, 30 July 2021; <https://mzamin.com/article.php?mzamin=285838&cat=44/>

¹¹⁵ New Age, 30 August 2021; <https://www.newagebd.net/article/147630/2-bangladeshis-killed-in-bsf-firing-at-lalmonirhat-border>

¹¹⁶ The daily Prothom Alo, 31 August 2021; <https://www.prothomalo.com/bangladesh/district/□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□>

dead by BSF members while he and some others was fishing in the Jinjiram River near the border in the early morning.¹¹⁷



*Relatives in crying around the body of Sahibur Rahman who was killed in BSF firing.
Photo: Prothom Alo, 5 September 2021*

Situation of the Rohingya population in Bangladesh

80. Despite objections from international human rights organisations, including the United Nations, the Bangladeshi government relocated about 19,000 Rohingya refugees from the camps in Cox's Bazar to Noakhali's Bhasan Char Island in six phases.¹¹⁸ However, the Rohingyas complained that many of the promises the government had made before they were brought to Bhasan Char have not been fulfilled.¹¹⁹ In this situation, Rohingya refugees are fleeing from Bhasan Char at the risk of their lives. On 13 August 2021, an engine-driven fishing trawler carrying 41 Rohingya refugees sank in the Bay of Bengal near Sandwip border in Chittagong, while fleeing Bhasan Char. Fishermen who went fishing in the sea rescued 14 Rohingya refugees in this incident. 27 Rohingya refugees were missing. Among them, the number of women and children is known to be higher.¹²⁰

81. On 29 September 2021, Mohibullah, a human rights activist and Chairman of the Arakan Rohingya Society for Peace and Human Rights (ARSPH), was shot dead by a group of criminals at the Lambasia Rohingya Camp in Ukhia under Cox's Bazar District. Mohibullah was working to document the genocide committed by the Myanmar Army against Rohingyas and to establish justice

¹¹⁷ The daily Prothom Alo, 05 September 2021; <https://www.prothomalo.com/bangladesh/district/□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□>

¹¹⁸ Bdnews24.com, 25 August 2021; <https://bdnews24.com/bangladesh/2021/08/25/four-years-into-the-influx-are-rohingya-refugees-any-closer-to-a-return-home>

¹¹⁹ Human Rights Watch, 7 June 2021; <https://www.hrw.org/report/2021/06/07/island-jail-middle-sea/bangladeshs-relocation-rohingya-refugees-bhasan-char>

¹²⁰ The daily Prothom Alo, 14 August 2021; <https://www.prothomalo.com/bangladesh/district/□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□-□□□□□□□□>

and accountability for these atrocities. Furthermore, Mohibullah had been making 7-point demands to the Myanmar government, including ensuring the rights of Rohingya refugees in Bangladesh and for the restoration of citizenship of the Rohingyas and for ensuring security and a dignified repatriation to their birthplace left in Rakhine (Arakan). On 25 August 2019, Mohibullah made these demands at a large gathering of about two hundred thousand Rohingya refugees at Kutupalong Refugee Camp in Ukhia. He was taken for questioning several times by the Bangladeshi authorities for his activities. There are also allegations that he had received death threats in the past.¹²¹



Rohingya leader Mohibullah (centre) was shot dead by unidentified assailants. Photo: Collected from internet.

Hindrance to Human Rights Activities

82. The persecution of Odhikar that began since the Awami League came to power has not stopped. The Dhaka Cyber Tribunal has commenced trial proceedings against Odhikar's Secretary Adilur Rahman Khan and Director Nasiruddin Elan, in the case filed in 2013 under the Information and Communication Technology Act 2006 (amended 2009). On 14 February 2021, the Appellate Division of the Supreme Court rejected the petition for dismissing the said case filed against Odhikar's Secretary and Director and ordered that the case proceed with the Cyber Tribunal. The Dhaka Cyber Tribunal set 12 September 2021 as the date for the first hearing. However, prior to that, a review application was filed with the Appellate Division seeking reconsideration of its rejection of the application for dismissal of the case. When Odhikar's Secretary and Director appeared before the Dhaka Cyber Tribunal on 12 September, their lawyer informed the court that they had filed a Review Application with the Appellate Division and appealed to the Tribunal to take necessary steps after the Review hearing. However, the Tribunal did not accept that submission and fixed 5 October as the date for taking evidence and examining witnesses in Cyber Tribunal Case No. 1/2013.

¹²¹ Al Jazeera, 29 September 2021; <https://www.aljazeera.com/news/2021/9/29/top-rohingya-leader-in-bangladesh-shot-dead>

Recommendations

1. Democracy must be established by forming an accountable government through free, fair and credible elections under a neutral caretaker government or under the direct supervision of the United Nations. The electoral system has to be restructured by reorganising the Election Commission and making it a neutral body by replacing subservient members.
2. The government must refrain from repressive and undemocratic activities. Opposition and dissidents must be allowed to have freedom of peaceful assembly. Harassment of opposition political parties and dissidents must stop.
3. The government must stop extrajudicial killings and torture. Each case of extrajudicial killing and torture must be properly and impartially investigated and the relevant members of the law enforcement agencies involved in these cases must be brought to justice.
4. The government must accede to the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013 and the High Court and Appellate Division directives contained in the matter of [*BLAST and Others vs. Bangladesh and Others \(2003\)*](#).
5. Members of the law enforcement agencies involved in the cases of enforced disappearance must be brought to justice. The government must accede to the International Convention for the Protection of All Persons from Enforced Disappearance and criminalise enforced disappearance by bringing it under domestic law. Persons who are still disappeared must be rescued and returned to their families.
6. Freedoms of expression and the media must be ensured. The government must withdraw the ban on the publication of the daily Amar Desh and on airing Diganta TV, Islamic TV and Channel One.
7. All repressive and abusive laws, including the Special Powers Act, 1974, the Information and Communication Technology Act, 2006 (amendment 2009 and 2013), the Anti-Terrorism Act, 2009 (amended 2012 and 2013) and the Digital Security Act, 2018 should be repealed immediately.
8. The Government of Bangladesh should conduct a thorough and impartial investigation into the fire at Hashem Foods factory and inform the public of the findings; and bring all those involved in the incident to justice. Appropriate compensation must be paid to all workers killed and injured. An investigation has to be conducted as why the factory authority unlawfully recruited child labourers and responsible persons should be punished accordingly. The affected child labourers need to be rehabilitated with medical treatment and adequate compensation.
9. Workers' rights must be implemented in accordance with the ILO Conventions, ensuring the right to form worker-friendly, unbiased trade unions in all factories, including ready-made garment factories.
10. People involved in human trafficking must be brought to justice. Adequate measures should be taken by Bangladesh embassies abroad to monitor the protection of migrant workers who are victims of financial, physical and mental abuse and exploitation.

11. Violence against women and children must be stopped and the perpetrators must be punished by ensuring fair trial through proper enforcement of laws. Those who are committing violence against women, including the ruling party affiliated miscreants, should not be acquitted. The definition of sexual harassment and stalking as directed by the Court in the judgment of the [*Bangladesh National Women Lawyers Association \(BNWLA\) and Others Vs. Bangladesh*](#) in 2010, should be included in the Suppression of Repression against Women and Children Act, 2000.
12. India must stop its domination over Bangladesh and comply with Bangladesh's just demands. All human rights violations, including killings, torture and rape of Bangladeshi nationals by the Indian Border Security Force (BSF) at the border, must stop and India must be compelled to compensate the victims/victim-families.
13. Rohingyas must be repatriated by establishing and guaranteeing their full civil and political rights. Odhikar calls on the international community to put pressure on the Myanmar government to help establish the human rights of the Rohingya population, as well as to expedite the trial of those responsible for the genocide, including the Myanmar army, extremist Buddhist groups and others. The government must authorize an independent investigation of the killing of Rohingya leader Mohibullah and bring the true perpetrators to justice.
14. The ongoing state repression and harassment on Odhikar must be stopped. The case filed against Odhikar's Secretary Adilur Rahman Khan and its Director ASM Nasiruddin Elan under the Information and Communication Technology Act, 2006 (amended in 2009) must be withdrawn. The NGO Affairs Bureau must renew Odhikar's registration.

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Notes:

1. *Odhikar* seeks to uphold the civil, political, economic, social and cultural rights of the people.
2. *Odhikar* documents and records violations of human rights and receives information from its network of human rights defenders and monitors media reports.
3. *Odhikar* conducts detailed fact-finding investigations into some of the most significant violations, with assistance from trained local human rights defenders.
4. *Odhikar* is consistent in its human rights reporting and is committed to remain.