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Human Rights Monitoring Report

August 1 – 31, 2017

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Odhikar believes that democracy is not merely a process of electing a ruler; it is the result of the peoples’ struggle for inalienable rights, which become the fundamental premise to constitute the State. Therefore, the individual freedoms and democratic aspirations of the citizens – and consequently, peoples’ collective rights and responsibilities – must be the foundational principles of the State.

The democratic legitimacy of the State is directly related to its willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. If the state does not ensure full participation in the decision making process at all levels – from the lowest level of administration to the highest level – it cannot be called a ‘democratic’ state. Citizens realise their rights and responsibilities through participation and decision making processes. The awareness about the rights of

others and collective benefits and responsibilities, can be ensured and implemented through this process as well. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights through any means, as such rights are inviolable and are the foundational principles of the State.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure internationally recognised civil and political rights of citizens. Odhikar stands against all forms of human rights violations; and participates and remains directly involved in the human rights movement in Bangladesh.

Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather, it believes that the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As part of its mission, Odhikar monitors the human rights situation in order to promote and protect civil, political, economic, social and cultural rights of Bangladeshi citizens and to report on violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released this human rights monitoring report of August 2017, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

Statistics: January-August 2017*											
Type of Human Rights Violation			January	February	March	April	May	June	July	August	Total
Extrajudicial killings	Crossfire		15	17	19	8	8	12	17	9	105
	Shot to death		1	0	0	0	0	0	0	0	1
	Tortured to death		0	0	1	1	1	1	1	1	6
	Beaten to death		0	0	0	1	0	0	0	0	1
	Total		16	17	20	10	9	13	18	10	113
Enforced Disappearances**			6	1	21	2	20	7	3	6	66
Death in Jail			1	5	4	2	4	6	7	4	33
Human rights violations by Indian BSF	Bangladeshis Killed		2	2	0	2	0	4	2	0	12
	Bangladeshis Injured		3	9	3	1	3	5	4	0	28
	Bangladeshis Abducted		5	1	1	4	1	2	9	1	24
	Total		10	12	4	7	4	11	15	1	64
Attack on journalists	Killed		0	1	0	0	0	0	0	0	1
	Injured		2	3	0	2	2	1	2	0	12
	Assaulted		0	1	0	1	0	0	1	0	3
	Threatened		0	4	3	0	0	2	0	1	10
	Total		2	9	3	3	2	3	3	1	26
Political violence	Killed		5	7	6	12	11	6	3	4	54
	Injured		217	325	428	595	575	325	308	255	3028
	Total		222	332	434	607	586	331	311	259	3082
Dowry related violence against women			17	14	20	26	22	29	24	17	169
Rape			44	51	69	54	83	79	72	80	532
Sexual harassment /Stalking of women			14	22	35	23	14	17	23	12	160
Acid violence			3	7	4	5	5	6	4	4	38
Public lynching			1	3	8	5	2	2	3	9	33
Situation of workers	Ready-made Garments workers	Killed	0	0	0	0	0	0	13	0	13
		Injured	0	20	21	70	15	50	70	17	263
		Terminated	1034	1733	43	0	0	0	0	37	2847
	Workers in other sectors	Killed	3	2	11	19	4	9	1	6	55
		Injured	7	8	16	22	0	0	2	23	78
Arrest under Information and Communication Technology Act***			0	3	1	4	1	4	6	2	21

*Odhikar's documentation

** 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 at the time of apprehending the victim.

*** The cases of arrests under the Information and Communication Technology (ICT) Act that are documented are those where the presentations/statements in question are considered critical against high officials of the government and their families.

Extrajudicial killings

1. According to documentation gathered by Odhikar, 10 people were reported as being extra judicially killed in August 2017.
2. The victim-families continue to allege that members of law enforcement agencies arrested the victims and later used the excuse of 'crossfire' or 'gunfight' after shooting them dead. The government constantly denies incidents of extrajudicial killing, despite repeated demands from the victim families and human rights defenders to bring the perpetrators to justice. As a result, the law enforcement agencies are enjoying impunity in this regard. One incident is as follows:
3. On August 4, 2017 a man named Jalaluddin Bodu (35) was killed in 'gunfight' in Noorpur Village under Aakhaura Upazila in Brahmanbaria District. Police claimed that Bodu was an accused person in theft and drugs related cases; and he was taken to police custody after being beaten by people in that area. Later Bodu was shot dead by his associates while police went for an operation to recover arms. On the other hand, Bodu's wife Halima Begum said that her husband was innocent. She said that local people handed her husband over to the police as part of a plan. She met her husband at the police station on the same night when police took Bodu into their custody. She also gave him food. Later in the morning she came to know that he had died.¹

Type of death

'Crossfire/encounters/gunfights'

4. Nine persons were reported killed by 'crossfire/encounters/gunfights'. Among them seven were allegedly killed by police and two by RAB.

'Tortured to death'

5. One person was allegedly tortured to death by police.

The identities of the deceased:

6. Of them, one was a BNP leader and nine were alleged criminals.

Death in jail

7. According to information gathered by Odhikar, in August 2017, a reported four persons died in prison due to 'illness'.
8. Deprivation of medical treatment in jail is a violation of human rights. It is alleged that due to lack of proper treatment facilities and negligence by prison authorities, many prisoners become ill and some die. Prisoners sometimes became ill due to the effects of torture in police remand, which cause their

¹ The daily Prothom Alo, 06/08/2017 / www.prothom-alo.com/bangladesh/article/1278476/

death later when they are sent to jail custody and not given medical assistance.

Allegations of torture, degrading treatment and lack of accountability of law enforcement agencies

9. Allegations of torture, harassment and extortion against the police have been reported. Members of law enforcement agencies are enjoying impunity due to the government practice of using such agencies to suppress its political opponents, critics and dissenters. After a prolonged campaign against torture, on October 24, 2013 the Torture and Custodial Death (Prevention) Act, 2013 was passed in the Parliament. However, there is no change in the actual situation, due to lack of implementation of this law. Some incidents are as follows:
10. On July 29, 2017, Monjur Alam (58), a former member of Malka Union Parishad under Sirajdikhan Upazila in Munshiganj District; and his associate Rashid were arrested by the Detective Branch (DB) Police of Cox's Bazaar unit. DB Police alleged that police caught them when Monjur Alam and Rashid were trying to escape on a CNG-run auto rickshaw, during a search operation in the Marine Drive area in Cox's Bazaar and the police recovered one hundred and fifty thousand pieces of Yaba from them. Later both were sent to Cox's Bazaar District Jail by the Court. On August 2, 2017 Monjur Alam was sent to Cox's Bazaar Sadar Hospital when he became ill in jail. On August 6, he relapsed and later died. The Residential Medical Officer of Cox's Bazaar Sadar Hospital, Dr. Shaheen Abdur Rahman informed that Monjur Alam died before he was taken to hospital. Monjur Alam's brother-in-law Mohammad Nixon said that Monjur Alam was a potato trader. He went to Teknaf for business purposes and was returning to Cox's Bazaar on July 29. While a search operation at Teknaf-Cox's Bazaar Marine Drive area was on, DB Police arrested Monjur Alam and took him away. He was tortured by members of DB Police and they demanded five hundred thousand Taka for his release. On July 31, Mohammad Nixon received a call from a cell phone (+8801915548235) saying that Monjur Alam had become seriously ill and he had been admitted to a hospital. He was asked to pay money. Monjur Alam's wife transferred one hundred and twenty thousand Taka through a bKash money transfer number (+88017797709080) given by them. His family were still unaware of the fact that he had been arrested. On August 7, an Executive Magistrate of Cox's Bazaar prepared an inquest report on Monjur Alam. The Executive Magistrate said that there were several marks of injuries on the body of the deceased.²

² The daily Jugantor, 08/08/2017; www.jugantor.com/last-page/2017/08/08/146253/

11. Allegations arose against the police, of torturing a student of class X, Pritom Bhoumik (15) at Narshingdi Police Station; and forcibly extracting a confession from him saying he was involved in the murder of his mother Dipti Bhoumik. On August 12, 2017 the victim's father Prodeep Bhoumik organised a press conference and narrated the acts of severe torture on Pritom by police. He said that police detained his son for four days at Narshingdi Police Station without a warrant. Pritom was hung upside down and tortured at the police station. He was severely beaten with iron and wooden rods and was also given electric shocks. After torturing him in this way for three days, Pritom was asked to confess before the court that he had killed his mother. Pritom was given threats that if he did not confess, he would be killed in crossfire. Being frightened of crossfire and more torture, Pritom gave a confessional statement in the court that he was involved in the killing of his mother. His father also said that after this incident, he appealed to the Court for an order to conduct a medical examination of Pritom. The Court recorded Pritom's statement, where the child told the Court how he was tortured by police. As a result, the Court granted a case against the investigating officer Sub Inspector (SI) Mostaq Ahmed under section 2 sub-section 8 of the Torture and Custodial Death (Prevention) Act 2013. The Court ordered the Civil Surgeon to conduct medical check-up of Pritom within 24 hours and submit a report in this regard. In addition to this it was instructed that the report be submitted through the complainant or his nominated person. The Court Inspector was ordered to produce Pritom Bhoumik before the Civil Surgeon immediately and instructed the Superintendent of Narshingdi Police to file a case.³ Despite the court order, police did not register any case till date. It is to be mentioned that on July 8, 2017 the body of Pritom's mother was recovered from their house. His family alleged that some local criminals killed Dipti Bhoumik.

Enforced disappearances

12. According to information gathered by Odhikar, in August 2017, six persons were allegedly disappeared. Of them, one was found dead, one was produced before the court, one was later freed alive and the whereabouts of three persons remain unknown.⁴
13. Many people have disappeared after being picked up by men claiming to be members of law enforcement agencies. The families of the disappeared and witnesses claim that members of law enforcement agencies, or men claiming to be from such agencies, arrest and take away the victims and then they are

³ The daily Jugantor, 13/08/2017 / www.jugantor.com/last-page/2017/08/13/147642/

⁴ 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.

no longer found. In some cases, law enforcement agencies deny the arrest; but days later, the arrested persons are released in an unknown place or handed over to a police station and produce in Court, or the bodies of the disappeared persons are later recovered. Similarly, as per news reports and statements from families, many political leaders have disappeared, the whereabouts of whom, are still unknown. The families of the disappeared face numerous problems in the absence of their relatives. Furthermore, many victim-families are being regularly harassed by the government, ruling party activists and law enforcement agencies.

14. The government has been repeatedly denying the incidents of enforced disappearance and claiming that the victims left voluntarily and do not want to be found. Although denials of such incidents are made by the government and security forces, it has been proved in various inquiry reports that enforced disappearances exist and continue to occur. On August 30, the International Day of the Victims of Enforced Disappearances was observed across the world. In Bangladesh, a network of the families of the disappeared organised a meeting on this occasion and local human rights defenders associated with Odhikar in different district of the country organised rallies and meetings to commemorate the day.



Odhikar organised a discussion meeting with the families of the disappeared to commemorate the International Day of the Victims of Enforced Disappearances.



Local human rights defenders associated in Khulna organised a rally on the occasion of International Day of the Victims of Enforced Disappearances.



Local human rights defenders associated in Chittagong made a human chain on the occasion of International Day of the Victims of Enforced Disappearances.



Local human rights defenders associated in Rajshahi organised a rally on the occasion of International Day of the Victims of Enforced Disappearances.

15. On August 22, 2017 Mohammad Alam, Joint Convener of Amanullahpur Union unit Jubo Dal, was picked up by a group of plainclothed men from his house in Begumganj under Noakhali District. His family informed Odhikar that members of law enforcement agencies denied the arrest of Mohammad Alam. Later police claimed that Mohammad Alam was shot dead in a 'gunfight' with police at around 2:00 am on August 23, in Dasherpole area of Amanullahpur. Mohammad Alam's father Abul Kashem said that at around 6:30 am on August 22, a microbus stopped on the road beside their house and seven men got down from it. Three of the men entered their house and tied Alam up. After that the men started beating Alam and then left with him in a microbus. The men said that they were members of the Detective Branch of Police. After the incident, at around 10:00 am, Abul Kashem and his daughter-in-law went to Begumganj Police Station, where the police of Begumganj Police Station denied the arrest of Alam and told them to come to the police station later to file a General Diary (GD). In the afternoon, the family organized a press conference at Begumganj and sought assistance and intervention from the administration to find his son. Regrettably, he came to know that the police had killed his son on August 23.⁵



Mohammad Alam, Joint Convener of Amanullahpur Union unit Jubo Dal (left). The family holding a press conference demanding Mohammad Alam's return. (Photo: Odhikar)

Public lynching continues

16. In August 2017, nine persons were reportedly killed due to public lynching. One incident is as follows:
17. On August 9, 2017 at around 3:00 am, a few people were roaming aimlessly on a pickup van in Uttor Kachchopia Village of Jubilee Union under Subornocho Upazila in Noakhali District. When local people stopped them

⁵ Information sent by human rights defender associated with Odhikar from Noakhali; the daily Prothom Alo, 25/08/2017 / <http://epaper.prothom-alo.com/view/dhaka/2017-08-25/6>

suspecting them as thieves, they jumped from the pickup into a canal nearby. At that time, an angry mob beat them and as a result four of them died on the spot. Two were injured. Among the deceased, one was identified as Zakir Hossain (28).⁶

18. Due to a weak criminal justice system, lack of respect for law, distrust of the police and instability in the country, the tendency to resort to public lynching is increasing. People are losing their confidence and faith in the police and judicial system. As a result, incidents of killings by mob violence continue.

‘Extremism’ and human rights

19. Currently Bangladesh is experiencing very difficult times. The State is taking away the civil and political rights of the citizens. Hindrance to and repeated violations of the right to freedom of expression of alternative or dissenting voices, have created space for confrontation. Operations carried out in the name of ‘countering extremism’ have even caused the deaths of women and children.⁷ Furthermore, there are reports of people becoming victims of enforced disappearance as well. Meanwhile, alleged ‘extremists’ are implicated in suicide attacks. Regarding their operations against ‘religious extremism’, the narrative that the law enforcement agencies have started giving is similar in almost all the cases. This resembles the way the law enforcement agencies narrate the death of crime suspects in ‘gunfight’, ‘crossfire’ and ‘encounter.’ After the July 2016 attack on Holey Artisan Bakery at Gulshan in Dhaka, at least 80 suspected extremists, including women and children, either died in such law enforcement operations or ‘committed suicide’ or were arrested. There are reports that some of those who were arrested during such operations later died in the custody of law enforcement agencies. As a result what actually happened, or happens, in such operations is still unclear.⁸
20. On August 15, 2017 members of SAWT and the Bomb Disposal Unit carried out an operation against ‘religious extremists’ at Hotel Olio International, located at Panthopath in Dhaka City. Before the operation, at around 3:00 am, members of law enforcement agencies encircled the hotel. At around 9:45 am, incidents of shooting and bomb explosions occurred. As a result, a large portion of the wall on the third floor of the hotel collapsed. After that, a youth was taken to the Square Hospital from the hotel. Inspector General of Police AKM Shahidul Huq reached the place of occurrence and told the journalists that the name of the youth was Saiful Islam, who had died in a suicide attack. Police claimed that Saiful had a plan to execute a suicide attack on rallies that

⁶ Bangladesh Protidin, 11/08/2017 / <http://www.bd-pratidin.com/first-page/2017/08/11/255166>

⁷ The daily Prothom Alo, 01/04/2017; www.prothom-alo.com/bangladesh/article/1130046/

⁸ The daily New Age, 28/04/2017; <http://www.newagebd.net/article/14532/extremism-tackling-narrative-warrants-transparency>

would be on the street on the occasion of the National Mourning Day on August 15.⁹ Meanwhile Saiful's family claimed that he arrived in Dhaka from Khulna looking for work and that he was not involved in any politics even in his own area.¹⁰ Police of Dumuria Police Station arrested Saiful's father Mohammad Abul Khayer, a local leader of Jamaat-e-Islami and Saiful's friend Mohammad Sunny. On August 16, they were shown as arrested in a case related to vandalism filed in December 2015 and both were sent to jail on August 17 by the Court.¹¹



The aftermath of the operation at Hotel Olia International where Saiful Islam (inset) was killed in a bomb explosion. (Photo: Naya Diganta, 16 August 2017)

Criminalization of politics and political violence

21. In August 2017, according to information gathered by Odhikar, four persons were killed and 255 persons were injured in political violence. Furthermore, 23 incidents of internal violence in the Awami League and two in the BNP¹² were also recorded during this period. Four persons were killed and 215 were injured in internal conflicts of the Awami League while 13 were injured in conflicts within the BNP.
22. Political violence and criminalisation of politics in Bangladesh are two of the main barriers to the creation of a healthy political atmosphere. Such activities continue and are encouraged due to the failure in constituting a democratic state, based on equality, human dignity and social justice as per the

⁹ On 15th August 1975, Sheikh Mujibur Rahman and most of the members of his family were assassinated. He was the first President of Bangladesh, leader of the Awami League and the father of the current Prime Minister, Sheikh Hasina. To commemorate this day the Awami League government declared this day as the 'National Mourning Day'.

¹⁰ The daily Naya Diganta, 16/08/2017 / <http://www.dailynayadiganta.com/detail/news/244474>

¹¹ The daily Jugantor, 18/08/2017 / www.jugantor.com/news/2017/08/18/149141/

¹² BNP: Bangladesh Nationalist Party.

Proclamation of Independence in 1971. This failure was persistent in all regimes. There is a tendency to use youth supporters to reap personal benefits for the leaders belonging to both ruling and opposition parties; and many youth supporters of these political parties are involved in various violent incidents. Today, the ruling party leaders and activists have become desperate for destruction, by abusing power after grabbing it through controversial and farcical elections held on January 5, 2014¹³, and without being accountable to the people. Across the country, criminal activities perpetrated by leaders and activists belonging to the Chhatra League¹⁴ and Jubo League¹⁵ have increased. Acts of repression on the leaders and activists belonging to the opposition political parties are very common and the practice of running the country through an undemocratic and autocratic system has become the norm. Leaders and activists of the party in power are involved in various violent acts, including extortion, acquiring tender bids, land grabbing, attacks on police, violence at educational institutions, attacks on ordinary citizens, violence against women, etc and in most cases they enjoy impunity. Furthermore, they are involved in incidents of internal conflict which are linked to vested interest; and as a result incidents of killing are taking place regularly. During violent public political altercations, these groups are seen openly carrying and using lethal weapons, not caring that their pictures will be published in different media. Chhatra League leaders-activists have been suppressing ordinary students at various educational institutions, including Dhaka University and activists belonging to alternative and opposition student organisations for a long time. The University administration and police are either supporting the ruling party leaders-activists in this regard or are reluctant and helpless bystanders. Some examples are given below:

23. On August 5, 2017 a violent altercation took place between Chhatra League activists and supporters of Chittagong Metropolitan unit Awami League President Mohiuddin Ahmed and Chhatra League activists and supporters of Metropolitan unit Awami League General Secretary AZM Nasir Uddin, over establishing supremacy at Haji Mohsin College in Chittagong. Both groups attacked each other with sharp weapons during the clash. At least eight persons were injured in the incident. Among them, a Chhatra League activist named Saiful Islam was stabbed seriously.¹⁶

¹³ Most of the political parties registered with the Election Commission, including the then main opposition BNP led 18-Party Alliance boycotted the 10th Parliamentary elections held on January 5, 2014 as their demands for elections under an interim caretaker government were ignored. As a result, 153 MP's of the ruling Awami League and its alliance out of 300 constituencies were declared elected uncontested even before the polling commenced. The people of Bangladesh lost their voting rights through this election.

¹⁴ Student wing of Awami League.

¹⁵ Youth wing of Awami League.

¹⁶ The daily Prothom Alo, 06/08/2017 / www.prothom-alo.com/bangladesh/article/1278306/



A youth carrying a sharp weapon during an internal clash between two factions of Chhatra League at Haji Mohsin College in Chittagong. (Photo; Prothom Alo, 6 August 2017)

24. On August 11, 2017 a clash took place between supporters of Rajnagar Union Parishad Chairman and Noria Upazila unit Awami League member Zakir Hossain and supporters of Rajnagar Union unit Awami League President Dadon Mirbahar, over establishing political supremacy in the locality. 25 people were shot during the clash. Of them, Rajnagar Union's Ward 7 unit Jubo League Vice-President Iqbal Hossain Fakir (25) was shot dead.¹⁷
25. On August 17, 2017 at midnight, Chhatra League activists beat second year student of Political Science, Bappi; second year student of Economics, Masud Mia; second year student of Psychology, Ibrahim; and third year student of Management, Mehedi; suspecting them to be activists of the Islami Chhatra Shibir¹⁸ at Haji Muhammad Mohsin (residential) Hall¹⁹ of Dhaka University. Later they were handed over to police. It was learnt through a hospital source that their arms and legs had been broken. The families of the injured students alleged that they were severely beaten as they did not regularly participate in Chhatra League programmes and also in order to take away their laptops, cell phones and money.²⁰

¹⁷ The daily Jugantor, 12/08/2017 / www.jugantor.com/first-page/2017/08/12/147385/

¹⁸ Student wing of Bangladesh Jamaat-e-Islami and not a banned political organisation.

¹⁹ Students' dormitory/residential hall in the university.

²⁰ The daily Prothom Alo, 19/08/2017 www.jugantor.com/second-edition/2017/08/19/149431/

Questionable activities of the Election Commission

Voters' lists update programme of Election Commission comes under question

26. The Election Commission (EC) on July 16, 2017 declared a roadmap for the 11th National Parliamentary elections. Among them, one the significant matter was to prepare and supply correct voters' lists.²¹ Accordingly the Election Commission took the initiative to update voters' lists across the country from July 25 to August 9, 2017. But its voters' lists update programme has come under fire for various reasons. Allegations were found that the field level officers/activists of the EC did not visit houses for new voters in most of the areas across the country, including Dhaka. They sat in a local school for gathering information without any publicity or campaign and as a result only those who were at the school or in the area knew what was happening. Public awareness activities were not undertaken despite the allocation of adequate budget for this work. Furthermore, there was a scarcity of voters' list update forms. Due to all these, a large majority of youth who reached 18 years of age were not registered as voters. Furthermore, the names of deceased voters were not properly removed from the existing lists. In the absence of information collectors, many people have communicated directly with the EC and its local offices at their own initiative. Such offices have asked them to contact field level information collectors instead. As a result many people have become victims of harassment and suffering and the large funds for this process and lack of activity have come under question. As per latest information of the EC, there are currently 101 million, 8 hundred thousand voters in Bangladesh. It is to be mentioned that, this time, 35 hundred thousand new voters have been targeted to be enlisted through this voters' lists update programme. Of them, till August 7, information of one million four hundred and 50 thousand new voters could be collected, which is less than half of the target.²²

Election Commission drafted demarcation of constituency without any consultation

27. The Election Commission held dialogue with various stakeholders about legal reforms centring around the 11th Parliamentary elections. The Commission has already sat in dialogue with eminent citizens of the country and media. It has recently initiated dialogue with different political parties. However, the EC is apparently finalising the draft law regarding demarcation of constituency, without finishing its dialogue with all political parties. The

²¹ The daily Jugantor, 17/08/2017 / www.jugantor.com/first-page/2017/07/17/140275/

²² The daily Jugantor, 10/08/2017 / www.jugantor.com/first-page/2017/08/10/146815/

Commission would like to enforce this law from the next parliamentary elections. On August 27, 2017, a draft law was presented in the meeting of the Commission. If the draft law relating to the re-demarcation of constituency is finalised without having any dialogue with political parties, such step of the Commission will further question the activities of the EC.²³ There has already been much controversy regarding various activities of the new Election Commission – but questionable Election Commissions are nothing new in Bangladesh.

28. Ensuring transparent, credible, free and fair elections is the Constitutional responsibility of the Election Commission (EC). The electoral system in Bangladesh has entirely collapsed and people are deprived from their right to vote through the controversial and farcical 10th Parliamentary elections held on January 5, 2014. In the past, elections were generally conducted in a festive manner and people used to willingly participate in the elections. But there is no scope for the people to vote freely in the current existing political atmosphere. The role of the Election Commission in this regard is almost subservient to the government and ruling party. On August 16 and 17, dialogues were held between the EC and the media. Editors of four daily newspapers were not invited to this dialogue.²⁴ During the meeting, the Chief Election Commissioner Nurul Huda said that bringing political parties into the elections is not the responsibility of the EC. However, it seems that the EC needs to be reminded that the responsibility of holding a credible election, ensuring participation of all political parties, belongs to the EC.

Hindrance to freedom of assembly

29. Due to lack of an accountable governance system in the country, the government is able to suppress the opposition and alternative or dissenting voices, by severely curtailing the right to freedom of expression, and preventing peaceful meetings and assemblies. Barring and attacking peaceful meetings, assemblies and rallies, means blocking the path of democracy and violating the constitutional and human rights of the citizens. Conducting peaceful meetings, assemblies and rallies are the democratic and political rights of everyone, as guaranteed in Article 37 of the Constitution. Taking permission from the police is now mandatory for any meeting, rally or even for indoor meetings; and in most cases police refuse to give permission to hold meetings of opposition parties and (what are considered to be) alternative or dissenting groups. Currently, discussions on holding the 11th Parliamentary elections with the participation of all political parties, are taking place. However, this inclusiveness is forgotten when leaders and

²³ The daily Prothom Alo, 28/08/2017; www.prothom-alo.com/bangladesh/article/1305151/

²⁴ The daily Naya Diganta, 22/08/2017; <http://www.dailynayadiganta.com/detail/news/246120>

activists of the opposition political parties are suppressed by law enforcement agencies and the ruling party leaders-activists under the present political context; and they are deprived from holding meetings and assemblies. Meanwhile, the ruling party leaders and activists are holding meetings without any hindrance; they are campaigning for the elections and asking for votes for their candidates. They, along with members of law enforcement agencies, attack the meetings and assemblies of the opposition parties and stop them. Some incidents are given below:

30. On August 4, 2017 leaders and activists of BNP and its affiliated organisations, gathered at the house of Municipality unit BNP President Fazlur Rahman at Bagichapara under Sadar Upazila, to discuss plans to gather BNP members together in Durgapur, under Netrokona District. Hearing this, Awami League leaders and activists attacked the meeting. At least 15 people were injured in this incident. Police arrested seven BNP leaders-activists, including Upazila unit BNP President Zahirul Islam Bhuiyan.²⁵ On the same day, police barred and baton charged at BNP member collecting programme in Shibpur under Madaripur District. 10 BNP activists were injured during police attack and police arrested 20 BNP leaders-activists.²⁶



Police arrest operation after BNP-Awami League clash in Netrokona. (Photo: Naya Diganta, 5 August 2017)

31. On August 11, 2017 protesting students of Dhaka University organised a discussion meeting at the Madhur Canteen square in the University campus demanding elections of the Dhaka University Central Students Union (DUCSU). Almost all active students' organisations, including Chhatra League²⁷ and Chhatra Dal²⁸ were invited to the discussion. The Vice-Chancellor of Dhaka University, A A M S Arefin Siddique was also invited.

²⁵ The daily Manabzamin, 05/08/2017; <http://mzamin.com/article.php?mzamin=77206>

²⁶ The daily Jugantor, 05/08/2017; www.jugantor.com/last-page/2017/08/05/145436/

²⁷ Youth wing of Awami League.

²⁸ Youth wing of BNP.

At around 11:00 am, about 60 leaders and activists of Chhatra Dal, led by Dhaka University unit President Al Mehedi Talukdar and General Secretary Abul Bashar Siddiqui, approached the DUCSU Bhaban (main office). At that time Chhatra League leaders and activists of Haji Muhammad Muhsin Hall and S M Hall chased them out of the campus. However, Chhatra League leaders-activists did not attend the discussion when it occurred.²⁹

32. On August 16, 2017 Munshiganj District Jatiyotabadi Lawyers Forum³⁰ was about to start a procession in front of the Bar Association demanding the resignation and arrest of the former Chief Justice and Chairman of the Law Commission, Khairul Huq. But Chhatra League leaders-activists threatened the lawyers, snatched the procession banner and stopped the rally.³¹

Hindrance to freedom of expression and the media

33. Interference on the media and freedom of expression, by the government and the ruling party members has become a regular phenomenon. The incumbent government is severely suppressing people who criticise the government and those who have alternative beliefs. Dissenters and critics are being accused under repressive cases filed under various sections of criminal law, including defamation and under section 57 of the Information and Communication Technology Act, for their comments or opinions. Some incidents are as follows:
34. On August 17, 2017 Lalpur Upazila unit Awami League affiliated Chhatra League President Mohammad Sarwar Jahan filed a case with Lalpur Police Station against a youth named Sagor Ahmmed (22) for allegedly making derogatory remark about Sheikh Mujibur Rahman, former President and father of the current Prime Minister, Sheikh Hasina on his Facebook account. The Officer-in-Charge of Lalpur Police Station, Abu Obayed said that a case was filed against Sagor Ahmmed under section 16 of the Special Powers Act, 1974 and accordingly police arrested him.³² It is to be mentioned that sections 16, 17 and 18 of the Special Powers Act of 1974 were repealed in 1991 by the Parliament.³³ However, police registered a case against Sagor Ahmmed under this section.
35. In April 2017, there was an allegation of making controversial question papers on 'Bangladesh and World Affairs' for class VIII students in six Upazilas, including Banshkhali Upazila under Chittagong District, where the former President of Bangladesh (Prime Minister Sheikh Hasina's father) Sheikh Mujibur Rahman was compared to anti-Banshkhali Coal Based Power Plant

²⁹ The daily Prothom Alo, 11/08/2017 / <http://epaper.prothom-alo.com/view/dhaka/2017-08-11/4>

³⁰ A lawyers forum of Bangladesh Nationalist Party.

³¹ The daily Jugantor, 17/08/2017/ www.jugantor.com/second-edition/2017/08/17/148868/

³² The daily Prothom Alo, 19/08/2017 / www.prothom-alo.com/bangladesh/article/1294341/

³³ The Special Powers (Amendment) Act, 1991 (Act no. XVIII of 1991).

protestor and BNP leader Liakat Ali. This was first noticed by the Upazila administration and a teacher of Banshkhali Bangabandhu High School, Dukul Barua was immediately handed over to police. Later a sedition case was filed with the permission of the Home Ministry, accusing 13 teachers, including the President and Secretary of six Upazila High School Teachers Association of south Chittagong. 13 teachers were granted ad interim bail for three months, from the High Court Division of the Supreme Court. On August 23, 2017 after the ad interim bail was over, the teachers appeared at the lower court and sought bail, but the court sent them to jail.³⁴ It is to be mentioned that in April 2016, BNP leader Liakat Ali led the protest movement against the Banshkhali coal-based power plant and for protection of houses and land in Gondamara Union Parishad. Police fired on the protesters, killing four.

Repressive Information and Communication Technology Act 2006 (amended 2009 and 2013) remains in force

36. According to information gathered by Odhikar, in August 2017, two persons were arrested under the Information and Communication Technology Act 2006 (amended 2009 and 2013).
37. The imposition of section 57³⁵ of the Information and Communication Technology Act 2006 (Amended 2009 and 2013) has increased alarmingly. This Act is being used by the government as a weapon against human rights defenders, journalists, bloggers and public opinion. Odhikar has been campaigning for a long time to repeal this repressive Act. Filing cases and imprisoning people for writing comments against high-level persons in the government or/and their family members on social media, is becoming very common. As a result, many people who are writing in social media, including on Facebook, are forced to remain silent to injustices. Currently, people including journalists and teachers, are being sued under Section 57 of this Act and many of them have been arrested. The government recently said that sections 54, 55, 56 and 57 of the ICT Act will be repealed. But it has been learnt that these four sections will be included in the Digital Security Act, which has recently been drafted. Human rights defenders and journalists are demanding for the repeal of this new draft Law as well as the current Act.
38. On August 5, 2017, Shamim Mia Morol, General Secretary of Jamalpur Union unit Awami League under Baliakandi Upazila in Rajbari District, filed a case

³⁴ The daily Jugantor, 24/08/2017 / www.prothom-alo.com/bangladesh/article/1300331/

³⁵ Section 57 of the ICT Act states: (1) If any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity of his will be regarded as an offence.

(2) Whoever commits offence under sub-section (1) of this section he shall be punishable for a term of minimum of seven years' imprisonment and a maximum of 14 years or a fine of Taka 10 million or both.

against a resident of Baliakandi named Rafiq Molla under section 57 of the Information and Communication Technology Act, for allegedly posting caricatures of the Prime Minister Sheikh Hasina. On August 6, police arrested Rafiq Molla from Chuadanga.³⁶ It is to be mentioned that the Police Headquarters has issued a directive in relation to taking cases under section 57 of the ICT Act which states that complaints under this section of the ICT Act can be filed after taking permission from the Police Headquarters.³⁷

39. On August 9, 2017 Narail District unit Chhatra League Vice-President Sheikh Chhogir Uddin filed a case against two persons with Lohagora Police Station under section 57 of the ICT Act for the allegation of posting and sharing caricatures of Prime Minister Sheikh Hasina and former Home Minister Sahara Khatun. Of the accused, police arrested Lohagora Municipality unit Chhatra Dal Vice-President Lelin Khan. Another of the accused was a woman.³⁸

Workers' rights

40. According to information gathered by Odhikar, in August 2017, six construction workers were killed after falling from an under construction building. Furthermore, 23 workers were injured. Of them, three fell from an under-construction building and 20 were jute mill workers who were injured by the police when they were agitating for their due wages and Eid bonuses. Apart from this, 17 ready-made garment workers were injured. Of them, eight were by police and nine were by the garment authority. Furthermore, 37 ready-made garment workers were terminated from two factories – Faria Knit Tex and Dimi R. Attires Ltd.

Situation of workers in readymade garment industries

41. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. However, closing down factories without notice, harassment, sudden termination of workers and not paying wages on time are violations that are occurring regularly. As a result workers' unrest prevails.
42. On August 7, 2017 workers of a readymade garment factory named 'Meridian Fashion Garment' blocked the road in protest of their termination and closure of the factory without paying wages to workers, at Prince Bazaar area in Mirpur, Dhaka. Later workers of other garment factories also joined them to

³⁶ The daily Prothom Alo, 07/08/2017; <http://www.prothom-alo.com/bangladesh/article/1279966/>

³⁷ The daily Jugantor, 03/08/2017; www.jugantor.com/first-page/2017/08/03/144924/

³⁸ The daily Prothom Alo, 12/08/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-08-11/5>

express solidarity. A violent altercation took place between police and workers, resulting in the injury of 10 persons, both police and workers.³⁹



Garment workers take to the streets at Mirpur Section 1 in Dhaka on Monday demanding payment of arrears. (Photo: New Age, 8 August 2017)

43. On August 13, 2017 workers of a readymade garment factory at M C Bazaar area in Sreepur under Gazipur District started to protest in front of the factory's main gate, demanding the payment of their previous dues. Later workers tried to blockade the Dhaka-Mymensingh Highway. At that time Industrial Police reached the spot and a clash occurred between the two groups. Police threw tear gas shells and dispersed the protesting workers. Workers informed that the factory authority had not been paying them for the last three months.⁴⁰



Workers protesting for the payment of their due wages at Sreepur in Gazipur. (Photo: Sangram, 14 August 2017)

44. On August 27, 2017 workers of a readymade garment factory named Bithi Fashion, in Sonargaon under Narayanganj District, found the factory's main gate locked when they reached there in the morning. After that, workers

³⁹ The daily Naya Diganta, 08/08/2017 / <http://www.dailynayadiganta.com/detail/news/242415>

⁴⁰ The daily Naya Diganta, 14/08/2017 / <http://www.dailynayadiganta.com/detail/news/243912>

started to protest for the payment of unpaid wages and bonus. During workers' protest, criminals hired by the factory owner attacked the workers and beat them.⁴¹

Clash between jute mill workers and police

45. On August 29, 2017 a clash took place between workers of Amin Jute Mill and police when workers blocked Muradabad Road in Chittagong, demanding the payment of their wages and Eid festival bonus. At least 20 workers were injured during this clash. Injured workers were admitted to Chittagong Medical College Hospital. General Secretary of Amin Jute Mill Workers Union, Shamsul Alam said that workers remained unpaid for six weeks. But the Mill authority was unwilling to pay them; and as a result workers came out on street.⁴²

Violence against women

46. Incidents of violence against women continue, including incidents of rape, dowry related violence, domestic violence, sexual harassment and acid violence. Women are becoming victims of such violence due to non-implementation of laws, a prevailing culture of impunity of the government, relevant authority and police administration and also due to lack of awareness in society.

Rape

47. In August 2017, Odhikar recorded a total number of 80 females who were raped. Among them, 20 were women, 59 were girls and the identity of one could not be found. Of the women, eight were victims of gang rape and two were killed after being raped. Out of the 59 girls, 11 were victims of gang rape. Four women and girls were also victims of attempted rape. Some incidents are as follows:

48. A girl of Bandabari Village under Kotalipara Upazila in Gopalganj District and a youth named Jewel, of Rajibpur Union under Ishwarganj Upazila in Mymensingh District began a romantic relationship through cell phone calls. On August 6, 2017 that girl, with her younger sister, arrived at Ishwarganj from Kotalipara to meet Jewel. Jewel, promising to marry the girl took her along with her sister to Rajibpur by auto rickshaw. After that Jewel and Rajibpur Union Jubo League leader Borhanuddin with some others took away the girl's money, jewellery and cell phone and raped her after taking her to

⁴¹ Information sent by human rights defender associated with Odhikar in Khulna.

⁴² The Daily Star, 30/08/2017 25 hurt as Ctg mill workers clash with cops / <http://www.thedailystar.net/city/25-hurt-ctg-mill-workers-clash-cops-1456117>

Beriband near the Lathiamari Bazaar. Police arrested Jubo League leader Borhanuddin in this regard.⁴³

49. On August 17, 2017 a female teacher (30) of a primary school in Betagi Upazila under Borguna District was checking exam papers in the school, and due to her delay in returning home, her husband came to school to check on her. They were talking on the balcony of the first floor of the school, when around six local youth approached them and called up to them to open the gate of the ground floor. The teacher refused to open the gate. Later those youth reached the upper floor by climbing up the latrine pipe. They beat her husband and locked him in a room and raped her in another room. A case was filed with Betagi Police Station in this connection, accusing Sumon Biswas (35), Rasel (24), Sumon Kazi (30), Mohammad Rabiul (18), Hasan (25) and Jewel (30). Locals said that these youth were involved in various criminal acts and they were known as members of different affiliated organisations of the Awami League. Police could not arrest them.⁴⁴ The victim's medical examination was conducted a few hours after the rape. On August 21, 2017 Borguna District Civil Surgeon Dr. Jasimuddin while responding the journalists, claimed that no evidence of rape was found. However, the victim teacher rejected such claim of the doctors and opined that the medical report had been changed.⁴⁵ On August 24, police finally arrested Sumon Biswas from Lakshmipur.⁴⁶

Dowry-related violence

50. According to information gathered by Odhikar, in August 2017, a total of 17 women were subjected to dowry violence. Of these women, it has been alleged that six were killed, nine were physically abused and two committed suicide due to dowry demands. One incident is as follows:
51. On August 19, 2017 a housewife named Mithu Khatun was beaten and choked to death by her husband Rony Mia and his relatives due to demands for two hundred thousand Taka as dowry in Kashinathpur Village under Sathia Upazila in Pabna District. Mitu's father Mukul Hossain alleged that they tried to make it look like an incident of suicide after killing his daughter. Unfortunately, police also claimed that Mitu was not killed but committed suicide.⁴⁷
52. It is to be mentioned here that according to the Dowry Prohibition Act 1980, giving and taking dowry is a punishable crime and severe punishments for those who cause death due to dowry are housed in the Women and Children

⁴³ The daily Jugantor, 13/08/2017; www.jugantor.com/news/2017/08/13/147672/

⁴⁴ The daily Prothom Alo, 19/08/2017; www.prothom-alo.com/bangladesh/article/1294371/

⁴⁵ The daily Jugantor, 22/08/2017; www.jugantor.com/last-page/2017/08/22/150017/

⁴⁶ The daily Prothom Alo, 26/08/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-08-26/2>

⁴⁷ The daily Jugantor, 21/08/2017; www.jugantor.com/the-northern-town/2017/08/21/149902/

Repression Prevention Act 2000. This degenerate culture is prevalent in society and non implementation of the laws are widely visible.

Stalking

53. According to information gathered by Odhikar, in August 2017, a total of 12 females were victims of stalking and violence. Of them, six were assaulted and six were victims of stalking. Furthermore, 10 men and one woman were injured by the stalkers for protesting such incidents. One incident is as follows:
54. On August 8, 2017 Mohammad Noushed Alam was stabbed and injured by some criminals, including Raihan, Raisuddin, Saiful and Sagor for protesting against their stalking of his daughter, a student of class X of Savar Girls School, at Jorapool area under Rajphulbaria Shapla Housing in Savar. Police were unable to arrest the stalkers to date.⁴⁸

Acid violence

55. According to information gathered by Odhikar, in August 2017, one woman, two girls and one man became victims of acid violence. One incident is as follows:
56. On August 1, 2017 criminals threw acid on a housewife named Lucky Begum Punu in Muksudpur under Gopalganj District. She was admitted to Faridpur Sadar Hospital in a critical condition.⁴⁹

Flood situation and human rights

57. The flood situation has crippled many areas of the country and water is coming down rapidly through Brahmaputra as India opened all the gates of the Gajaldoba Barrage. This barrage of water has increased due to heavy rainfall in Assam and Arunachal Pradesh of India and due to excessive water from more than one hundred sub-rivers of India channelled into the Brahmaputra river flow. Furthermore, the opening of sluice gates of Ijuli Nipco Company's Hydro Electric dam in Arunachal Pradesh has added thousands of cusecs of extra water to the Brahmaputra River. This water is coming down towards Bangladesh. The problem is further aggravated due to heavy rainfall in Bangladesh. As a result, one third of the country is flooded and at least five million people are affected.⁵⁰ The flood control infrastructure created by Bangladesh Water Development Board is ineffective allegedly due to massive corruption and irregularities. Although flood is a natural disaster,

⁴⁸ The daily Naya Diganta, 11/08/2017; <http://www.dailynayadiganta.com/detail/news/243147>

⁴⁹ The daily Naya Diganta, 02/08/2017; <http://www.enayadiganta.com/news.php?nid=344650>

⁵⁰ The daily Naya Diganta, 15 July 2017; www.dailynayadiganta.com/detail/news/235805

this year floods have emerged as a man made situation due to corruption and irregularities in relevant sectors. There is no sufficient place to take shelter by the affected people as the situation has become catastrophic. Many people took shelter on the rooftops, on highways and shelter homes. There are also allegations that flood victims are not getting adequate relief and assistance. As a result, scarcity of food is visible as is safe drinking water. In this regard, support that had been provided by the government and non-governmental organisations are comparatively very small. Relief could not reach many affected areas. According to the National Health Crisis Management Centre from 1 July to 19 August, at least 123 people died in 21 flood affected areas and 10,460 persons were injured or hospitalised due to flood related illness.⁵¹



Houses flooded with chest-high water. This picture was taken from Begumganj Village under Ulipur Upazilka in Kurigarm District. (Photo: Bangladesh Protidin, 19 August 2017)



A family looking for safe shelter. This picture was taken from Kunarpara Village under Ulipur Upazilka in Kurigarm District. (Photo: Juhantor, 16 August 2017)

⁵¹ The daily Naya Diganta, 19/08/2017; <http://www.dailynayadiganta.com/detail/news/245308> and New Age <http://www.newagebd.net/article/22281/cry-for-relief-as-floods-creep-in-new-areas>, 19/08/2017 /



People wade through knee-high water on a road at Balashi Ghat area in Gaibandha. (Focusbangla photo, New Age, 18 August 2017)

58. It is to be mentioned that in April 2017, massive casualties occurred as a result of the collapse of a crop protection barrage due to heavy rainfall and water coming from upstream in Sunamganj. About three hundred, twenty-five thousand, nine hundred and ninety (3,25,990) farmer families were ruined by the loss of their crops in the district. On July 2, 2017 the Anti Corruption Commission filed a case with Sunamganj Model Police Station after investigating the allegations of corruption and irregularities during the building of the barrage. On August 15, 2017 police arrested one of the main accused of this case, Khairul Huda Chopol, Convener of Sunamganj District unit Jubo League⁵² and younger brother of Sunamganj Zila Parishad (District Council) Chairman Nurul Huda Mukut.⁵³ On August 23, Transparency International Bangladesh (TIB) released a study report mentioning the irregularities and corruption that took place in climate-related projects of Bangladesh Water Development Board due to political influence and with the support of different stakeholders. A research conducted by TIB between March 2015 and July 2017 states that in order to get approval of the project, the Secretary, local MP, relatives of a former Minister and ruling party leaders ‘influenced’ four projects out of the six. As a result, disparity was seen between the climate projects and the budget allocation. The research report also said that the contractors and sub-contractors were becoming powerful through political backing.⁵⁴

⁵² Youth wing of Awami League, the ruling party.

⁵³ The daily Prothom Alo, 16/08/2017; www.prothom-alo.com/bangladesh/article/1291371/

⁵⁴ The daily Prothom Alo, 24/08/2017; <http://epaper.prothom-alo.com/view/dhaka/2017-08-24/3>

Aggressive policy of India towards Bangladesh

59. No changes are seen with regard to the aggressive policies⁵⁵ towards Bangladesh by the Indian government. India is depriving Bangladesh from the right of getting water in the dry season and creating artificial floods in Bangladesh by opening all the sluice gates of the Farakka and Gajalodoba Dams during the monsoon season.⁵⁶
60. The environmentally hazardous initiative to build the Rampal Power Plant with an Indian company, near the Sundarbans and a decision to implement an inter-river connection project, will lead Bangladesh to terrible human disaster and environmental catastrophe.⁵⁷ The Rampal coal-based power plant⁵⁸, if constructed, will be the largest source of air pollution in Bangladesh. This was learnt from a research conducted by a coal and air pollution expert Lauri Myllyvirta, of the Netherlands based global environmental organisation Greenpeace. The study reveals that the air pollution due to this coal-based power plant will cause the premature deaths of as many as 150 people every year. The study also found that it will cause some 600 babies to be born underweight every year.
61. Furthermore, the Indian Border Security Force (BSF) is killing and abducting Bangladeshi citizens indiscriminately along the border areas and entering Bangladesh and taking Bangladeshi citizens away; which is all a clear violation of international law and human rights.

⁵⁵ Before conducting the controversial and farcical January 5, 2014 National election, almost all political parties of Bangladesh decided to boycott it. At that time, the then Indian Foreign Secretary Sujata Singh visited Bangladesh and succeeded to convince Jatiya Party to join the election. Members of the Jatiya Party are now in the government (Ministers of the current government) and at the same time are the opposition in Parliament. It is clear that India had played a major role in destroying democratic system in Bangladesh for keeping Indian political, economic and military supremacy on Bangladesh and gave unconditional support to the controversial election in January 5, 2014. India is taking transit facility through Bangladesh at almost no cost (the shipment fee for carrying goods is Tk 192.22 per ton) under an amended Protocol on Inland Water Transit and Trade (PIWTT) signed between India and Bangladesh on June 6, 2015; and is also taking advantage of other business and trade facilities. Of them, a decision was made that Bangladesh will buy electricity worth two thousand billion taka from India – an expensive rate. Bangladesh will have to pay one hundred and ninety thousand nine hundred seventy five taka in a 25-year term. Furthermore, the environmentally hazardous initiative to build the Rampal Power Plant with an Indian company, near the Sundarbans and a decision to implement an inter-river connection project, will lead Bangladesh to terrible human disaster and environmental catastrophe. Moreover, the Indian government decided to put up a fence along no-man's land, which will be within 150 yards from the zero line along the border.

⁵⁶ BBC, September 1, 2016, <http://www.bbc.com/bengali/news-37244367>

⁵⁷ UNESCO calls for shelving Rampal project", the daily Prothom Alo, 24/09/2016, <http://en.prothom-alo.com/environment/news/122299/Unesco-calls-for-shelving-Rampal-project>

⁵⁸ It is to be mentioned that on July 12, 2016 an agreement of the much debated project of the Rampal Coal-based Power Plant was signed in Dhaka. The agreement was signed by the Managing Director of Bangladesh-India Friendship Power Company Limited (BIFPCL), Ujjal Kanti Bhattacharya; and the General Manager of the construction company Bharat Heavy Electric Limited (BHEL), Prem Pal Yadab. The Prime Minister's Advisor Toufiq Elahi Chowdhury; State Minister for Power, Nasrul Hamid; Principal Secretary of the Prime Minister, Mohammad Abul Kalam Azad; Secretary of the Ministry of Power, Monwar Islam; Indian Secretary for Power, Prodeep Kumar Pujari; and Indian High Commissioner to Bangladesh, Harshbardhan Shringla were present at the signing programme. Environment activists and human rights defenders have been and still are protesting against the construction of Rampal Coal-based Power Plant but their protests are falling on deaf ears. www.jugantor.com/last-page/2016/07/13/44589/

Another attack on the Rohingya community by Myanmar security forces

62. In August 2017, many Rohingya refugees have tried to trespass into Bangladesh to save their lives from the hands the Myanmar Army and their associates. The Army of Myanmar are taking away young Rohingya people by searching villages almost every day, which caused a panic among Rohingya youth. As a result, members of the Rohingya community people are trying to trespass into Bangladesh to save their lives. Three UN sources reported that around 27,400 Rohingya Muslims have fled to Bangladesh to escape violence in Myanmar during the past week and a further 20,000 are marooned in no man's land between the two countries.⁵⁹ Nasiruddin Ahmed (55), a Rohingya victim of Buthidaung City, who took shelter at Balukhali Rohingya refugee camp, said that Myanmar military took his son Zobair Ahmed (22). Rakhine youth and monks are joining the military operations and attacking Rohingyas.⁶⁰
63. At least 71 persons were killed on August 25, 2017 during an attack by Rohingya resistance fighters in Taung Bazaar Village of Buthidaung City of the Rakhine State of Myanmar and at 30 police outposts in some villages of Kawauk Pandu and an Army camp located at Taung Bazaar Village. It has been reported in Reuters that 59 'Rohingya Muslim Rebellions' and 12 members of the security forces were killed, which was confirmed by the Army and government of the country. The Arakan Rohingya Salvation Army (ARSA) claimed responsibility for this attack and also gave threats of further attacks.⁶¹
64. On October 9, 2016 incidents of extrajudicial killings, enforced disappearance, rape, torture, arson attacks and arbitrary arrest of Rohingya people, during violent army operations took place after an attack at a police camp at the Bangladesh-Myanmar border. According to IOM information, about 87,000 Rohingya refugees have so far entered Bangladesh due to that operation. The UN alleged that the security forces of Myanmar have committed crimes against humanity.⁶² It has been assumed from this attack resistance is occurring in the Rakhine State of Myanmar against the wide scale torture, repression, rape and killings. The situation is worsening as the security forces started a new 'cleaning operation' in various places in the Rakhine State of Myanmar. Some Rohingyas who fled to Bangladesh from Myanmar informed Odhikar that the Myanmar Army, as part of its operation, cordoned off the

⁵⁹ The daily New Age, 31/08/2017; <http://www.newagebd.net/article/23170/around-27400-rohingyas-flee-into-bangladesh-from-myanmar-un-sources>

⁶⁰ The daily Jugantor, 18/08/2017; www.jugantor.com/news/2017/08/18/148924/

⁶¹ The daily Prothom Alo, 25/08/2017; <http://www.prothom-alo.com/international/article/1301721>

⁶² <https://af.reuters.com/article/worldNews/idAFKCN1B21RA>

villages, so that nobody could escape. In addition to this, the military were throwing rockets and bombs indiscriminately from helicopter gunships. As a result, many houses were burnt and many Rohingya killed.⁶³ Thousands of Rohingyas remained stranded on the banks of the Naf River having failed to cross the border. The vigilance of the Border Guard Bangladesh (BGB) has been heightened so that Rohingyas cannot enter Bangladesh.⁶⁴ Meanwhile, on August 28, Bangladesh government had sent an official proposal to the Myanmar government to conduct a joint operation.⁶⁵ The situation might worsen for the Rohingyas if Bangladesh joined the operation with Myanmar. This will support the genocide against Rohingyas by Myanmar government. Many Rohingyas who were crossing into Bangladesh from Myanmar by boat have been stopped by the Bangladeshi border guards. On August 31, BGB recovered the bodies of 20 Rohingya women and children whose boat had capsized as they fled Myanmar.⁶⁶

65. The central Government of India recently decided to send Rohingyas, who were living in India with UN refugee status, back to Myanmar. The United Nations High Commissioner for Refugees (UNHCR) has already given identity cards to 16,500 Rohingya refugees out of a total 40,000 Rohingyas. The Indian Government said that they have already talked to Bangladesh and Myanmar governments in this regard. Meanwhile, Rohingya refugees have been thrown in a state of fear and panic due to decision of the Indian government.⁶⁷



Rohingyas are obstructed by BGB when they were trying to enter Bangladesh after attacks at police outposts and a military camp in Rakhine State of Myanmar. (Photo: Jugantor, 25 August 2017)

⁶³ Information gathered by Odhikar.

⁶⁴ The daily Naya Diganta, 27/08/2017

⁶⁵ The daily Prothom Alo, 30/08/2017

⁶⁶ The daily New Age, 31/08/2017; <http://www.newagebd.net/article/23170/around-27400-rohingyas-flee-into-bangladesh-from-myanmar-un-sources>

⁶⁷ New Age, 15/08/2017; India to deport all Rohingyas/ <http://www.newagebd.net/article/22004/india-to-deport-all-rohingyas>



Border Guard Bangladesh (BGB) pushed back 146 Rohingyas entering Bangladesh through Hwaikong Ulubonia border in Teknaf. (Photo: Jugantor, 26 August 2017)



BGB arrested Rohingyas while trying to trespass into Bangladesh through Hwaikong Ulubonia border in Teknaf. Photo: (Prothom Alo, 26 August 2017)



BGB members are on alert to prevent Rohingya people gathered at Banborban border, from entering Bangladesh. (Photo; Naya Dignata, 27 August 2017)



Villages belonging Rohingya community in Rakhine State of Myanmar are torched. Hundreds of Rohingya families were evicted. (Photo: Jugantor, 28 August 2017)



Rohingyas are entering Bangladesh through Ghumdhum Tumobru border. Many had been shot and injured. (Photo: Bangladesh Protidin, 29 August 2017)



Fleeing violence at home, a Rohingya farmer, his daughter and three-year-old grandson wait in Jolpaitoli area of Bandarban's Naikhyangchhari after BGB members stopped them and ordered them to go back to Myanmar. (Photo: Daily Star, 29 August 2017)

66. Odhikar expresses deep concern and vehemently protests the recent attacks on the Rohingya community in Myanmar. Odhikar believes that the Myanmar Government is trying to eliminate the Rohingya community in this process by conducting repeated attacks and torture, which is tantamount to the international crime of genocide. After the independence of Bangladesh, several hundred thousand Rohingyas entered Bangladesh because of attacks on them in 1978 and 1991-92. Now they are living in Bangladesh as refugees. Large-scale attacks on Rohingyas occurred again in 2012 and 2016. At that time, many Rohingyas tried to enter Bangladesh to save their lives. State-sponsored attacks on Rohingyas in Myanmar often take place and the Myanmar government does not recognise Rohingyas as its citizens under the Citizenship Act 1982 although Rohingyas have been living in Myanmar for decades. Odhikar urges the international community to take action for providing safe shelter to those who escaped and are escaping from the violent situation in Myanmar. Odhikar also urges the Bangladesh government to temporarily open the border in order to save the lives of these persecuted people and provide them with urgent humanitarian support.

Hindrance to human rights activities of Odhikar

67. The present government continues to harass Odhikar for being vocal against human rights violations and for campaigning to stop this. The government, after assuming power in 2009, started the harassment on Odhikar for its reports on the human rights situation of the country. On August 10, 2013 at night, Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of Police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. Adilur and Odhikar's Director ASM Nasiruddin Elan, were later charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were detained in prison and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies.

68. Human rights defenders who are working fearlessly to gather information and carry out their profession impartially are harassed and victimised. For instance, in March 2016, a journalist and human rights defender associated with Odhikar, Mohammad Afzal Hossain, was shot and severely wounded by police while he was observing the irregularities of a local government election

in Bhola⁶⁸ and in February 2017, another human rights defender associated with Odhikar, journalist Abdul Hakim Shimul, was shot dead by Shahjadpur Municipality Mayor and Awami League leader Halimul Huq Miru.⁶⁹

69. Furthermore, the NGO Affairs Bureau (NGOAB) has, for more than three years, barred the release of all project related funds of Odhikar and withheld renewal of its registration in order to stop its human rights activities. The Organisation is still operating due to the volunteer services of grassroots level human rights defenders associated with Odhikar and its members and staff and their commitment to human rights activism.

⁶⁸ For details, please see Odhikar's monthly report of March 2016. <http://odhikar.org/human-rights-monitoring-report-march-2016/>

⁶⁹ For details, please see Odhikar's monthly report of February 2017. <http://odhikar.org/human-rights-monitoring-report-february-2017/>

Recommendations

1. The Government must bring to effective justice, the members of the law enforcement agencies, involved in incidents of extrajudicial killings and torture. 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. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to end torture. The law enforcement agencies must also follow international guidelines “Basic Principles on the use of Force and Firearms by Law Enforcement Officials” and the “UN Code of Conduct for Law Enforcement Officials”.
2. The Government has to investigate and explain all incidents of enforced disappearance and post-disappearance killings, allegedly perpetrated by law enforcement agencies. The Government must take effective measures to recover the victims of enforced disappearance and return them to their families. The Government must bring the members of the security and law enforcement agencies who are involved, before the law. The Government should follow the recommendations made by the UN Human Rights Committee in its 119th session to criminalise enforced disappearance in the national laws. The government must sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly in 2006.
3. An initiative needs to be taken immediately to conduct free, fair and inclusive national elections under a neutral interim government or even under the supervision of the United Nations. The government must take effective legal action in order to stop criminalisation of the ruling party activists.
4. The Government must refrain from repressive, undemocratic and unconstitutional activities. Rights to freedoms of assembly and association of the opposition political parties, people who have alternative beliefs and dissenters, must be ensured, as per the Constitution and international norms.
5. Freedoms of speech, expression and the media must be ensured and protected. The Government must bring the perpetrators of attacks on human rights defenders and journalists to justice through proper and impartial investigation. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel One must be removed. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed.

6. The ready-made garment factories and all other factories need to be brought under synchronized security programmes and adequate wages must be given to workers; and all factories should be made with adequate infrastructural and other facilities. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions.
7. The Government must ensure the effective implementation of laws to stop violence against women and children and the offenders must be effectively punished under prevalent laws. The Government should also execute mass awareness programmes in the print and electronic media, in order to eliminate violence against women.
8. Adequate food and safe drinking must be supplied to the flood affected people immediately and an effective plan to be made for their rehabilitation after the flood water has receded. Stern action must be taken against the persons responsible for corruption and irregularities in flood control infrastructure after a thorough investigation.
9. India must give Bangladesh the right to water and must stop all activities that are creating artificial flooding in Bangladesh immediately. The construction of the Rampal coal-based power plant must also be stopped to prevent further ecological and human disaster in Bangladesh.
10. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF) and initiatives taken to investigate and make the Indian Government accountable. The victim-families must also be compensated. The Government must also ensure the safety and security of the Bangladeshi citizens residing along the border areas.
11. The UN must create safe zones within Myanmar for the protection and safety of the Rohingya people. This will prevent the Myanmar military from acts of persecution and will also lesson the influx of Rohingyas into Bangladesh.
12. The international community must put effective pressure on the Myanmar government and support the establishment of the human rights of the Rohingya community in Myanmar. At the same time, the Myanmar government must be made accountable for crimes against humanity.
13. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. All repressive measures and harassment against human rights defenders associated with Odhikar should be ceased. The government must release the funds of Odhikar to enable it to continue its human rights activities.

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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 so.