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Three-month Human Rights Monitoring Report on Bangladesh

Reporting Period: January - March 2019

Prepared by Odhikar

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Foreword

Odhikar has been monitoring the human rights situation in Bangladesh since 1994, 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. 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. The Organisation unconditionally stands by the victims of oppression and maintains no prejudice with regard to political leanings or ideological orientation, race, religion or sex.

The Organisation has been facing persecution and continuous harassment and threats to its existence by the incumbent government since 2013 due to its human rights activism. Despite this, Odhikar continues to work; and has prepared the first three-month report of 2019 on the human rights situation of Bangladesh, based on information gathered by grassroots human rights defenders associated with Odhikar and reports collected from the national dailies.

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Statistics of Human Rights Violations: January–March 2019

Statistics: January-March 2019*					
Type of Human Rights Violation		January	February	March	Total
Extrajudicial killings	Crossfire	26	28	32	86
	Beaten to death	1	0	0	1
	Shot to death	0	4	0	4
	Total	27	32	32	91
Enforced Disappearances		5	2	5	12
Death in Jail		3	3	5	11
Human rights violations by Indian BSF	Bangladeshis Killed	5	1	1	7
	Bangladeshis Injured	0	1	1	2
	Bangladeshis Abducted	0	1	0	1
	Total	5	3	2	10
Attack on journalists	Injured	2	8	2	12
	Threatened	0	1	0	1
	Total	2	9	2	13
Political violence**	Killed	6	6	22	34
	Injured	220	199	566	985
Dowry related violence against women		5	5	5	15
Rape		80	41	53	174
Sexual harassment /Stalking of females		4	8	5	17
Acid violence		3	2	3	8
Public lynching		3	9	3	15
Situation of workers	RMG workers	Killed	1	0	0
		Injured	175	0	53
	Workers in other sectors	Killed	2	4	6
		Injured	0	5	19
Arrest under Information and Communication Technology Act 2006 (amended 2009 and 2013)***		1	0	0	1
Arrest under Digital Security Act 2018		6	3	3	12

* Odhikar's documentation

** In March, 15 persons were killed and 434 were injured due to electoral violence centring around the Upazila Elections which has been added in the Political Violence table.

*** 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.

Executive Summary

1. The overall human rights situation of the first three months in 2019 (January – March) has been analysed through this report where violations of civil and political rights, including state repression and deprivation of the right to life were incorporated.
2. The Awami League led Alliance government remains in power since 2009, thus the country’s human rights violations of 2019 are a continuation of the trend of human rights violations of the last 10 years. The Awami League led Alliance government came to power in January 2009 after the elections held under the military backed caretaker government in 2008. The Awami League government unilaterally removed the Caretaker Government system in 2011, ignoring protests from the main opposition Bangladesh Nationalist Party (BNP), civil society and other political parties, without any referendum, through the 15th Amendment to the Constitution, which created a deep political crisis. Almost all political parties, including BNP (except Awami League and its alliance) boycotted the elections in protest of the removal of the caretaker government system. As a result, the Awami League re-assumed power for a second term through controversial and farcical 2014 Parliamentary elections.¹ In the last 10 years, the incumbent government has politicized various important national and independent institutions and made them subservient to it. As result, the government was able to use the national institutions like the Election Commission, the Anti Corruption Commission and the National Human Rights Commission, for implementing its political agenda. Of them, the government conducted probably what can only be called the most farcical parliamentary elections (national election) in Bangladesh’s history, by using the current Election Commission in the 11th Parliamentary Elections on 30 December 2018. In this election, incidents of stuffing ballot boxes in the night before polling day, casting fake votes, voters being forced to vote openly for the ruling party candidates, ‘capturing’ polling centres, arrests and forcibly ousting of polling agents of the opposition party-nominated candidates and intimidation of voters by supporters of the ruling Awami League-nominated candidates, were just some of the actions

¹ The Caretaker Government system was incorporated in the Constitution through the 13th amendment to the Constitution, as a result of people’s movement led by the then Opposition Awami League and its alliance between 1994 and 1996 due to the continuation of enmity, mistrust and violence between the two main political parties (BNP and Awami League). Later this system received a huge public support. However, in 2011 the caretaker government system were removed unilaterally by the Awami League government through the 15th amendment to the Constitution, without any referendum and ignoring the protests from various sectors; and a provision was made that elections were now to be held under the incumbent government. As a result, the farcical 10th Parliamentary elections were held on 5 January 2014 despite the boycotting of this election by a large majority of political parties. The election was farcical and out of 300 constituencies, 153 MP’s were declared elected uncontested even before the polling commenced.

taken to ensure victory.² There have been grave human rights violations on opposition party leaders and activists centring around this election. After the eleventh national elections, Upazila Parishad polls³ commenced in five phases under the current Election Commission from 10 March 2019. The main opposition BNP and left political parties boycotted the Upazila Parishad Elections 2019 given that the 11th Parliamentary election was farcical and knowing these would be too. As a result, only the ruling Awami League and its alliance participated in the elections. Awami League nominated candidates were elected in most of the upazilas as there was no rivalry. Voters did not show any interest to vote in the Upazila polls, due to the high levels of vote 'theft' in the eleventh parliamentary elections. As a result, most polling centres were found to be empty of voters.⁴ A similar situation was seen during the Dhaka North City Corporation elections held on 28 February 2019.

3. The culture of impunity of the government has further strengthened due to its assumption of power without the people's vote. In the last three months, citizens have been subjected to various human rights violations, including enforced disappearances, extrajudicial killings and torture.
4. Not only is the death penalty still in force in Bangladesh, new laws are also being enacted that are controversial and repressive. There is no freedom of speech and expression in the country. Many dissenters, opposition activists and ordinary citizens were sued under the newly-passed Digital Security Act, 2018 and defamation cases filed and sentences passed for making comments against any high-level person in the ruling party or government or/and their family members in meetings or on social media or by giving 'like/share' comments on Facebook posts. The Digital Security Act 2018 has also been used against the journalists. Objective and neutral journalism has been hampered due to pressure by the government on the media in different ways and in most cases, journalists are forced to apply self-censorship. The pro-opposition electronic and print media - Channel 1, Diganta TV, Islamic TV and the daily Amar Desh remain closed down since 2013. Journalists are being attacked by supporters of the ruling party-backed criminals while carrying out their professional duties and they were arrested on the instructions of high officials in the government.
5. Apart from curtailing the right to freedom of expression, the government has also violated the right to freedom of peaceful assembly and association. Freedom

² <https://www.ti-bangladesh.org/beta3/index.php/en/highlights/5749-2019-01-15-07-24-53>

³ Upazila Parishad is the second highest tier of the local government.

⁴ The daily Prothom Alo, 11 March 2019; <https://epaper.prothomalo.com/?pagedate=2019-3-11&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

of assembly, including the right to hold public meetings/gatherings of the opposition and dissenters continued to shrink from the beginning of the year 2019. In addition to the BNP, other opposition political parties and protesting organisations that had various demands to the government, were also barred and attacked.

6. After the 30 December Parliamentary Elections, opposition leaders and activists continued to be sent to jail in different cases, including under fictitious cases filed against opposition leaders and activists during the elections. Because of this, prisons were grossly overpopulated and many prisoners became ill. Furthermore, several inmates allegedly died in jail due to lack of proper treatment facilities and negligence by prison authorities.
7. Intra-party clashes and criminalisation of the ruling party leaders and activists were also visible in the last three months. During the last 10 years, criminal activities of the Awami League-backed student and youth organisations have crossed all the limits and they are enjoying impunity with government's support. Though they were publicly involved in various types of criminal acts, including carrying and using firearms and other lethal weapons, members of the law enforcement agencies could not take any action against them. The Dhaka University Central Student's Union (DUCSU) Election was held after 28 years on 11 March 2019, with the help of the University administration. It was conducted through extensive irregularities and as a result, Chhatra League grabbed most of the seats, like the Awami League did at the national elections of 30 December 2018.
8. Incidents of deaths due to public lynching continue to occur as a result of a weak criminal justice system, impunity of law enforcement agencies, and the lack of people's confidence in the institutions due to corruption, have increased the tendency of taking the law in the hands of common people.
9. Attacks on minority communities continued in the last three months. Houses of the Hindu community and Ahmadiyya community were attacked and vandalized by the criminals. The administration also stopped religious activities of the Ahmadiyya community.
10. Violence against women was persistent in the last three months. Many women and girls became victims of different kinds of gender-based violence during this period. In one incident, ruling party activists reportedly raped the wife of an opposition party activist due to political reasons.
11. In the last three months, the rights of the workers have been severely violated. Readymade garment (RMG) factory workers were attacked by members of law

enforcement agencies, when they were protesting in demand for an increase in their wages; and a worker was shot dead by police. Allegations of ill-treatment, including sexual harassment of Bangladeshi women migrant workers abroad, were reported and in such cases allegations of the non-cooperation of Bangladesh's missions in respective countries were also noted.

12. Acts of Indian interference in the economic, political and cultural affairs of Bangladesh remain unchanged. Incidents of various types of human rights violations, including killing and torturing of Bangladeshi citizens by the Border Security Force (BSF), have been reported during this period. BSF members have also entered into Bangladesh territory and attacked Bangladeshi citizens.
13. There are allegations that the residual Rohingyas in Rakhaine (Arakan) state of Myanmar are being attacked by the Myanmar army in retaliation for the insurgent armed group Arakan Army's attack on four border posts in Buthidaung of Myanmar. As a result, Rohingya people continue to flee violence in Myanmar and are entering Bangladesh.
14. Human rights defenders remained under monitoring and their activities are frequently hindered by the government. In continuation of the government's persecution on Odhikar, that commenced in 2013, incidents of harassment against Odhikar took place before the controversial National Parliament elections of 30 December 2018. Odhikar submitted an application for the renewal of its registration to the NGO Affairs Bureau under the Prime Minister's Office in 2014, but the registration has not been renewed till the publication of this report.

Main Report

A. State Repression and Impunity

Extrajudicial killings

1. Extrajudicial killings continue due to a weak criminal justice system and impunity of the killers are given by the State. Such killings increased when the government started its anti-drugs drives in the name of 'war on drugs' from 15 May 2018, which still continues. Some family members of the victims of extrajudicial killings alleged that their relatives were killed by members of law enforcement agencies in exchange for money given by their rivals.
2. At a press conference in Dhaka on 5 March 2019, Nasrin Begum, widow of Mohammad Selim (38), who was killed extra judicially alleged that the police led by the Officer-in-Charge of Sirajdikhan Police Station of Munshiganj district, picked up her husband from their house in Dhaka's Keraniganj and tortured him first. On 1 March 2019, Selim was shot dead on the banks of Dhaleshwari River. Nasrin Begum also said at the press conference that there had been no case or General Diary (GD) filed against her husband with Sirajdikhanan Police Station. She alleged that the accused person involved in the murder of her father-in-law Anwar Hossain, had killed her husband by giving police a huge amount of money.⁵
3. On 13 March 2019, a person named Mohammad Nurul Islam of Teknaf in Cox's Bazar District, was killed in 'gunfight' with the Border Guard Bangladesh (BGB). BGB claimed that the deceased was a Yaba (drug) peddler. However, the wife of the deceased, Parvin Akhter said her husband was a 'Tomtom' (public transport) driver and was not involved in Yaba peddling. The Officer-in-Charge of Teknaf Police Station Pradip Kumar Das said that there was no complaint or case in the name of deceased Nurul Islam.⁶

⁵ The daily Naya Diganta, 6 March 2019; <http://www.dailynayadiganta.com/last-page/393216/>

⁶ The daily Prothom Alo, 15 March 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=3&edcode=71&pagedate=2019-3-15>



Parvin Aktar wife of 'Tomtom' driver Nurul Islam who was killed in a 'gunfight' with BGB at Teknaf, with three young daughters. Photo: The daily Prothom Alo, 15 March 2019.

4. **91 persons were reportedly killed extra-judicially between January and March 2019. Of them, 52 persons were killed by police, 19 by RAB, 11 by BGB, four by Police-BGB, three by DB Police, one by Coast Guard and one by Army Para Commando. Among the 91 persons extra judicially killed, 86 were killed in 'crossfire/encounters/gunfights'. Furthermore, among the deceased, one person was allegedly beaten to death by police and four persons were allegedly shot to death.**

Lack of accountability of law enforcement agencies

5. There were a number of allegations of killing, torture, seeking bribes, rape, assault, harassment and extortion against members of law enforcement agencies and the security forces during this reporting period.
6. On 6 February 2019, Raihan Sarkar of Gazipur district with his friends, Labib Hossain, Nowshad Islam, Taribullah and Rakibul Islam stopped at a CNG filling station in Sutrapur area of Kaliakoir Upazila on the way to the Trade Fair in Dhaka. At that time, Taribullah and Rakibul Islam went to drink tea at a neighbouring tea stall. Assistant Sub-Inspector (ASI) Abdullah Al Mamun of Kaliakoir Police Station and ASI Musrafiqur Rahman of Mirzapur Police Station arrived in a car and approached them. They picked up Raihan Sarkar, Labib Hossain and Nowshad Islam and took them to Deorah area of Mirzapur in a microbus and demanded Taka three million from them otherwise, they would be killed in 'crossfire'. At one stage of the deal, the two ASIs agreed to free them for one million taka. Meanwhile, when their other two friends informed the

Kaliakoir Police Station, the detainees were first taken to Mirzapur Police Station and later to Kaliakoir Police Station.⁷ Police arrested the two ASIs on 8 February when Raihan Sarkar filed a case with Kaliakair Police Station in this regard.⁸



ASI Abdullah Al Mamun, ASI Musrafiqur Rahman. Photo: The daily Prothom Alo, 10 February 2019.

7. On 6 February 2019, a young girl went to Saturia Police Station in Manikganj district with an older female acquaintance, because the latter wanted to get her money back from Sub-Inspector (SI) Sekendar Hossain. When she demanded payment, SI Sekendar took them to the 'Dak Bungalow' (guest house) of the Zila Parishad (District Council). Assistant Sub-Inspector (ASI) Mazharul of the same police station was present during the discussion about money. After confining the woman in a room, the two police officers forced the girl to inhale Yaba and raped her.⁹ On 11 February, SI Sekendar and ASI Mazharul were arrested and sent to jail after the girl filed a rape case. Meanwhile, in response to a Writ Petition, a High Court Division bench comprising of Justice Moinul Islam Chowdhury and Justice Md. Ashraful Kamal, issued a Rule to compensate the victim with five million taka.¹⁰
8. On 10 February 2019, at around 3:00 am, police of Shahbagh Police Station allegedly shot at the left knee of a man named Masud in front of the Shishu Park (Children's Park) at Shahbagh, Dhaka. He was admitted to Dhaka Medical College Hospital with severe injury. Police claimed that Masud was a mugger.

⁷ The daily Prothom Alo, 8 February 2019; <https://www.prothomalo.com/bangladesh/article/1578044/>

⁸ The daily Prothom Alo, 10 February 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=20&edcode=71&pagedate=2019-2-10>

⁹ The Prothom Alo, 11 February 2019; <https://www.prothomalo.com/bangladesh/article/1578450/>

¹⁰ The Prothom Alo, 11 March 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=20&edcode=71&pagedate=2019-3-11>

However, Masud said that he worked at a burqa-making factory in Keraniganj. On 9 February, he came to the Ekushey Book Fair at Bangla Academy and the police took him away from the Dhaka University area. Later the police shot him in the leg.¹¹

9. On 12 February 2019, an altercation took place between the villagers and members of Border Guard Bangladesh (BGB) in Ruhia Uttarpara Village under Haripur Upazila of Thakurgaon District, when BGB members seized cows belonging to local people, suspecting them as being Indian cows smuggled. When BGB members opened fire on the villagers, Sadek Ali (40), Nawab Ali (25) and Zainul (12) were killed and 14 others were seriously injured. It is to be mentioned that the deceased Sadek Ali was going to the local market to sell his two cows to cover the wedding expenses for his daughter. BGB seized his cows as Indian cows. On the other hand, deceased Nawab Ali, who was a graduate in science, used to tutor the students of schools and colleges. He was going to the market to buy some booklets for his students. Zainul, a student of class VI in a local high school, was also going to the market. He was also killed by BGB firing.¹² In this incident, BGB filed two cases with Haripur Police Station accusing 272 people. It is to be noted that the names of Mohammad Nawab and Sadek Ali, who were shot dead by BGB, were also accused in a case.¹³
10. On 1 April 2018, Jhalokati Additional District Judge SKM Tofail Hassan ordered the Police Bureau of Investigation (PBI) to carry out a fresh investigation into the case accepting a petition filed on 13 March 2013 by Henoara Begum, mother of Limon Hossain¹⁴ challenging the police report. However, the PBI has failed to complete the fresh investigation into the shooting at Jhalakati college student Limon Hossain in the left leg by the RAB on 23 March 2011.¹⁵ It is to be mentioned here that following a RAB shooting at Limon (which resulted in the loss of his leg), his mother Henoara Begum tried to file a case against RAB personnel with Rajapur Police Station, but she was turned back by the police there. In April 2011, the police recorded the case following a court Order. On 14 August 2012, the police submitted the final report in the case, claiming that the probe found no evidence or witness. Henoara then filed an application

¹¹ The daily New Age, 11 February 2019; <http://www.newagebd.net/article/64475/man-shot-at-by-police-in-shahbagh>

¹² The daily Prothom Alo, 14 February 2019

¹³ The daily Jugantor, 16 February 2019

¹⁴ On 23 March 2011, Limon Hossain, son of a day-labour Tofazzaol Hossain of Saturaia village and a student of Kathalia PGS Technical College, was shot in the left leg by a team of RAB-8 led by DAD Lutfar Rahman near his home at Jamaddarhat of Rajapur in Jhalakati just a fortnight before his Higher Secondary Certificate exams. Limon's left leg was amputated at National Institute for Traumatology and Orthopaedic Rehabilitation hospital in Dhaka on 27 March 2011.

¹⁵ The daily New Age, 23 March 2019; <http://www.newagebd.net/article/68122/pbi-fails-to-complete-investigation-into-rab-shooting-at-lemon>

challenging the police report on 30 August 2012, which was rejected by a senior Judicial Magistrate on 13 February 2013. Then she moved the District and Session Judge's Court on 13 March 2013. Between March 2013 and 2018, the prosecution sought nearly 40 new dates for hearing.¹⁶



Limon Hossain. Photo: New Age, 23 March 2019.

Enforced disappearances

11. Allegations of enforced disappearance¹⁷ were frequently reported after the Awami League led Alliance government assumed power in 2009 and since then such crime continues. Currently, enforced disappearances have become an institutional practice. It was reported that leaders and activists of the opposition parties became victims of enforced disappearance before and after the controversial Parliamentary elections in 2014. It has been established that the state security forces were involved in cases of enforced disappearance.¹⁸ The commission of enforced disappearances occurred leading up to the 11th Parliamentary Elections held on 30 December 2018, which continued in the first

¹⁶ Ibid

¹⁷ It has been observed by analysing incidents of disappearance, that some men claiming to be members of law enforcement agencies are involved in picking people up without any warrant and taking them away in a microbus or car and they become traceless.

¹⁸ On 2 March 2017, disappeared victim Mokhlesur Rahman Jony's wife Jasmine Nahar Reshma filed a writ petition 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 Mokhlesur Rahman Jony of Kukhrali Village in Satkhira, after he was detained for three days at Satkhira Police Station. A Senior Judicial Magistrate of Satkhira, Habibullah Mahmud, submitted an inquiry report to the High Court Division on 4 July 2017 that found the involvement of three higher police officials in the arrest of Sheikh Mokhlesur Rahman Jony and his subsequent disappearance. According to the probe report, Satkhira Superintendent of Police Mohammad Altaf Hossain and former Satkhira Sadar Police Station officer-in-charge Emdadul Huq Sheikh, former Sub-Inspector Himel Hossain, were involved with the arrest and disappearance. It was mentioned in the probe report that the OC Emdadul Huq Sheikh, SI Himel Hossain, were directly involved.

(<http://www.newagebd.net/article/19321/>) In another case, Narayanganj District and Sessions Judge Syed Enayet Hossain on 16 January 2017 gave a verdict on the killing of seven persons subsequent their disappearance. 26 accused, including 16 RAB officers and commanding officer RAB-11, Lt. Col. (Retrd) Tareq Sayeed were sentenced to death.

(<https://www.iugantor.com/news-archive/first-page/2017/01/17/93821/>)

three months of 2019. Despite several investigation reports that have proved enforced disappearances exist in the country, members of the government repeatedly deny that enforced disappearances occur.

12. Some of the disappeared persons have been released after a long time. Resurfaced victims and their family members do not speak of the experience out of fear. It is to be mentioned that former Ambassador Maroof Zaman returned home on 15 March 2019 at 1:30 am, after 15 months of being disappeared.¹⁹ Maroof Zaman's daughter Samiha Zaman said he did not know who brought him to his Dhanmondi residence and that he could not even recognize his home.²⁰ The family refuse to speak of the matter any further.
13. On 3 February 2019 at around 10:30 pm, former corporal of the Army, Mukul Hossain was picked up by 8-10 armed men claiming to be from the Detective Branch of Police, from his residence at Kalabagan area in Dhaka. This was alleged by his wife Jasmine Ara. On 4 February, the day after Mukul Hossain was picked up, his friend Ashish informed Jasmine over telephone that DB Police had picked up Mukul Hossain. Kalabagan Police Station initially did not agree to take a General Diary of this incident, but later accepted it.²¹
14. **From January to March 2019, 12 persons were allegedly disappeared²² after being picked up allegedly by members of law enforcement agencies. Among them, the bodies of two disappeared victims were found; five were showed arrested after a few days of disappearance, one was surfaced alive and the whereabouts of four persons remain unknown.**

Condition in Prisons

15. Before the parliamentary elections on 30 December 2018, fictitious cases²³ filed against the opposition leaders-activists and dissenters and random arrest operations were carried out on various pretext. It was known that, due to mass arrests, there were more inmates in the prisons than their capacity. Although arrested in December 2018, many of them remained imprisoned until March

¹⁹ Maroof Zaman became victim of enforced disappearance on 4 December 2017 on the way to the airport when he was going to pick up his younger daughter Samiha Zaman from Hazrat Shahjalal International Airport. After taking him away, three well-built men went to Maroof Zaman's house and took his cell phone, laptop and other accessories. (<https://www.jugantor.com/news-archive/first-page/2017/01/17/93821/>)

²⁰ The daily Prothom Alo, 17 March 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=3&edcode=71&pagedate=2019-3-17>

²¹ The daily Prothom Alo, 11 March 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=8&edcode=71&pagedate=2019-03-11>

²² 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.

²³ The daily Prothom Alo, 20 February 2019; <https://www.prothomalo.com/bangladesh/article/1579851/in=3407>

2019, as they were not granted bail.²⁴ Humanitarian disasters arose in prisons due to the overcrowding. In January 2019, one hundred prisoners were kept in an abandoned warehouse of Khulna District Jail due to lack of space.²⁵ Many prisoners became ill as a result of unhygienic conditions in the jails. Moreover, inmates allegedly die in jail due to the lack of proper treatment facilities and negligence by prison authorities. The total capacity of prisons across the country is 36,614 but there were 86,550 inmates as of 31 March 2019.²⁶

16. **12 persons died in jail between January and March 2019. Among them, it was reported that 11 died due to ‘illnesses’ and one allegedly committed suicide.**

B. Political repression and hindrance to freedom of assembly

17. After the Awami League-led alliance re-assumed power through a farcical election²⁷ on 30 December 2018, the right to freedom of assembly, including holding meetings and rallies, of the opposition political parties and civil society groups continued to shrink. In addition to BNP, the government either barred or attacked the meetings and rallies organised by other opposition political parties and organisations protesting or demonstrating various issues. Even women protesters were physically assaulted. Some examples are given below:
18. On 1 January 2019, an organisation named ‘Votadhikar O Sushasone Jatiya Oikko’ (National Unity for the Right to Franchise and Good Governance) organised a human chain programme in front of the National Press Club, demanding the rejection of the farcical elections and the introduction of a permanent non-partisan neutral government system for elections immediately. The programme was stopped when police attacked the participants.²⁸
19. On 4 February 2019, the General Student Rights Protection Council convener Hasan Al Mamun went to submit a memorandum to the Vice-Chancellor, demanding the establishment of polling centres of the Dhaka University Central

²⁴ The daily Jugantor 12 January 2019; <https://www.jugantor.com/todays-paper/city/132234/>

²⁵ The daily Jugantor 12 January 2019; <https://www.jugantor.com/todays-paper/city/132234/>

²⁶ Prison Directorate, <https://www.prison.gov.bd/profile/prison-directorate>

²⁷ Even though all the parties participated in this election held under the ruling Awami League, there were reported incidents of ballot stuffing on the previous night, casting fake votes, forcing voters to stamping the ruling party electoral symbol ‘boat’ openly, capturing polling centers, and ousting and detaining opposition party nominated candidates’ polling agents and various other irregularities, including voters intimidation, by the ruling Awami League nominated candidates and their supporters, which were unprecedented. The Election Commission, the law enforcement agencies and the administration assisted the ruling Awami League in this vote rigging. As a result of this kind of election, the ruling party achieved absolute victory and its alliance partner Jatiya Party and other parties won a number of seats. <https://www.ti-bangladesh.org/beta3/index.php/en/highlights/5749-2019-01-15-07-24-53>

²⁸ The daily Naya Dignata, 2 January 2019; <http://www.dailynayadiganta.com/politics/377433/>

Students' Union (DUCSU) and the Residential Hall elections in the academic building and outside the residential hall and ensuring the co-existence of the students in the campus. At that time, 30-40 Chhatra League leaders-activists led by Surjo Sen Hall unit Chhatra League vice-president Raisul Islam, attacked Hasan Al Mamun, leaving him severely wounded.²⁹

20. On 9 February 2019, Narayanganj Metropolitan BNP organised a rally at the Press Club premises of Narayanganj City, demanding the release of BNP chairperson Khaleda Zia. It was stopped due to a police barrier.³⁰



Police stopped the protest rally that was held in Narayanganj as a part of a programme for the release of the BNP Chairperson. Photo: The daily Prothom Alo, 10 February 2019.

21. Booker Prize-winning Indian writer Arundhati Roy came to Dhaka to attend the biggest photo exhibition in South Asia “Chhabi Mela”. On 16 February, the Coordinator of Chhobi Mela sent a letter to Tejgaon Police Deputy Commissioner seeking permission for the programme titled “Utmost Everything Arundhati Roy in Conversation with Shahidul Alam” to be held on 5 March at Krishibid Institution Auditorium of Dhaka. On 25 February, the police gave permission to the organiser with conditions. On 4 March, the Tejgaon Police Station informed the organisers that the permission was cancelled, with no explanation as to why. Later, the organisers got permission to hold the programme at the MIDAS Convention Centre in Dhanmondi, Dhaka. The programme was cancelled there too due to police restrictions. Later, on public pressure, the government

²⁹ The daily Prothom Alo, 5 February 2019 ; <https://epaper.prothomalo.com/?mod=1&pgnum=7&edcode=71&pagedate=2019-2-5>

³⁰ The daily Naya Dignata, 10 February 2019; <http://www.dailynayadiganta.com/city/387352/>

withdrew the decision to cancel the programme of Arundhati Roy and the programme was finally held at the MIDAS Convention Centre.³¹

22. On 12 March 2019, when Progotishil Chhatra Jote (Progressive Students Alliance) brought out a procession in Chittagong University, demanding re-elections at DUCSU, the Awami League-backed university unit Chhatra League activists attacked the rally twice and dismantled it. During the attack, four activists of Progressive Student Alliance were injured and Chhatra League leaders and activists verbally abused women activists of the progressive student groups.³²
23. The 26th of March is Bangladesh's Independence Day. Homage is paid by various groups to Martyrs (Shaheed) memorials around the country. On 26 March 2019, police arrested 12 BNP leaders and activists, including the President and General Secretary of the district unit BNP after the paid tribute to the Shaheed Memorial monument at the Kushtia District collectorate premises on Independence Day.³³ Chhatra League³⁴ and Jubo League³⁵ activists attacked the procession of a BNP affiliated organisation, Sechchasebal Dal³⁶ on 26 March, while it was returning from paying homage to the martyr's memorial in Faridpur.³⁷ At the same time, incidents of attacks on the City BNP and district unit Jubo Dal³⁸ occurred while they were paying tribute to the martyr's memorial. Several BNP leaders and activists, including senior leaders of the district unit BNP, were seriously injured during attacks by criminals. When the injured were taken to Faridpur Medical College Hospital and General Hospital, the police also attacked them there.³⁹

Criminalisation of ruling party

24. **From January to March 2019, 19 persons were killed and 551 persons were injured in political violence. Furthermore, 57 incidents of internal violence in the Awami League recorded during this period. 13 persons were killed and 505 were injured in internal conflicts within the Awami League.**
25. The leaders of the ruling Awami League and its affiliated organisations have played a leading role in the criminalisation of Bangladesh's electoral system at

³¹ The daily Prothom Alo, 6 March 2019; <https://epaper.prothomalo.com/?pagedate=2019-3-6&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

³² The daily Prothom Alo, 13 March 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=3&edcode=71&pagedate=2019-03-13>

³³ The daily Jugantor, 27 March 2019; <https://www.jugantor.com/todays-paper/last-page/159639/>

³⁴ Student wing of Awami League

³⁵ Youth wing of Awami League

³⁶ Voluntary wing of BNP

³⁷ The Daily Star, 27 March 2019; <https://www.thedailystar.net/country/news/14-bnp-men-hurt-attack-bcl-jubo-league-1720969>

³⁸ Youth wing of BNP

³⁹ The daily Naya Dignata, 27 March 2019; <http://www.dailynayadiganta.com/last-page/398398/>

both the national and local level. Even though all political parties participated in the National elections held under the Awami League, there were widely reported incidents of ballot-box stuffing in the night before polling day, casting fake votes, forcing voters to stamp on the ruling party electoral symbol 'boat', 'capturing' polling centres, ousting and detaining opposition party nominated candidates' polling agents and various other irregularities, including voter intimidation against the ruling Awami League nominated candidates and their supporters. After grabbing power through such an unacceptable and farcical election, they attacked opposition party leaders-activists and dissenters. In the last three months, criminal activities of the Awami League, Chhatra League and Jubo League leaders and activists continued throughout the country. Apart from this, they were involved in clashes due to their vested interest and using firearms and other lethal weapons against each other. However, in most cases the accused were not brought to justice.⁴⁰

26. On 2 January 2019 at 10:00 pm, a group of 15-20 persons under the leadership of local Jubo League activists Fazlu and Majnu, attacked the houses of BNP, Juba Dal and Jatiyatabadi Chhatra Dal workers and vandalized them for voting for BNP candidates at Hassan Bhuiyar Haat area under Subarnachar Upazila in Noakhali District. Three BNP activists were injured in this incident. They were admitted to Noakhali General Hospital.⁴¹
27. In the night of 24 January 2019, Awami League-backed Chhatra League and Jubo League activists attacked and vandalized the house of Ilias Ali, joint convener of Upazila Juba Dal, in Noakhali Sadar Upazila. At that time, they beat and stabbed Ilias Ali leaving him injured. After that incident, they attacked and vandalized the house of Jubo Dal activist Shahjahan. During the attack, Ilias Ali and Shahjahan tried to contact Sudharam Police Station but the police did not respond. Ilias Ali and Shahjahan were admitted to Noakhali General Hospital in critical condition.⁴²
28. On 24 January 2019, students associated with the quota reform movement⁴³ went to the Bangla Academy under the leadership of the joint convener of the quota

⁴⁰ The daily Prothom Alo, 9 February 2019; <https://epaper.prothomalo.com/epaperimages/09022019/09022019-md-dh-4/816475640.jpg>

⁴¹ The daily Jugantor, 4 January 2019; <https://www.jugantor.com/todays-paper/news/129404/>

⁴² The daily Jugantor, 26 January 2019; <https://www.jugantor.com/todays-paper/news/137708/>

⁴³ Quota Reforms Movement was started by students, seeking reforms of the recruitment in the government service. The Government reserved 56% in the cadre and non-cadre class one jobs under the Bangladesh Civil Service. Among the 56 percent: 30% for grandchildren of 'freedom-fighters', 10% for women, 10% for district based population, 5% for ethnic minorities, and 1% reserved for the people with disabilities. The students of universities and colleges demanded for reducing the 'freedom fighter' quota and widening the public top jobs for aspirants having merits. The Government is accused of using the 'freedom-fighter' quota to recruit candidates having affiliation with the ruling party for political benefits.

reform movement, Rashed Khan, to see the preparations for the Amor Ekushey Book Fair. 10-12 Chhatra League activists attacked them there. Later, four students involved with the quota reform movement, Nurul Haque, Injamul Haque, Rafi Abiyan and Muntasir Mahmud were kept confined. Nurul Haque said that the attack was conducted on students due to express interest in participating in the Dhaka University Central Students Union (DUCSU) elections and to thwart the quota reform movement.⁴⁴

29. On 18 February 2019, there was a physical altercation between two groups of Chhatra League activists in Jagannath University. On 19 February, a second year student of the Finance Department of the University, Ehsan Habib was taken away from the campus. Later, he was sent to jail in a case filed in relation to this incident. Ehsan wrote an open letter from the Keraniganj Central Jail where he claimed that the University authorities knew he was innocent. Despite this, he was made a scapegoat in order to calm the situation down.⁴⁵ After 13 days of being detained in jail, on 3 March Ehsan Habib was released on bail.⁴⁶

DUCSU elections

30. There are allegations that on 11 March 2019, the Dhaka University Central Students Union (DUCSU) elections were held with several instances of irregularities and rigging, including ballot stuffing in the night before the elections. In protest of these irregularities, during the election, all the panels, except Bangladesh Chhatra League (BCL), boycotted the elections.⁴⁷ Candidates alleged that the BCL leaders and activists discouraged voters at every residential hall, since the beginning of the election preparations. Most of the non-resident voters were sent back from the hall gates and could not vote. A voter, who wished to remain anonymous, said that BCL activists controlled the voters line from the entrance of the halls. Many voters did not go to cast their vote due to fear. Although voting began at 8:00 am in other residential halls, the votes commenced at 11:15 am in Bangladesh-Kuwait Friendship Hall. At the beginning of the voting, the candidates wanted to see whether the ballot boxes were empty, but the administration refused to show the boxes. At one stage, students recovered ballot papers stamped on behalf of BCL nominated candidates from

⁴⁴ The daily Prothom Alo, 25 January 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=20&edcode=71&pagedate=2019-1-25>

⁴⁵ The daily Prothom Alo, 3 March 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=20&edcode=71&pagedate=2019-3-3>

⁴⁶ The daily Prothom Alo, 4 March 2019; <https://epaper.prothomalo.com/?pagedate=2019-3-4&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁴⁷ The daily Manabzamin, 12 March 2019; <http://www.mzamin.com/article.php?mzamin=163327&cat=2/>

the reading room. The election-observing teachers said in a statement that elections had not been fair.⁴⁸ The students' organisations organised various programmes in the university demanding re-election at DUCSU. Five students, who were on hunger strike, demanded re-election at DUCSU and Hall Council and the resignation of Rokeya Hall provost, and were reportedly harassed by BCL General Secretary Golam Rabbani on 13 March.⁴⁹ On 19 March, a visually impaired person named Rabiul Islam was beaten at Surjosen Hall where he was on hunger strike demanding re-elections.⁵⁰



Students hold pre-marked ballots as Dhaka University Proctor Golam Rabbani talks to journalists inside Bangladesh-Kuwait Maitree Hall during DUCSU polls. Photo: The Daily Star, 12 March 2019



Students protest with pre-marked ballots, alleging poll irregularities at the hall. Photo: The Daily Star, 12 March 2019

⁴⁸ The daily Manabzamin, 12 March 2019; <http://www.mzamin.com/article.php?mzamin=163327&cat=2/>

⁴⁹ The daily Prothom Alo, 15 March 2019; <https://epaper.prothomalo.com/?pagedate=2019-3-15&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁵⁰ The daily Prothom Alo, 20 March 2019; <https://www.prothomalo.com/bangladesh/article/1584325/>



Students in hunger strike, demanding re-election of the Dhaka Central University Central Student Parliament.
Photo: The daily Prothom Alo, 15 March 2019.

C. Public Lynching

31. Due to a weak criminal justice system, lack of implementation of laws, impunity of law enforcement agencies and corruption, people are losing their confidence and faith in the police and judicial system. As a result, ordinary citizens resort to the tendency of taking the law into their own hands and public lynching has increased.
32. On 7 January 2019, Awami League leader Mohiuddin Sohel demanded extortion from a businessman at Pahartoli Railway Market in Chittagong Metropolitan City. When the businessman refused, Sohel and his associates hit him on his head. When the news spread, traders and local people gathered and beat Sohel and his associates. Later the police rescued Sohel and brought him to Chittagong Medical College Hospital, where the doctors declared him dead. Local businessmen said that Awami League leader Sohel used to demand money after apprehending businessmen and other people and holding them hostage in his office. If he was not given money, he would hand them over to the police with Yaba or illegal weapons.⁵¹
33. **15 persons were killed in public lynchings during the last three months between January and March 2019.**

D. The Death Penalty

34. The death penalty remains in several criminal laws of Bangladesh. According to Odhikar's information, from January 2019 to March 2019, 47 persons have been

⁵¹ The daily Naya Diganta, 8 March 2019; <http://www.dailynayadiganta.com/first-page/378939/>

sentenced to death and one person named Saiful Islam Mamun was executed on 3 March 2019 for killing Saudi Arabian Diplomat Khalaf Al Ali, in Dhaka.

E. State and Constitutional Institutions

Election Commission

35. Although the Election Commission is a constitutional body, the current Election Commission led by KM Nurul Huda has lost public confidence due to the fact that elections conducted under it have been farcical. It is seen as a subservient institution of the government. There are allegations that activists and supporters of the ruling Awami League nominated candidates, with the help of the administration and election officials, stuffed ballot boxes in the night before voting, captured the polling centres, cast fake votes, and beat and ousted the polling agents of the candidate nominated by the opposition party during both the local government polls and the 30 December 11th Parliamentary elections held under this Election Commission.⁵² However, the Election Commission did not take action against these allegations. Instead of acknowledging their failures, the Election Commission claimed that the elections were held in free and fair manner. People have lost their confidence regarding the election system and Election Commission, which has also been reflected in the Mayoral election of the Dhaka North City Corporation held on 28 February and in the Upazila polls in four phases. These elections were boycotted by all opposition parties, including the BNP. Voter presence was almost nil in the Upazila elections.⁵³
36. Bangladesh is a state party to the International Covenant on Civil and Political Rights (ICCPR). Article 25 (b) of this Treaty states that every citizen shall have the right and the opportunity to vote and to be elected at genuine periodic elections ‘which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors’. However, the Election Commission has completely failed to fulfil the duty of protecting the right to franchise of the people.

⁵² <https://www.hrw.org/news/2019/01/02/bangladesh-election-abuses-need-independent-probe>; The daily Naya Diganta, 31 December 2018; <http://www.dailynayadiganta.com/more-news/376801>; <http://www.dailynayadiganta.com/last-page/376825/>; <https://epaper.prothomalo.com/?mod=1&pgnum=7&edcode=71&pagedate=2018-12-31>;

⁵³ The daily Prothom Alo, 2 March 2019; <https://epaper.prothomalo.com/?pagedate=2019-3-2&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

Local government elections 2019

37. Elections were held in 480 Upazilas of the country in four phases. The ruling Awami League and its alliance political parties took part in the elections by nominating party candidates, as the main opposition BNP and the Left-leaning political parties boycotted the polls due to unprecedented rigging in the eleventh Parliament elections. In most Upazilas, Awami League nominated candidates and Awami League 'rebel' candidates were contesting as independent candidates. Awami League nominated Chairman candidates in 120 Upazilas had already won the elections uncontested.⁵⁴



Voter less Waliya High School polling center in Natore, Lalpur. gives a polling agent time to take a nap. Photo: The daily Prothom Ao, 11 March 2019.



An almost deserted polling centre at Panchagarh Government Girls' High School where only 359 of a total of 4,149 voters had cast their vote until around 11:00am when the picture was taken. Photo: The Daily Star, 11 March 2019.

⁵⁴ The Prothom Alo, 27 March 2019; <https://www.prothomalo.com/bangladesh/article/1585543/>



An Ansar woman, who is supposed to guard the Teesta Girls' High School in Lalmonirhat town during upazila polls, shoos away goats. Only nine out of 3,982 voters cast their votes until 11:00am, when the picture was taken.

Photo: The Daily Star, 11 March 2019.

38. Elections were held in 78 Upazilas in the first phase on 10 March, in 116 Upazilas in the second phase on 18 March, in 117 Upazilas in the third phase on 24 March and 106 Upazilas in the fourth phase on 31 March.⁵⁵ Voters' presence in the elections was very limited. Voters did not show much interest in the Upazila elections, due to unprecedented rigging in the national elections on 30 December 2018. Although opposition parties boycotted the elections, there were clashes in many places during the polls as Awami League rebel candidates had contested and there were allegations of stuffing ballot boxes the previous night, snatching ballot papers and 'capturing' polling centres against the Awami League nominated Chairman candidates. As a result, the Election Commission postponed voting in many polling centres.⁵⁶
39. In the first phase of elections on 10 March, only 67 out of 2,591 voters cast their votes in Joypurhat Government Girls' School polling centre during Joypurhat Sadar Upazila polls.⁵⁷ Clashes took place when supporters of the Awami League nominated candidate, Abul Kashem Chowdhury, tried to caste fake votes after snatching away ballot papers in Shahpur Government Primary School polling centre of Mokrompur Union under Baniachang Upazila in Habiganj.⁵⁸ Supporters of Awami League in the Kashtal Government Primary School polling

⁵⁵ Election Commission, <http://www.ecs.gov.bd>

⁵⁶ The daily Naya Diganta, 11 March 2019; <http://www.dailynayadiganta.com/first-page/394476>

⁵⁷ The Prothom Alo, 11 March 2019; <https://epaper.prothomalo.com/?pagedate=2019-03-11&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁵⁸ Ibid

centre of Tahirpur Upazila, cast fake votes after forcibly ousting journalists from the centre premises.⁵⁹

40. In the second phase of elections held on 18 March, a large number of voters refrained from voting too. As a result, most of the polling stations were vacant. Even under such condition, allegations of stuffing ballot boxes the previous night, snatching ballot papers away and 'capturing' polling centres were made against the Awami League nominated candidates. Furthermore, some people, including election officials, were killed after voting took place. Criminals opened fire at election officials when they were returning to the Upazila Headquarters with polling materials after the voting time, from the Konglak polling centre under Baghaichhari Upazila in Rangamati District. Seven persons, including election officials, were killed and 25 were injured in this incident.⁶⁰



There are no voters so an assistant presiding officer takes a nap at PTI polling centre in Bogura. Photo: The daily Prothom Alo, 19 March 2019.

41. In the third phase of elections on 24 March, most of the polling stations were seen almost voter-less. Only 67 votes were cast till 3:00 in the afternoon at the Ansar Academy polling centre in Kaliakoir Upazila of Gazipur District. It was learnt from the office of the Returning Officer that, supporters of the Awami League nominated Chairman candidate, Tania Sultana, came to the polling centre and stuffed ballot boxes between 10 pm and 11 pm in the night before polls, after taking away the cell phones of the election officials in Kotiadi Upazila

⁵⁹ Information sent by local human rights defenders associated with Odhikar.

⁶⁰ The daily Naya Diganta, 19 March 2019; <http://www.dailynayadiganta.com/first-page/396463>

of Kishoreganj District. At that time, the police played a silent role. Moreover, police also played an associated role in this offence in some places. As a result the voting at this Upazila had been postponed.⁶¹ In the afternoon, Awami League activists entered the polling centres in Ramgonj Upazila of Laxmipur District and stamped the ballot papers in full view after snatching them away from the Presiding Officer.⁶² On 26 March 2019, a clash took place between police and supporters of the defeated Chairman candidate of Gopalganj Sadar Upazila, when they blocked Gopalganj-Kotalipara and Gopalganj-Takerhat roads in protest of vote rigging. At that time, a policeman was shot.⁶³



Ruling party activists, stamping ballot papers with the boat symbol and stuffing ballot boxes in Pachurukhi Government Primary School center in Ramganj Upazila, led by vice-president of Upazila Awami League, Azad Sheikh (right) and ward member Ismail Hossain Dulal (Left). Photo: The daily Naya Diganta 25 March 2019.

42. In the fourth phase of elections held on 31 March, voters' presence in most polling stations was very low. In order to increase voters' presence in the polling stations, announcements were made through megaphones from the mosques.⁶⁴ Supporters of the Awami League nominated Chairman candidates stuffed ballot boxes at around 11.00 pm on 30 March, after forcibly taking ballot papers from the presiding officers in Vitikandi Government Primary School, Daskandi Government Primary School and Bandarampur Government Primary School

⁶¹ The daily Prothom Alo, 25 March 2019; <https://epaper.prothomalo.com/?pagedate=2019-3-25&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁶² The daily Naya Diganta, 25 March 2019; <http://www.dailynayadiganta.com/election/397780>

⁶³ The daily Jugantor, 27 March 2019; <https://www.jugantor.com/todays-paper/city/159703/>; <http://www.dailynayadiganta.com/more-news/398373>

⁶⁴ The daily Manabzamin, 1 April 2019; <http://www.mzamin.com/article.php?mzamin=166208&cat=2>

polling centre under Titas Upazila in Comilla District. Later, voting was postponed in these polling centres.⁶⁵



The election officer with stamped ballot papers, after a group of youth cast fake votes in Nimsa High School polling center at Burichang Upazila, Comilla. Other officers hide their faces. Photo: The daily Prothom Alo, 1 April 2019.

Anti Corruption Commission

43. According to the Anti-Corruption Commission Act 2004, the Anti-Corruption Commission (ACC) is supposed to work as an independent and impartial institution, but the ACC could not perform its duty due to the pressure of the ruling party, which has been reflected in their various activities. Though the ACC had started investigations against the people associated with the present government at different times, most of the accused persons have received a clean chit. On the other hand, the ACC was not seen taking any effective action against allegations of embezzlement of huge amount of money from banks and reports of money laundering and corruption committed by the ruling party affiliated influential people. There are even examples of harassment on common people and imprisonment of apparently innocent people in the process of the ACC. The Anti-Corruption Commission arrested Jahalam, an innocent jute mill worker of Ghorashal in Narsingdi District instead of arresting the real accused Abu Salek in 33 forgery cases for embezzling 184.7 million taka from Sonali Bank. Jahalam was

⁶⁵ The daily Prothom Alo, 1 April 2019; <https://epaper.prothomalo.com/?pagedate=2019-4-1&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

imprisoned for nearly three years after being arrested on 6 February 2016. Jahalam's family was in severe economic crisis after he was imprisoned. It was learnt that, a person named Abu Salek embezzled 184.7 million taka from Sonali Bank by creating fake vouchers. On 18 December 2014, the ACC sent a letter to Jahalam to appear at its central office. After receiving the letter, Jahlam appeared before the ACC and said that he was not Abu Selak. However, the ACC submitted a charge sheet against a poor jute mill worker like Jahalam, accusing him in a case of embezzlement of Tk 184.7 million.⁶⁶ On 28 January 2019, a report titled "Sir, I am Jahalam, not Salek", was published in the daily Prothom Alo. A Supreme Court lawyer brought the matter to the High Court division bench comprising of Justice FRM Nazmul Ahsan and Justice Kamrul Kader. The Court issued a Suo Moto Rule to the ACC Chairman, Home Secretary and Law Secretary as to why the detention of Jahalam will not be declared illegal. On 3 February, the same Bench of the High Court Division issued an Order to release Jahalam from jail declaring him innocent in 33 cases filed by the ACC. Jahalam was released from the jail on the same night.⁶⁷



Accused Abu Salek (left), innocent Jahalam (right) Photo: The daily Prothom Alo, 28 January 2019.

National Human Rights Commission

44. Allegations of various controversial activities and being bias towards the government, have been found against the National Human Rights Commission (NHRC). Even though there were a large number of reported human rights violations perpetrated in the country, including extra-judicial killings, enforced disappearance and torture, the National Human Rights Commission was not seen taking any effective role in this regard. On 30 December, the parliamentary

⁶⁶ The daily Prothom Alo, 28 January 2019; <https://www.prothomalo.com/bangladesh/article/1576452>

⁶⁷ The daily Manabzamin, 4 February 2019; <http://www.mzamin.com/article.php?mzamin=157885&cat=3>

elections were held with unprecedented rigging and farce. However, the NHRC Chairman Kazi Reazul Haque said in a press conference on 1 January 2019, that there was no incident of human rights violations during the eleventh Parliamentary elections. He further stated that voters were able to vote for their favorite candidates. Thus, the election was free, fair and neutral.⁶⁸ This shows where the loyalty of the NHRC lies. The NHRC Chairman did not stop there. On 30 December 2019, election day, leaders and activists of Subarnachar Awami League gang raped a BNP activist's wife due to her voting for a BNP nominated candidate in Noakhali's Subarnachar.⁶⁹ The National Human Rights Commission formed an inquiry committee in this regard. Quoting the report of the inquiry committee, the NHRC Chairman said that the Commission's inquiry committee did not find any proof that the incident of rape and serious injuries in Subarnachar had any connection with the 11th Parliament election.⁷⁰ After criticism about the Commission's statement, the NHRC Chairman withdrew from the previous statement on 17 January and said that the Commission did not say that there was no relation between the election and rape.⁷¹

F. Freedom of Expression and Repressive Laws

45. Intervention of the government and the ruling party men on the freedom of expression in the first three months of 2019 was noticeable. The government is controlling most of the media, especially the electronic media, and putting pressure on it through different means, which hinders accurate and impartial reporting and proper journalism. Almost all electronic media and a large number of the print media are owned by pro-government or ruling party supporters. The only state TV channel BTV is completely controlled by the government. Meanwhile, the government closed down pro-opposition electronic media – Channel 1, Diganta TV, Islamic TV – and the publication of the popular newspaper, the daily Amar Desh since 2013. In this repressive situation, those journalists and reporters, who published impartial reports, were attacked by the ruling party leaders and activists. Journalists were even arrested with instructions from high government officials for publishing reports. Filing cases and arresting journalists and ordinary citizens critical of the government and harassing opposition party activists and dissidents by using the repressive

⁶⁸ The daily Jugantor, 2 January 2019; <https://www.jugantor.com/todays-paper/last-page/128568>

⁶⁹ The daily Naya Diganta, 18 January 2019; <http://www.dailynayadiganta.com/first-page/381463>

⁷⁰ The daily Prothom Alo, 13 January 2019; <https://www.prothomalo.com/bangladesh/article/1574390/>

⁷¹ The Daily Star, 19 January 2019; <https://www.thedailystar.net/bangla/>

Digital Security Act⁷² of 2018 is increasingly common. The accused are also being sentenced and sent to jail in cases filed under section 57 of the Information and Communication Technology Act 2006 (amended 2009 and 2013).

46. On 9 January 2019, a Cyber Tribunal judge Ash Shams Jaglul Hossain sentenced cell phone businessman Mohammad Monir (20) to seven years of rigorous imprisonment in a case filed under section 57 of the Information and Communication Technology Act, for allegedly distorting Prime Minister Sheikh Hasina's picture on Facebook.⁷³
47. On 11 March 2019, Sarafuzzaman Ansari, Magistrate of the Dhaka Chief Metropolitan Magistrate Court, issued a warrant of arrest against Mahfuza Akhter Kiran, member of the Bangladesh Football Federation and former General Secretary of the Women's Sports Association, on charges of making a 'derogatory remark' against Prime Minister Sheikh Hasina. Mahfuza Akhter complained in a comment that the Prime Minister only gave importance to cricket and that she has no interest in other sports, especially football. When her comments were published in the media, sports organiser Abu Hassan Chowdhury Prince filed a case against Mahfuza Akhter.⁷⁴ On 16 March, the police arrested Mahfuza Akhter and sent her to jail through the court.⁷⁵ After huge criticism at home and abroad regarding her arrest on 19 March, the court granted her bail.⁷⁶
48. **From January to March 2019, 12 persons were arrested under the Digital Security Act, 2018.**
49. Botiaghata Upazila Executive Officer Debashish Chowdhury filed a case against Hedayet Hossain Mollah, Khulna District correspondent of Dhaka Tribune and Rashidul Islam, Staff Reporter of the daily Manabzamin with Botiaghata Police Station under the Digital Security Act, 2018 on charges of questioning the election results declared in the Khulna-1 constituency on 30 December. On 1 January, Hedayet Hossain Molla (41) was arrested by the police. It was stated in the case document that Rashidul and Hedayet mutually agreed to publish false news that about 22,419 more votes were cast than the total number of voters in

⁷² The contents of section 57 of the notorious Information and Communication Technology Act has been divided and included in four sections (25, 28, 29 and 31) of the DSA, making the law more stringent. Such repressive laws are being used to violate freedoms of opinion and expression enshrined in Article 39(2) of the Constitution and guaranteed as fundamental rights. The most controversial section of the DSA, section 32 is contrary to the Right to Information Act 2009. Section 43 of this Act says that if a police officer believes that the crime has been committed under this law or committed at a particular place or there is a possibility of such crime or the evidence is likely to be lost, then the police can search anywhere. Furthermore, if any person is suspected of committing an offense under this Act, then the police can arrest the person without a warrant.

⁷³ The daily Jugantor, 10 January 2019; <https://www.jugantor.com/todays-paper/second-edition/131631/>

⁷⁴ The daily Jugantor, 13 January 2019; <https://www.jugantor.com/national/154625/>

⁷⁵ The daily Jugantor, 19 March 2019; <https://www.jugantor.com/sports/155714/>

⁷⁶ The daily Prothom Alo, 19 March 2019; <https://www.jugantor.com/sports/156855/>

this constituency in order to question the legitimacy of the elections.⁷⁷ Hedayet Hossain Molla was released from jail on 3 January after the Khulna District and Sessions Judge's Court granted bail. Rashidul Islam secured an interim bail for four weeks on 21 January, from a High Court Division Bench comprising of Justice Muhammad Abdul Hafiz and Justice Mohiuddin Shamim and the Khulna District and Sessions Judge Court granted his bail on 17 February when he appeared in the court.⁷⁸



Khulna District correspondent of Dhaka Tribune, Hedayet Hossain Mollah (centre). Photo: The daily Jugantor, 2 January 2019.

50. Members of RAB-7 arrested Dewan Mahmuda Akhter Lita, Publicity Secretary of Chittagong City unit Jatiyatabadi Mahila Dal⁷⁹ and handed her over to Khulshi Police Station on charges of 'derogatory comments' against Prime Minister Sheikh Hasina on Facebook. A case was filed against her with Khulshi Police Station under the Digital Security Act, 2018.⁸⁰
51. On 19 February 2019, the daily Jugantor published a report titled 'Nawabgonj OC Mostafa Kamal's Alishan Bari'⁸¹. In retaliation to this report, Nawabganj Awami League leader Mohammad Palash Mia, who had a good rapport with OC⁸² Mostafa Kamal, filed a case against several correspondents of the daily Jugantor

⁷⁷ The daily Jugantor 2 January 2019; <https://www.jugantor.com/eleventh-parliament-election/128816/>

⁷⁸ Information sent by local human rights defender from Khulna. The daily Naya Diganta 23 January 2019; <http://www.dailynayadiganta.com/more-news/382640/>

⁷⁹ Women wing of BNP

⁸⁰ Information sent by local human rights defender from Chittagong.

⁸¹ Translated as: 'The mansion of Nawabganj's OC Mostafa Kamal'

⁸² Officer-in-Charge of a police station

and Jamuna TV under the Digital Security Act 2018. Police arrested two of the accused, Abu Jafar and Azharul Haque, under this case.⁸³

52. **From January to March 2019, 12 journalists were injured, one was threatened, four were arrested and five were sued during the professional duties.**
53. Sardar Sohel, Uzirpur correspondent of the daily Barisal Protidin and General Secretary of Uzirpur Press Club, went to Changuria Government Primary School to collect information on a dispute regarding the School Management Committee. Due to this, on 8 January 2019, Awami League leader Mohammad Atahar Ali Khan and some of his associates attacked Sardar Sohel and beat him. He was admitted to Uzirpur Health Complex in critical condition.⁸⁴
54. On 18 February 2019, a clash took place between two factions of Awami League-backed Chhatra League in Murari Chand (MC) College in Sylhet district on the occasion of spring festival. When photojournalist Yusuf Ali of the daily Samakal, photojournalist Mithu Das of the daily Jagoron and photojournalist Kawsar Ahmed of Sylhet's online-based television Shill TV were taking photos of this incident, Chhatra League activists attacked them. The injured journalists were given treatment at Sylhet M A G Osmani Medical College Hospital.⁸⁵
55. On 22 February 2019, Lohagara correspondent of the daily Jugantor, Mohammad Salim Uddin, was arrested under a case filed in 2014, for publishing a report regarding corruption against Lohagara Upazila Executive Officer Abu Aslam in Chittagong. Salim's wife Murshida Begum alleged that Abu Aslam himself threatened to shoot Selim in the presence of police during his arrest.⁸⁶
56. On 26 March 2019, some activists in an Awami League Independence Day procession attacked Lalmonirhat correspondent of the daily Manabkantha Asaduzzaman Saju and vandalised his camera when he was taking picture of the procession, in Hatibandha Upazila of Lalmonirhat District. Saju was admitted to Rangpur Medical College Hospital with severe injuries.⁸⁷

⁸³ The daily Jugantor 23 February 2019; <https://www.jugantor.com/todays-paper/first-page/147446/>

⁸⁴ The daily Naya Diganta, 9 January 2019; <http://www.dailynayadiganta.com/more-news/379136/>

⁸⁵ The daily Prothom Alo, 19 February 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=2&edcode=71&pagedate=2019-2-19>

⁸⁶ The daily Jugantor, 24 February 2019; <https://www.jugantor.com/todays-paper/first-page/147844/>

⁸⁷ The Daily Star, 27 March 2019; <https://www.thedailystar.net/country/news/journalist-assaulted-camera-vandalised-1720975>



Unruly people from an Awami League procession beat journalist Asaduzzaman Sazu on a road in Hatibandha Upazila of Lalmonirhat. Photo: The Daily Star, 27 March 2019

G. Violence against Women

57. From January to March 2019, women have been victims of rape, sexual harassment, dowry related and domestic violence. The number of child victims seems to have increased. Despite the various types of oppression and widespread incidents of violence against women and children, the status of the trial and punishment of perpetrators is very frustrating.⁸⁸

Rape

58. Nearly half of the women and children became victims of harassment in the police station at the time of filing rape cases.⁸⁹ Their cases are being recorded reluctantly. They had to spend money and in most cases, police cannot arrest the accused.⁹⁰ Police have blamed political leaders, public representatives, local criminals and senior police officers for not being able to arrest the accused.⁹¹ Police investigation found that two-thirds of the victims of rape are children. There is no rule of law in the country due to the establishment of an

⁸⁸ The daily Prothom Alo gathered primary information of 7,864 cases of rape, gang rape, attempt to rape, killings and provocation to suicide in dowry violence and sexual harassment filed under five Tribunals of Dhaka District between 2002 to October 2016. Among them, 4,277 cases were resolved but punishment is given in only 110 cases. Only in 3% of the cases were perpetrators punished. On the other hand, in 97% cases, accused either withdrew before the trial or were acquitted after the trial.

⁸⁹ The daily Prothom Alo, 3 March 2019; <https://www.prothomalo.com/bangladesh/article/1581667/>

⁹⁰ The daily Prothom Alo, 3 March 2019; <https://www.prothomalo.com/bangladesh/article/1581667/>

⁹¹ The daily Prothom Alo, 3 March 2019; <https://www.prothomalo.com/bangladesh/article/1581667/>

unaccountable government as it reassumed power by using party leaders and activists through farcical elections. As a result, the ruling party leaders, activists and supporters are enjoying impunity and they are carrying out various kinds of violence against women, including rape.

59. **From January to March 2019, a total of 174 females had been raped. Among them, 51 were women, 122 were children and one person's age could not be determined. Of the women, 26 were victims of gang rape and one was killed after being raped. Out of the 122 girls, 30 were victims of gang rape and 10 committed suicide. 14 females were also victims of attempted rape.**
60. On 18 January 2019, Dhanshiri Union unit Jubo League⁹² Vice-President Zakir Hossain and a few of his associates gang raped the wife of Abul Hossain, a mason and BNP activist, at gun point in Kabirhat of Noakhali District. Police had arrested Abul Hossain, the husband of the rape victim, before the 30 December 2018 elections. As Abul Hossain was in jail, criminals attacked his house and raped his wife. Police arrested Zakir Hossain in this regard.⁹³



Vice-president of Juba League, Rapist Zakir Hossain. Photo: The daily Jugantor, 19 January 2019.

61. On 1 March 2019, Juba League activist Alauddin raped a woman in Subarnachar of Noakhali District. At that time, hearing screams of the woman, the people around the area apprehended Alauddin and took him to Mohammadpur Union Parishad member Nuru Mia. However, Nuru Mia released the rapist for 60 thousand taka instead of handing him over to the police. The woman committed suicide on 2 March after failing to get justice. Police later arrested Alauddin.⁹⁴
62. On 31 March 2019, during the fourth phase of Upazila elections, a woman and her husband were returning home after voting for their choice of Vice-Chairman

⁹² Youth wing of Awami League

⁹³ The daily Jugantor, 19 January 2019; <https://www.jugantor.com/country-news/135144/>

⁹⁴ The daily Jugantor, 8 March 2019; <https://www.jugantor.com/todays-paper/second-edition/152629/>

candidate. At that time 10-12 criminals, including supporters of the rival candidate and Jubo League activist Siraj Sardar's son Fazlur Rahman, Abul Bashar, Helal Uddin, Arman, Raihan and Abul Kashem stopped them and raped the woman after holding her husband. The woman was admitted to Noakhali General Hospital with serious injuries.⁹⁵

Acid violence

63. **Between January and March 2019, it was reported that eight persons became victims of acid violence. Of them, five were women and three were girls.**
64. According to a report from the Ministry of Home Affairs, most of the accused are being acquitted, as the allegations in the cases relating to acid violence could not be proved. Only 9 percent of the accused were given punishment. In the last 16 years, 2169 cases in relation to acid violence were filed against 5837 accused persons, but only 343 accused were convicted.⁹⁶

Sexual harassment

65. **From January to March 2019, a reported total of 17 women and children were victims of sexual harassment. Among them, two committed suicide, two were injured, five were assaulted and eight were harassed in various ways.**
66. On 2 March 2019, Sumi Rani (14), a school girl, committed suicide after being sexually harassed by a father of two children, Surjo Roy, when she was alone in the house in Syedpur under Nilphamari District. Sumi's mother Moyna Rani said that Surjo Roy had been harassing Sumi for a long time. Moyna Rani filed a case against Surjo with Sayedpur Police Station. Surjo's men pressurised Sumi's family to withdraw the case.⁹⁷

Dowry related violence

67. **In the first three months of 2019, a reported total of 15 women were subjected to dowry violence. Among them, nine were allegedly killed and six were physically abused due to dowry demands.**
68. On 7 February 2019, a housewife named Rupa Akter (25) was allegedly killed by her husband Benu Mia and his parents and her body was kept hanging in the house. She had failure to get 50 thousand taka dowry from her parents. The incident took place in Kaira Village under Madhavpur Upazila of Habiganj District.⁹⁸

⁹⁵ The daily Jugantor, 2 April 2019; <https://www.jugantor.com/todays-paper/last-page/162079/>

⁹⁶ The daily Prothom Alo, 24 January 2019; <https://www.prothomalo.com/bangladesh/article/1575905/>

⁹⁷ The daily Naya Dignata, 4 March 2019; <http://www.dailynayadiganta.com/bangla-diganta/392604/>

⁹⁸ The daily Manabzamin, 10 February 2019; <http://www.mzamin.com/article.php?mzamin=158750&cat=9/>

H. Labour Rights

69. In the first three months of this year, workers of the both formal and informal sectors have been subjected to various human rights violations. Furthermore, migrant women workers have returned home after becoming victims of various types of violence abroad.

Formal sector: Condition of RMG factory workers

70. The ready-made garment industry is one of the large sources of foreign revenue for Bangladesh. The contribution of workers associated with this industry is immense. However, incidents of closing down of factories without notice, harassment, sudden termination of workers and not paying wages on time, often occur and this has resulted in labour unrest. In many factories, workers are deprived from trade union rights. Although more than 60% of workers in this sector are women⁹⁹, in many factories women workers are facing different types of deprivation and physical and mental repression. In January 2019, one worker was killed on the streets while demanding increased wages.

71. Workers of the RMG factories started their movement in Dhaka from 5 January 2019 and soon workers in adjacent areas too began demanding implementation of the minimum wage structure and pay arrears. Police barred and attacked this movement. In continuation of this movement, on 8 January, during protests, a worker named Mohammad Suman Mia (22) was killed in police firing.¹⁰⁰ Due to their participation in the labour movement, 11,000 workers of 99 factories in Dhaka, Savar, Ashulia, Gazipur and Narayanganj were terminated and 3,500 workers have been accused in 34 cases.¹⁰¹

⁹⁹ Dhaka Tribune, 3 March 2018; <https://www.dhakatribune.com/business/2018/03/03/womens-participation-rmg-workforce-declines>

¹⁰⁰ The daily Naya Diganta, 9 January 2019; <http://www.dailynayadiganta.com/first-page/379168/>

¹⁰¹ The daily New Age, 13 February 2019; <http://www.newagebd.net/article/64683/11000-rmg-workers-fired>



Sumon Mia, shot to death by police. Photo: The Bangla Tribune, 8 January 2019.



Police action against the workers while protesting on 14 January. Photo: The daily Naya Diganta, 18 January 2019.

72. In the face of workers' movement, the government announced a revised wage structure on 13 January 2019, coordinating the wage structure of the workers. According to the revised salary structure, the rate of Taka 747 in Grade 1, Taka 786 in Grade 2, Taka 255 in Grade 3, Taka 102 in Grade 4, Taka 20 in Grade 5 and Taka 15 in Grade 6 has been increased.¹⁰² The government has raised the minimum monthly wage for RMG workers to Tk 8,000 from the existing Tk 5,300 with effect from December 2018. Reports state that workers are not happy with

¹⁰² The daily Jugantor, 14 January 2019; <https://www.jugantor.com/todays-paper/first-page/132864/>

the revised salary structure and that they have been demanding minimum wage of 16,000 taka.¹⁰³

73. On 9 March 2019, a woman worker named Hazera, at a garment factory named Four H Apparels in Chittagong, committed suicide on the same day factory officials humiliated her for an allegation of stealing. On 13 March, the police attacked workers when they started a protest rally demanding punishment for those involved in the incident. Police took away the camera of Prothom Alo photojournalist Jewel Shil and harassed him. At least 10 workers were injured during the police attack. Among the injured, there were eight women workers.¹⁰⁴



In front of Baluchora Four H. Apparels Limited in Chittagong City, a worker was injured by police beating. She was rescued and taken to the hospital by her colleagues. Photo: The daily Prothom Alo, 14 March 2019.

74. **From January to March 2019, one worker was killed. Furthermore, 228 workers were injured by the police during demonstrations for various demands, including overdue wages and allowances.**

Informal sector: Condition of construction workers

75. Construction workers are victims of various discrimination and their human rights are violated. They have enormous contribution in the construction of roads, bridges and buildings, but these workers, who fall in the category of the informal workforce, are being discriminated against in areas of wages, social safety nets and other benefits. Women workers in this sector are subjected to

¹⁰³ The Daily Star, 14 September 2018; <https://www.thedailystar.net/business/news/bangladesh-rmg-garment-workers-minimum-salary-8000-taka-announced-1633342>

¹⁰⁴ The daily Prothom Alo, 14 March 2019; <https://www.prothomalo.com/bangladesh/article/1583328/>

more discrimination as men are given priority in the construction industry. The condition of women workers is obviously more vulnerable. They are often forced to work even lower than the minimum wage. Furthermore, they have to work without having any separate toilet, bathing area, safe water and childcare facility. Apart from this, they are appointed in risky jobs without providing any safety measures such as using gloves or masks during work.

Ship breaking workers

76. On 18 February 2019, two workers died in a fire while cutting a vessel at Sagarika Ship breaking Industry in Shitalpur Chowdhuryghat area of Sitakunda in Chittagong. 77 ship-breaking workers have died in 5 years during accident in the ship-breaking factory in Chittagong.¹⁰⁵ It has been reported that the workers who are employed in the factories are being killed in accidents due to lack of protection gear and fire extinguisher, including other safety materials like gloves and helmets.¹⁰⁶

Condition of migrant women workers

77. On 20 January 2019, 81 women workers returned to Bangladesh from Saudi Arabia after being victims of various types of violence. Among them, was a teenager. Three persons, including the teenager, were admitted to the One-Stop Crisis Center of Dhaka Medical College Hospital.¹⁰⁷ There are allegations that many Bangladeshi workers working abroad are dying. According to a government report, 3,793 workers died while working abroad in 2018. Among them, a 20-year-old woman worker Mousumi Akter died in Jordan. Mousumi Akhter's uncle Mohammad Imran Khan said that after bringing her body back, he saw black bruise marks on her.¹⁰⁸ Various types of violence, including sexual violence against female workers continues in the Middle East. Earlier, many migrant women workers shared their tales of persecution after returning in the country. Nevertheless, the government did not take any effective measures in this regard. As a result, every year, women workers are returning home with empty hands due to various types of repression.¹⁰⁹

¹⁰⁵ The daily Prothom Alo, 27 February 2019;

<https://epaper.prothomalo.com/?mod=1&pgnum=20&edcode=71&pagedate=2019-2-27>

¹⁰⁶ The daily Prothom Alo, 27 February 2019;

<https://epaper.prothomalo.com/?mod=1&pgnum=5&edcode=71&pagedate=2019-01-23>

¹⁰⁷ The daily Prothom Alo, 23 January 2019; <https://epaper.prothomalo.com/?mod=1&pgnum=5&edcode=71&pagedate=2019-01-23>

¹⁰⁸ The daily Manabzamin, 24 January 2019; <http://www.mzamin.com/article.php?mzamin=156107&cat=6/>

¹⁰⁹ The daily Naya Dignata, 11 June 2018 www.dailynayadiganta.com/first-page/324510 and New Age 10 June 2018 <http://www.newagebd.net/article/43316/overseas-jobs-shrinking>

I. Human Rights Violations in Religious Minority Communities

78. Incidents of vandalism in places of worship belonging to the religious minority Hindu community and the houses of the ethnic minority communities were set on fire in the last three months. Allegations of involvement of the ruling Awami League leaders and activists in these incidents were found. Such incidents could not be stopped due to the politicisation of these occurrences and the lack of prosecution. Moreover, during this period, houses of the Ahmadiyya community were attacked by criminals and their religious programmes were stopped by the local administration.
79. In the night of 25 January 2019, criminals vandalized the effigies at a Kali Mandir (Hindu temple) in Kalmakanda Upazila under Netrokona District. Yamin (22), son of Awami League leader Jalal Uddin, was arrested for his alleged involvement in the incident.¹¹⁰
80. On 12 February 2019, people with banners from different organisations attacked and vandalized the houses and shops of the Ahmadiyya Muslim Jamaat, demanding a shutdown of their three-day long *Salana Jalsa* (Annual Conference) in Ahmadnagar of Panchagarh District. Later the District administration cancelled the permission for holding the conference.¹¹¹
81. In the early morning of 24 March 2019, a group of criminals, led by local Awami League leader Hossain Mosharraf, attacked the houses of the ethnic minority Pahan community with sharp weapons and sticks and set their houses on fire in Dhamurhat Upazila under Naogaon District, while they were asleep. It was learnt that the local leader of the ruling Awami League allegedly led the arson attack in order to occupy the land. As a result, at least 37 landless families, mostly from the indigenous Pahan community, became homeless. The police arrested Hossain Musharraf in this incident.¹¹²

¹¹⁰ The daily Naya Diganta, 27 January 2019; www.dailynayadiganta.com/more-news/383633/

¹¹¹ The daily Jugantor, 14 February 2019; <https://www.jugantor.com/todays-paper/news/144239>

¹¹² The Daily Star, 27 March 2019; <https://www.thedailystar.net/backpage/news/goons-evict-37-landless-families-1720927>



This woman had her home on this khas land in Naogaon's Dhamoirhat upazila two days ago. At least 37 homes, were burnt to ashes early on Monday by alleged land grabbers. She could only find a broken lantern, a pitcher and a mug from the ashes of her home. Most of the victim families are now living under the open sky. Photo: The Daily Star, 27 March 2019.

J. Neighbouring States: India and Myanmar

India's interference on Bangladesh

82. Apart from Indian interference and various activities of India's supremacy over Bangladesh, incidents of killing and torture of Bangladeshi citizens continued from January-March 2019 by the Indian Border Security Force (BSF) after illegally trespassing into Bangladesh territory.

83. From January to March 2019, seven Bangladeshis were shot dead by the Indian Border Security Force (BSF). Furthermore, two Bangladeshis were either shot or injured. Of them, one was shot and wounded and one was tortured. One Bangladeshi was also abducted by the BSF. It is to be noted that, not a single incident of BSF killing has been prosecuted till date.¹¹³
84. On 18 January 2019, two armed members of the Indian BSF entered Bangladesh territory through Munglobari border under Patgram Upazila in Lalmonirhat District. At that time, when villagers surrounded the BSF members, they fired blank shots and ran away.¹¹⁴
85. On 24 January 2019, Jamal Uddin (45) along with some others entered India to bring cows through the adjacent area of pillar 1 of Shahebnagar border in Godagari of Rajshahi District. At that time, members of 35 BSF Char Ashariadaha Camp under Lalgola Police Station in Murshidabad District, shot at them. As a result, Jamal died on the spot.¹¹⁵
86. On 2 February 2019, a Bangladeshi citizen named Asadul Islam (29), while returning with cows through Patgram border in Lalmonirhat District, was shot dead by BSF members of New Kuchilibari and his body taken to their camp.¹¹⁶

Genocide against Rohingya population

87. On 4 January 2019, the remaining Rohingyas in the Rakhine state of Myanmar were reportedly attacked again by the Myanmar Army in retaliation to the attacks on four border posts in Myanmar's Buthidaung, by the insurgent armed group Arakan Army.¹¹⁷
88. Meanwhile the deportation of Rohingya people from India has started. Between December 2018 and 16 January 2019, as many as 1,300 Rohingya refugees from India came to Bangladesh.¹¹⁸ They had taken shelter in India in the past. However, India is now forcing them to move from there to Bangladesh. The Bangladesh government has not protested or taken any action against such incidents. Meanwhile, the Border Guard Bangladesh (BGB) arrested these Rohingyas and sent them to the Rohingya refugee camps in Cox's Bazar.¹¹⁹
89. The UN Special Rapporteur on Myanmar, Yanghee Lee, visited Bhasanchar on 24 January 2019 and said that the Rohingyas should not be hurriedly transferred

¹¹³ Odhikar, Annual Human Rights Report 2017; http://odhikar.org/wp-content/uploads/2018/01/Annual-HR-Report-2017_English.pdf

¹¹⁴ The daily Jugantor, 19 January 2019; <https://www.jugantor.com/todays-paper/second-edition/135040/>

¹¹⁵ Information sent by local human rights defender from Rajshahi.

¹¹⁶ The daily Jugantor, 3 February 2019; <https://www.jugantor.com/todays-paper/news/140518/>

¹¹⁷ The daily Naya Diganta, 9 January 2019; <http://www.dailynayadiganta.com/last-page/379202>

¹¹⁸ The daily Prothom Alo, 17 January 2019; <https://www.prothomalo.com/bangladesh/article/1575017>

¹¹⁹ The daily Prothom Alo, 18 January 2019; <https://www.prothomalo.com/opinion/article/1575039>

there without assessing the situation if a cyclone occurred and without adequate scrutiny of the island's facilities.¹²⁰ However, a document published by Reuters shows that the United Nations is making plans to help the government relocate thousands of Rohingya refugees to the remote island Bhasanchar. Odhikar believes that if the Rohingyas are transferred to the disaster prone area, they might face worst natural calamities and their repatriation process is likely to be interrupted.

90. Rohingyas living in refugee camps in Cox's Bazar do not have the opportunity to avail of legitimate livelihood schemes, and the aid-oriented lazy life of active adult men and women can lead them to various criminal offences. According to UNHCR, 42 percent of the Rohingya refugees who have sheltered in Ukhiya and Teknaf are adult.¹²¹ In fact, most of the Rohingyas are in different types of mental trauma. If they remain unemployed, then this idle and frustrated life may well bring further mentally damage.

K. Hindrance to Human Rights Activities

91. In continuation of the government persecution that started in 2013, a lot of incidents of harassment on Odhikar took place before the controversial parliamentary elections of 30 December 2018.¹²² Although Odhikar submitted an application to the NGO Affairs Bureau under the Prime Minister's Office for the renewal of its registration in 2014, the registration was not renewed till date. In order to halt all human rights activities, the NGO Affairs Bureau has stopped fund clearance for all projects for five years and completely barred any approval of any new project. The Standard Chartered Bank also suspended Odhikar's Bank Accounts as part of the government's repression. Furthermore, surveillance by intelligence agencies and government pressure on Odhikar continuous.

¹²⁰ BBC Bangla news, 25 January 2019; <https://www.bbc.com/bengali/news-47003349>

¹²¹ https://data2.unhcr.org/en/situations/myanmar_refugees

¹²² During this reporting period, surveillance and questioning of Odhikar by the intelligence agencies increased. Furthermore, the pro-government media published false and ill-motivated reports against Odhikar. The Election Commission abruptly cancelled the registration of Odhikar as an 'election observer' without any notice, on 6 November 2018.

Recommendations

1. The election system of Bangladesh should be redesigned/reconstructed by removing the government subservient persons from the Election Commission to make it truly independent and neutral; and democracy must be ensured by establishing a democratic government through free, fair and creditable elections under a neutral caretaker government or under the direct supervision of the United Nations if necessary.
2. The government must stop extrajudicial killings in the name of carrying out 'anti-drug drives' or on any other pretext. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators must be brought to effective justice.
3. 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.
4. The government must stop enforced disappearances perpetrated by law enforcement agencies and bring the members of the state security forces and law enforcement agencies who are involved in this heinous crime, before the law. The government must accede to the International Convention for the Protection of All Persons from Enforced Disappearance.
5. The government should refrain from repressive, unconstitutional and undemocratic activities. Human rights, including freedom of assembly of the opposition political parties and people who have alternative beliefs have to be respected. The government must stop harassment against the opposition and dissenters.
6. All political parties must take coordinated initiatives in order to stop political violence and criminalisation. The government must take legal action against the ruling party leaders and activists for criminal activities.
7. Freedoms of speech, expression and the media must be ensured and protected. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel 1 must be removed.
8. All repressive and abusive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 and 2013), the Digital Security Act, 2018 and the Special Powers Act, 1974 must be repealed.
9. Trade union rights should be guaranteed at all the ready-made garment factories and workers rights should be protected as per ILO Conventions. A legal framework or policy must be made for all workers in the informal work sector, including construction and ship-breaking industries to prevent discrimination and create a decent and safe workplace.
10. Women migrant workers should not be sent abroad without ensuring effective safety measures. All Bangladeshi missions abroad must take effective measures to monitor the safety and security of all migrant workers from Bangladesh.

11. The government must ensure effective implementation of laws to stop violence against women and children and the offenders must be effectively punished under prevalent laws. Police must investigate reports of such crimes and bring the perpetrators to justice. Criminals affiliated with the ruling party should not be given immunity. The government should also execute mass awareness programmes in the print and electronic media, in order to eliminate all forms of violence against women.
12. The Indian Border Security Force (BSF) must stop human rights violations, including killing and torturing Bangladeshi citizens along the border areas; and it must compensate the victims of violence. The hazardous Rampal Power Plan must be stopped to save Bangladesh's environment and ecology and a balance has to be maintained in unequal trade between the two countries.
13. The international community put effective pressure on the Myanmar government and support the establishment of the human rights of the Rohingya community in Myanmar. Odhikar urges the UN Member States to assist the International Criminal Court to prosecute all perpetrators, including the Myanmar military and Buddhist extremists for committing genocide against Rohingya population.
14. The on-going state repression on Odhikar must be stopped. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. The NGO Affairs Bureau must renew Odhikar's registration, which is pending with it. 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.