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Three-month Human Rights Monitoring Report on Bangladesh

Reporting Period: July– September 2020

Prepared by Odhikar

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Foreword

On 10 October 2020, Odhikar celebrates 26 years of human rights activism. On this day in 1994, Odhikar, an organisation of human rights defenders was established through the efforts of a few activists who took part in the struggle against the autocratic rule of Lieutenant General Hussein Mohammad Ershad. Since its establishment, Odhikar has always been active in raising mass awareness of human rights violations committed by the state and campaigning for the implementation of internationally recognised civil and political rights; protesting abuses and creating pressure to prevent the state from violating human rights. Odhikar uncompromisingly stands beside the victims of human rights violations and works to ensure the safety of victims and establish justice.

On its 26th anniversary, Odhikar pays tribute to the victims of human rights violations around the globe and expresses solidarity with the people of the world who are fighting against autocracy and for the establishment of self-determination. Odhikar conveys its sincere gratitude to all human rights activists, international organisations, local networks, supporters and well-wishers who have stood by it for the past 26 years; those who have expressed solidarity with Odhikar as well as campaigned against the government's persecution on Odhikar.

The World Day Against the Death Penalty is also being observed on 10 October. Odhikar is, in principle, against the death penalty. Odhikar has been campaigning for the abolition of the death penalty for a long time with the suspension of the execution of death sentences.

The founding anniversary of Odhikar is being commemorated at a time when authoritarian rule has been established in Bangladesh; and where people have been deprived from their right to vote twice. As a result, rule of law and human rights are being grossly violated in the country. Acts of corruption, including enforced disappearances, extrajudicial killings, violations of rights to freedom of expression, assembly and association, and violence against women have become rampant and a matter of grave concern.

Odhikar has been facing extreme state oppression and harassment by the incumbent government and its cronies and allies since 2013 for being vocal and for protecting victims of human rights abuses. Despite this adverse situation, Odhikar continues to work; and has prepared the third quarter (July - September) report of 2020 on the human rights situation of Bangladesh, based on reports gathered by grassroots human rights defenders associated with Odhikar and data collected from the media.

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Executive Summary

1. This report has been prepared on the human rights situation in Bangladesh from July to September 2020. The report reviews state persecution, deprivation of the right to life and personal liberty, and other important human rights violations. As in previous periods, the human rights situation in the country during these three months was extremely worrying. The Awami League government that came to power without the people's vote in January 2014 and December 2018, has systematically transformed various important state institutions of the country into their subservient institutions through party affiliation and has perpetuated a culture of fear in the country through an authoritarian rule, which commenced in 2009.
2. During the reported three months, members of the law enforcement agencies have been involved in various human rights violations, including enforced disappearances, extrajudicial killings and torture, without any accountability. People have been killed in the name of 'gunfight/crossfire'. Despite widespread allegations by victim-families, the state has rewarded members of the law enforcement agencies in various ways. For example, Major (retd) Sinha Mohammad Rashed Khan was shot dead by police at Shamlapur check post in Teknaf Upazila of Cox's Bazar district on the night of July 31. Several policemen, including Pradeep Kumar Das, the then officer-in-charge of Teknaf Police Station, and Sub Inspector Liaquat, were said to be involved in the killing. Pradeep Kumar Das was awarded the Bangladesh Police Medal (BPM), the highest police medal in 2019, despite previous allegations against him of extrajudicial killings in the name of 'gunfight'. Furthermore, Rohingya refugees have also been victims of extrajudicial killings during this period.
3. During these three months, freedoms of speech, thought, conscience and expression of the citizens have been severely violated and various forms of harassment have been carried out against them including filing cases, dismissals and arrest. Due to the fact that the news media could not work independently, various incidents were published on social media. Due to this, social media was also under surveillance by the government. Many media outlets and journalists have reportedly been forced into self-censorship due to government pressure on the media. The government controls most of the news media, especially electronic media, and almost all electronic media and most print media are owned by individuals loyal to the government. On the other hand, the pro-opposition electronic and print media - Diganta TV, Islamic TV and Amar Desh have been shut down by the government since 2013. Mahmudur Rahman, the acting editor of the daily Amar Desh, was arrested on 11 April 2013 and tortured in police custody during remand. Then the daily Amar Desh was arbitrarily shut down. The daily Amar Desh, which has not been published in the country for seven years, was launched as an online news portal from London, UK on 30 August 2020. The readers in Bangladesh are not able to access the newspaper as the Bangladesh Telecommunication Regulatory

Commission (BTRC) has blocked the news portal.¹ During this period, journalists were attacked while performing their professional duties and false and fabricated cases were filed against them.

4. During this period of July to September 2020, the government used the repressive Digital Security Act of 2018 to curtail the freedom of expression of dissenting voices. Citizens from various walks of life, including teachers and imams of mosques, have been sued and arrested under the Digital Security Act, 2018 for posts criticizing high-ranking individuals or leaders of the ruling party, on Facebook. Members of law enforcement agencies and leaders of the ruling party have filed these lawsuits, and courts have refused to grant bail to those arrested under the Digital Security Act.
5. The Cabinet Division has informed the Secretary of the Law and Justice Department, to take necessary action to the effect that no case can be filed against any government official-employee as to their discharge of government duties, without the permission of the Government. If it becomes effective, the government officials will get special protection and, given our dysfunctional and politically motivated criminal justice system, will be acquitted from various irregularities and injustices committed by them.
6. Allegations of various irregularities, corruption and torture of inmates have been found against the officials and employees of almost all the prisons and Child Development Centers, which hold juvenile delinquents in the country. Due to the dysfunctional justice system in Bangladesh, members of law enforcement agencies are detaining and sending many citizens to jail without actual evidence of commission of a crime. As a result, there is always overcrowding in the prisons, which has created a humanitarian catastrophe. Many inmates are dying because of the inadequacy of medical care. Juvenile detention centres have also been accused of torturing juvenile detainees. There are one and a half times more juvenile detainees than the capacity of the said centres.²
7. Public lynching continued during these three months. Ordinary people are taking the law into their own hands and killing people in mob beatings, knowing that handing them over to the police will not meet the ends of justice.
8. Citizens have been killed and injured in attacks by leaders and activists of the ruling Bangladesh Awami League (AL) across the country and there have also been incidents of clashes inside the AL due to internal strife. Various lethal weapons including firearms were used during these clashes.³ Leaders and activists of the ruling party have also been accused of embezzling relief allocated for the poor affected by the COVID-19 pandemic.

¹ Asian Human Rights Commission, 7 September 2020; <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-018-2020/>

² The daily Prothom Alo, 3 September 2020; <https://www.prothomalo.com/bangladesh/crime/শিশু-উন্নয়ন-কেন্দ্রগোপাল-অচল-দশা>

³ The daily Prothom Alo, 18 July 2020; <https://epaper.prothomalo.com/?pagedate=2020-7-18&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

9. In the last three months, many women and girls have been victims of various forms of violence. Women continue to be abused and killed for dowry, raped, sexually harassed, and become victims of acid violence. There are allegations that the ruling party leaders and activists have carried out various forms of oppression and violence against women, including rape. Chhatra League leaders-activists were also allegedly involved in rape at educational institutions.
10. In these three months, workers in the formal and informal sectors have been subjected to various human rights violations. Workers in the readymade garment industry and jute mills protested for arrears of wages. Furthermore, migrant workers who returned to Bangladesh have also been victims of state repression.
11. In the last three months, members of the Indian Border Security Force (BSF) have killed, tortured and abducted Bangladeshi nationals – something they have been doing for years. The Indian government has expanded its economic and political dominance over Bangladesh. On 17 October 2018, a five-year bilateral agreement was signed between Bangladesh and India to transport Indian goods to the northeastern states of India using the ports of Chittagong and Mongla in Bangladesh.⁴ This agreement has violated the interests of Bangladesh. According to the agreement between the two countries, Indian ships will get priority if ships carrying goods of Bangladeshi traders and ships carrying goods of Indian traders arrive at the port on the same day.⁵
12. Members of the Rohingya community took refuge in Bangladesh after becoming victims of genocide and crimes against humanity committed by Myanmar's military and Buddhist extremists. Two members of the Myanmar army, Mayo Win Tun and J Naing Tun, involved in the genocide, fled Myanmar in August 2020. They were later taken to The Hague in the Netherlands and held in the custody of the International Criminal Court. The two former soldiers of Myanmar Army acknowledged that allegations of genocide against Rohingya population, mass burials after the killings, and destruction of Rohingya villages, as well as mass rape against the Myanmar army, were true.⁶ Later two other members of the Myanmar army, Chao Mio Aung and Par Tao Ni, testified at the International Criminal Court. There they gave details of the brutal torture and massacre of the Rohingyas.⁷
13. There is frustration among Rohingyas over the lack of progress in repatriation to their own country. As a result, Rohingya refugees are trying to cross the sea to go abroad. More than 300 Rohingyas, including 33 children, floating in a stranded boat, were rescued and sent to Bhasanchar in April this year. At that time, Bangladesh authorities said that the rescued refugees had been temporarily kept in quarantine at Bhasanchar to prevent the spread of COVID-19 in the camps in Cox's Bazar of

⁴ The daily Naya Diganta, 18 October 2018; <http://www.dailynayadiganta.com/first-page/350033/>

⁵ The Daily Star, 16 July 2020; <https://www.thedailystar.net/bangla/শীর্ষ-খবর/বাংলাদেশের-বন্দর-ব্যবহার-করে-আসাম-ও-ত্রিপুরায়-যাচ্ছে-ভারতীয়-পণ্য-162541>

⁶ The daily Prothom Alo, 9 September 2020; <https://www.prothomalo.com/world/ছেলেবড়ো-যাকেই-দেখবে-হত্যা-করবে>

⁷ The daily Jugantor, 12 September 2020; <https://www.jugantor.com/todays-paper/first-page/343815/>

Bangladesh. However, after more than five months, they were not repatriated and despite promises, the Bangladesh government did not allow UN officials to provide protection to these Rohingyas. The UN Secretary General Antonio Guterres called for the safe evacuation of Rohingyas from Bhasanchar to Cox's Bazar, but the Bangladesh government did not respond. The families of the Rohingyas in Bhasanchar said that they are being held there like prisoners, without food and health care. There are even allegations that some of the women Rohingya refugees have been raped and sexually harassed. Furthermore, Rohingyas are suffering from acute shortage of drinking water there. Some refugees have complained that they were beaten by the Bangladeshi authorities in Bhasanchar. Rohingya refugees in Cox's Bazar said that they were told they would have to go to Bhasanchar if they wanted to see their family members there.⁸

14. The persecution on Odhikar that began in 2013 continues. In 2014, Odhikar applied to the NGO Affairs Bureau (NGOAB) under the Prime Minister's Office for the renewal of its registration, but it has not been renewed until September 2020. Furthermore, the NGOAB has also stopped fund clearance of all of Odhikar's projects for more than six years and has completely stopped approving any new projects. As part of government's crackdown on Odhikar, the Standard Chartered Bank is also harassing Odhikar by freezing its accounts. Human rights defenders associated with Odhikar are under surveillance for being vocal about human rights violations. The case filed under the Information and Communication Technology Act 2006 (Amendment 2009) against the Secretary and Director of Odhikar is still pending. Odhikar has also been forced to resort to self-censorship in publishing reports due to various obstacles and constant hindrance on freedom of expression by the government.

⁸ HRW report, 9 July 2020; <https://www.hrw.org/news/2020/07/09/bangladesh-move-rohingya-dangerous-silt-island> The Guardian, 22 September 2020; <https://www.theguardian.com/world/2020/sep/22/rohingya-refugees-allege-sexual-assault-on-bangladeshi-island>

Statistics: Human Rights violations (January-September) 2020

Statistics: January-September 2020*												
Type of Human Rights Violation			January	February	March	April	May	June	July	August	September	Total
Extrajudicial killings	Crossfire		21	24	28	12	27	28	48	2	0	190
	Torture to death		1	2	3	2	2	1	1	1	1	14
	Shot to death		1	0	5	0	0	0	2	0	0	8
	Beaten to death		0	0	1	0	0	0	0	0	0	1
	Total		23	26	37	14	29	29	51	3	1	213
Enforced Disappearances			6	3	2	1	0	3	4	0	4	23
Death in Jail			4	6	7	2	5	9	6	4	9	52
Death Penalty	Sentenced to death		33	28	18	0	0	0	0	5	47	131
	Execution of death sentence		0	0	0	1	0	0	0	0	0	1
Human rights violations by Indian BSF	Bangladeshis Killed		13	3	0	2	1	6	3	4	4	36
	Bangladeshis Injured		4	2	0	7	0	4	1	1	0	19
	Bangladeshis Abducted		1	0	2	0	0	0	0	2	1	6
	Total		18	5	2	9	1	10	4	7	5	61
Attack on journalists	Injured		1	6	6	21	5	1	4	9	4	57
	Assaulted		3	5	1	2	5	2	3	0	6	27
	Attacked		0	2	0	5	0	5	0	1	3	16
	Threatened		0	0	4	3	1	0	2	1	1	12
	Total		4	13	11	31	11	8	9	11	14	112
Political violence**	Killed		0	5	6	6	7	7	10	7	2	50
	Injured		209	132	146	173	247	129	204	301	275	1816
Dowry related violence against women			16	8	12	8	11	21	22	4	19	121
Rape	Girl under the age of 18		67	77	59	53	47	80	66	58	62	569
	Women		26	37	28	29	40	44	38	50	33	325
	Age could not be determined		0	2	0	0	5	3	3	10	2	25
	Total		93	116	87	82	92	127	107	118	97	919
Sexual harassment /Stalking of females			11	15	13	8	12	15	10	11	14	109
Acid violence			0	3	1	0	3	5	3	3	3	21
Public lynching			6	2	4	3	2	6	4	3	3	33
Situation of workers	RMG workers	Killed	0	0	0	2	0	0	0	0	0	2
		Injured	4	10	0	42	63	0	55	1	0	175
	Workers in other (Informal sectors)	Killed	5	6	7	4	4	9	8	5	13	61
		Injured	11	1	17	1	40	7	1	1	7	86
Arrest under Digital Security Act 2018			5	4	5	37	27	18	8	2	5	111

* Statistics of some issues have been updated

State Repression and Impunity

Extrajudicial killings

1. Extrajudicial killings by the state security forces are the ultimate manifestation of state oppression. Extreme human rights violations, such as extrajudicial killings by law enforcement agencies, continued in Bangladesh during the period from July-September 2020, despite the COVID-19 pandemic. Law enforcement agencies have called such killings as 'deaths in gunfights' or 'crossfire'. Various measures have been taken to harass the families of the victims of extrajudicial killings. After the killings, members of the law enforcement agencies and security forces have always claimed that they fired in self-defense. High-ranking government officials have long 'legitimized' extrajudicial killings.
2. On 18 September 2020, Amir Hossain Amu, a member of the Awami League's advisory council, in an interview with Deutsche Welle's Bangla section said, "Whatever has come out of society today, the way in which militancy has rooted itself today; the way it has taken extreme proportions; the way it has spread in the world, if 'crossfire' had not been decided in this way, I think it would not have been possible to suppress it. ...Militancy, including chaos, is spreading in this country and it is not going to stop even after the declaration of 'zero tolerance'.....if on-the-spot shooting is done, it is not for the state's need, it is for the national need".⁹
3. Despite the ruling Awami League's declaration of 'zero tolerance' for extrajudicial killings in 2009, it took a major turn before the two controversial elections in 2014 and 2018, and the victim families received no justice, due to a prolonged culture of impunity. In addition, the ruling party has almost blocked the way for the victims to get justice by transforming various important governmental and constitutional institutions into subservient institutions, through factionalism. Extra judicial killings continue, despite repeated orders from the Supreme Court, in several judgments and orders.
4. From July to September 2020, a total of 55 persons were reportedly killed extrajudicially. Of them, 32 persons were killed by police, 13 by Rapid Action Battalion (RAB), nine by Bangladesh Border Guard (BGB) and one by Detective Branch (DB) of Police. Among the 55 persons extra judicially killed, 50 were killed in 'crossfire/encounters/gunfights'. Furthermore, among the deceased, two persons were allegedly tortured to death by police and one by RAB; and one person was shot to death by police and one by BGB. Of the 55 victims of extrajudicial killings, 12 were Rohingya refugees, who were killed extra judicially in the name of 'gunfight' during this period.

⁹ Available at: <https://www.dw.com/bn/জাতিম-প্রমোজন-কমফার-আম/a-54981993>

5. **Between January and September 2020, there were a total number of 213 extrajudicial killings carried out by various law enforcement agencies. Of this number, 113 persons were killed extra-judicially by members of the police.**
6. Large-scale extrajudicial killings begun when the government launched a nationwide anti-drug drive on 15 May 2018. A large area for this expedition was Teknaf Upazila under Cox's Bazar District. The people of this Upazila said that the members of law enforcement agencies killed people indiscriminately in the name of 'gunfight'. Despite widespread complaints from victim-families, no action has been taken against the responsible members of law enforcement agencies. The impunity only encourages members of such agencies to kill anyone, without any compulsion.
7. Major (retd) Sinha Mohammad Rashed Khan was shot dead by police at Shamlapur check post in Teknaf under Cox's Bazar district on the night of 31 July 2020. Some policemen, including the then Officer-in-Charge (OC) of Teknaf Police Station, Inspector Pradeep Kumar Das and Sub-Inspector (SI) Liaquat, were said to be involved in the killing.¹⁰ The government was forced to arrest some people, including Pradeep Kumar Das and SI Liaquat, when there was a strong outcry from the public and the Army. Many people had been killed extra-judicially in the name of anti-drug drives, led by Inspector Pradeep Kumar Das after he joined Teknaf Police Station as the OC; allegedly, large amounts of money had also been extorted by them from the victims before their deaths. According to police sources, there were 144 incidents of 'gunfight' in the last 22 months in Teknaf, when the police station was under the charge of Pradeep Kumar Das. A total of 204 people were killed in all these incidents.¹¹
8. Meanwhile, on the day ex-army officer Sinha Rashed was killed, the police reportedly extra judicially killed a man named Mohammad Zafar, an expatriate from Oman, for not paying them 50,00,000 Taka (USD 58,930) in Potia Upazila under Chittagong District. Zafar came to the country in March 2020 and could not return to Oman due to the COVID-19 situation. On 29 July 2020, Zafar was picked up by Habibur Rahman, the Officer-in-Charge (OC) of Chakaria Police Station and Inspector Aminul Islam, from his own house at Bhaiyar Dighirpar in Kochuai Union of Potia. Later the OC Habibur Rahman called Zafar's wife's cell phone and demanded the money from her, claiming that her husband was a drug trader. She was given threats that Zafar would be killed in 'crossfire' if she did not pay the police. It was not possible for Zafar's family to collect this large sum of money. On 31 July, a local UP member received a call from Potia Police Station that Zafar had been killed in a 'crossfire'. On 16 August, the deceased's

¹⁰ The Daily Star, 05 August 2020; <https://www.thedailystar.net/frontpage/news/killing-ex-major-sinha-cops-fir-inquest-report-contradict-each-other-1939997>

¹¹ The daily Kaler Kantha, 05 August 2020; <https://www.kalerkantho.com/online/country-news/2020/08/05/942218>

uncle Ahmed Nabi filed a case against OC Habibur Rahman and Inspector Aminul Islam in the Court of Potia Judicial Magistrate, Bishweshwar Singh.¹²

Enforced Disappearances

9. Enforced disappearance has created alarm in Bangladesh. Anyone at any moment can be picked up. The denial of the disappearance by members of the law enforcement agencies has caused extreme anxiety and fear among the family members of the disappeared persons. After the arrest of many, no trace of them was found or the bodies of some of them were recovered later. Several days after the disappearance, some people were produced before the court by showing them as arrested in criminal cases. In these cases, members of the law enforcement agencies presented information to the media that the man had recently been arrested. In some cases, disappeared persons are being released several days after their disappearance, after being threatened with harm if they spoke of their ordeal. Although government officials have consistently denied the commission of enforced disappearances, there were allegations of state involvement in each of the disappearances; and in some cases evidence has been found.¹³ Many people are currently being disappeared on charges of 'militancy'.
10. On the occasion of the International Day of the Victims of Enforced Disappearances, the Human Rights Defenders Network of Odhikar and Mayer Daak (Mother's Call), a network of families and relatives of the disappeared, on 29 August, organised rallies, human chains, press conferences and discussions with the families of the disappeared in different places of the country. Families demanded the return of the disappeared. Twelve regional and international human rights organizations¹⁴, including Odhikar and Mayer Daak, issued a joint statement calling for the disappeared to be returned.¹⁵

¹² The daily Prothom Alo, 17 August 2020; <https://epaper.prothomalo.com/?mod=1&pgnum=16&edcode=71&pagedate=2020-8-17>

¹³ On 02 March 2017, disappeared victim Mokhlesur Rahman Jony's wife Jasmine Nahar Reshma filed a writ petition (No. 2833/2017) before the High Court Division of the Supreme Court. Based on this petition, on 16 May 2017 a High Court Division Bench consisting of Justice Kazi Reza-ulHuq and Justice Mohammad Ullah asked the Chief Judicial Magistrate of Satkhira to submit an inquiry report to the High Court Division by 03 July 2017 regarding the disappearance of homeopathy physician Mokhlesur Rahman Jony. A Senior Judicial Magistrate of Satkhira, Habibullah Mahmud, submitted an inquiry report to the High Court Division on 04 July 2017 that found the 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 in the arrest of Sheikh Mokhlesur Rahman Jony and his subsequent 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.jugantor.com/news-archive/first-page/2017/01/17/93821/>)

¹⁴ The Advocates for Human Rights, Anti-Death Penalty Asia Network, Asian Federation Against Involuntary Disappearances, Asian Human Rights Commission, Asian Network for Free Elections, Asian Forum for Human Rights and Development, Human Rights Watch, International Federation for Human Rights, Robert F Kennedy Human Rights, and World Organisation Against Torture.

¹⁵ For details, see available at: <http://odhikar.org/bangladesh-end-enforced-disappearances-hold-law-enforcement-accountable/>



Human Rights Defenders Network of Odhikar and Mayer Daak, a network of families and relatives of the disappeared formed a human chain in front National Museum at Shahbagh, Dhaka. Photo: Odhikar



Human Rights Defenders Network and Mayer Daak organised rallies, human chains, press conferences and meetings with the families of the disappeared in different places of the country. Photo: Odhikar

11. A total of eight persons were allegedly disappeared after being picked up allegedly by members of law enforcement agencies, between July and September 2020. Among them, two were shown arrested and two were released after a few days of disappearance and the whereabouts of four persons remain unknown.
12. It is to be mentioned that 23 persons have been victims of enforced disappearance between January and September 2020. Among them, six bodies were found and the whereabouts of seven persons remained unknown.

13. On 24 July, Rashed Khan Menon and on 25 July, Rashed's younger brother Redwan Farhad, a student of Masters in the Arabic Department of Dhaka University, were abducted from Kalamarchhara Bazar in Cox's Bazar district by a group of men claiming to be members of the Detective Branch (DB) of Police. Both were released on 28 July 2020. Rashed Khan Menon told Odhikar that on 24 July, when he went to Kalamarchhara market, some people forcefully put some books in his bag. He was later arrested by those same people who identified themselves as members of the DB Police. He was then taken to the DB Police office at Cox's Bazar. From there, after a day, he was taken to Dhaka by car with his hands tied and in blindfolds. After being detained for three days at the DB head office in Dhaka and interrogated about his involvement in militancy, he was brought back to Cox's Bazar from Dhaka. On 28 July, he and his younger brother Redwan were released from the Office of the Superintendent of Police in Cox's Bazar. Moheshkhali Police Station OC Didarul Ferdous said that Rashed and Redwan had been released as they had no involvement in militant activities.¹⁶
14. Waliar Rahman, a spinning department worker of the Khulna Eastern Jute Mill and Convener of the Jute Industry Protection Youth Alliance and Nur Islam, a yarn department worker of Platinum Jubilee Jute Mill and Adviser of the Jute Industry Protection Youth Alliance, were picked up by men in plainclothes from their homes in the early morning of 5 July 2020. Members of the law enforcement agency denied taking them. On 6 July at around 11:45 pm, both men were shown as arrested in Daulatpur Police Station in a case filed in 2018, for attacking and vandalizing a police box. Waliar Rahman informed Odhikar that he was asleep when, late at night, men came to his house in four cars and picked him up by saying they were people from the 'administration'. Another labour leader Nur Islam was detained from his home and taken to the car too. Later they were both taken to the office of the Detective Branch of Police at Khalishpur and from there locked in a room on the second floor of the Rupsha Police Outpost. They were threatened not to protest against the government's decision to close down the jute mills. The next day, in the night of 6 July, both of them were shown as arrested in Daulatpur Police Station.¹⁷
15. In the night of 22 July 2020, a group of men, posing as members of the 'administration', abducted Abdullah Ibn Yunus, a student of Mohammadpur Central College in Dhaka, from the home of his elder brother Abdur Rahman, at Katasur area of Mohammadpur. Abdur Rahman said that three men in plainclothes came to their house that night and introduced themselves as men from 'administration'. They took Abdullah Ibn Yunus to a corner of the house

¹⁶ Information sent by local human rights defenders associated with Odhikar, from Cox's Bazar; the daily Jugantor, 29 July 2020; <https://www.jugantor.com/todays-paper/bangla-face/330575/সংক্ষেপ>

¹⁷ Information sent by local human rights defenders associated with Odhikar, from Khulna. The Daily Star, 6 July 2020; <https://www.thedailystar.net/country/news/2-labour-leaders-state-owned-jute-mills-picked-khulna-1926049>

‘closed’ instead of being tried as criminals in a competent court of law. In 2013, the Torture and Custodial Death (Prevention) Act was passed. However, the law remains in force on paper only and the victims and/or their families are facing harassment and threats from the police by filing cases against them. In many cases, they are being forced to withdraw their cases out of fear. Since the enactment of this law in 2013, a total of 18 cases have been filed till 2019. In 14 of them, the police have submitted Final Report citing ‘factual errors’ in the cases.²¹ One of the other four cases is the case filed against police for torturing and killing a young man named of Ishtiaq Hossain Jony at Pallabi Police Station in 2014.²² On 9 September 2020, Dhaka Metropolitan Sessions Judge KM Imrul Kayesh gave his verdict in this case. The court sentenced the then Sub Inspector of Pallabi Police Station Zahidur Rahman, Assistant Sub Inspectors Rashedul Islam and Kamruzzaman to life imprisonment and fined them one hundred thousand taka each. The court also ordered each of them to pay Tk. 200,000 as compensation to the victim family. The other two accused persons, police informers Sumon and Rasel were sentenced to seven years imprisonment and fined Tk 20,000.²³ This was the first verdict after the 2013 Act came into force.

17. On 5 July 2020, RAB-5 arrested a man named Afsar Ali from the Sundarpur Bagdanga Shuknapara area under Chapainawabganj Sadar Upazila on charges of possession of drugs. After a case was filed at Chapainawabganj Sadar Model Police Station, the police took Afsar Ali for one day remand on 6 July. Afsar Ali's wife Zulekha Begum said that when she went to the police station with her children after receiving the news of her husband's arrest, Afsar Ali was handcuffed and tortured by a police officer in front of them. She was then informed of her husband's death from the police station at around 12:30 am. Sadar Police Station's Officer-in-Charge Ziaur Rahman said that Afsar Ali felt ill when he was brought to the police station at around 7:00 pm for remand. When he was taken to Sadar Hospital, the doctor declared him dead. On the other hand, Additional Superintendent of Police Mahbub Alam said something different. He said that Afsar Ali had committed suicide by hanging himself with a plastic wire from a stand fan placed on the corridor of the police station.²⁴ Contradictory statements by the two police officers have raised questions in this regard.

²¹ The daily Prothom Alo, 10 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-10&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

²² In the evening of 08 February 2014, police informer Sumon abused women at wedding programme of Mohammad Billal, a resident of the Irani camp at B Block, Section 11 of Pallabi. Sumon had an argument with Ishtiaq Hossain Jony and his brother Imtiaz who were there at that time. After receiving Sumon's call, the police came and took Ishtiaq and Imtiaz to the police station and tortured the two brothers. Ishtiaq Hossain Jony succumbed to his injuries at Dhaka Medical College Hospital due to police torture. Imtiaz filed a case in the Dhaka Metropolitan Sessions Judge's Court on 7 August 2014 under the Torture and Death in Custody (Prevention) Act, 2013. The court directed a judicial inquiry into the case. Following the judicial investigation on 17 February 2015, five were accused and five were recommended for release.

²³ The Daily Star, 09 September 2020; <https://www.thedailystar.net/city/news/custodial-death-jonny-3-policemen-get-life-term-2-get-7-years-jail-1958473>

²⁴ The daily Jugantor, 08 July 2020; <https://www.jugantor.com/todays-paper/last-page/323744>

18. On 2 August 2020, as cloth merchant Soheli Mir approached the main road in the Waizghat area under Dhaka's Kotwali Police Station, Sub Inspector (SI) Pabitra Sarkar, SI Khaled Sheikh, Assistant Sub Inspector (ASI) Shahinur Rahman, and Constable Mizan of the said police station and police informer Motaleb surrounded him and snatched BDT 2,900.00 from him. When Soheli Mir demanded his money back, the policemen started beating him. Police said that Soheli Mir was an accused person in the JMB²⁵ case. Police then informed the crowd that had gathered, that 214 pieces of Yaba were found in Soheli Mir's pocket and then took him to the police station. After taking him to the police station, police called his wife Sabina Khatun from his cell phone and informed her about the arrest of Soheli Mir. Then SI Khaled summoned Sabina to a place near Nayabazar Bridge and demanded five hundred thousand taka from her. Police threatened to kill Soheli Mir in crossfire if she did not pay. To save her husband's life, Sabina went to the police station at around 10:30 pm on 2 August and paid BDT 200,000.00 to SI Pabitra Sarkar, SI Khaled and ASI Shahinur Rahman and BDT 150,000.00 the next day (3 August). On the same day, when Soheli Mir was sent to the court under the DMP Act, he was released on the order of the court. On 10 August 2020, Soheli Mir filed a case in the court of Dhaka Metropolitan Magistrate Abu Sufian Noman against five policemen, including Mizanur Rahman, the officer-in-charge of Kotwali Police Station, under sections 420/406/506/109/34/385/386/347 of the Penal Code. The court directed the Police Bureau of Investigation (PBI) to investigate into this matter. Sabina said that they are now living in insecurity after filing a case against the police.²⁶
19. Jisa Moni (14), the daughter of Jahangir, a garment factory worker, of Deobhog in Narayanganj, went missing on 4 July 2020. Jahangir filed a case with Narayanganj Sadar Police Station on 8 August. In this case, Sub Inspector Shamim Mohammad of Narayanganj Sadar Police Station arrested Khalil Majhi, Abdullah and Rakib. The men were tortured and forced to confess before the court that they had raped and killed the girl and then thrown her body in the Shitalakshya River. On 23 August, relatives of Jisa Moni brought her to the police station alive.²⁷ Khalil Majhi's father Abdul Gafur said that SI Shamim took Tk. 6,000 from them saying that he would not torture him in remand. However, SI Shamim tortured his son during remand and forced him to confess in the court, under threat of crossfire.²⁸ On 2 August, Khalil Majhi was released on bail by the Narayanganj District and Sessions Judge's Court. Khalil Majhi said that he was detained at the police station for three days, his hands and feet were tied, he was

²⁵ JMB – Jamaat-ul-Mujahideen Bangladesh, an Islamic militant group which is banned in Bangladesh.

²⁶ The daily Prothom Alo, 11 August 2020 [https://www.prothomalo.com/bangladesh/crime/সিগারেট-খাওয়ার-অপরাধে-গ্রেপ্তার-পরে-পুলিশকে-সাজে](https://www.prothomalo.com/bangladesh/crime/সিগারেট-খাওয়ার-অপরাধে-গ্রেপ্তার-পরে-পুলিশকে-সাজে;); Naya Diganta, 11 August 2020, <https://www.dailynayadiganta.com/city/520731>

²⁷ Information sent by local human rights defender associated with Odhikar, from Narayanganj.

²⁸ The daily Prothom Alo, 26 August 2020; <https://epaper.prothomalo.com/?mod=1&pgnum=6&edcode=71&pagedate=2020-08-26>

hung upside down, a towel was tied around his face and water was poured into his mouth. The police also threatened to kill him in 'crossfire'.²⁹



Khalil Majhi, Photo: Jugantor, 3 September 2020

Human rights violations in prisons and child development centres

20. There are widespread allegations of irregularities and corruption against the officials and employees of almost all the places of detention in the country. Due to the negligence at the Keraniganj Central Jail, a prisoner named Afzal Hossain remained in jail for an additional three and a half years after his sentence had expired.³⁰ Although perpetrators have been identified by investigating the irregularities and corruption in the prisons, there are very few cases of penalties being meted out. After reviewing the 10 investigation reports of the Ministry of Home Affairs, it was observed that the officials of the Ministry had submitted reports after conducting investigations initiated by complaints against the officials and employees of the prisons, at different times - but the reports were not taken into account. The recommendations made in the reports have not been implemented. According to the multiple investigation reports, there are irregularities and corruption in all the prisons. One of the reasons why irregularities and corruption in prisons have not been stopped is because of the involvement of higher authorities into all these malpractices.³¹

21. The total capacity of the 13 central jails and 55 district jails across the country is 41,314. But till 30 September 2020, there were 80,466 prisoners - on remand, awaiting trial, under trial and convicted - packed in the country's prisons.³² As a result, the inmates are living inhumane lives due to overcrowding and there are many inmates falling ill in the prisons. Furthermore, there are also allegations of

²⁹ The daily Prothom Alo, 03 September 2020;

<https://epaper.prothomalo.com/?mod=1&pgnum=6&edcode=71&pagedate=2020-9-3>

³⁰ The daily Naya Diganta, 16 August 2020; <https://www.dailynayadiganta.com/more-news/521656>

³¹ The daily Prothom Alo 05 September; <https://www.prothomalo.com/bangladesh/crime/□□□□□□-□□□□□□-□□□□□□-□□□□□□>

³² Available at: <https://prison.com.bd/>

22. In these three months of July-September 2020, 19 prisoners died in prison due to 'illness'.

A photograph showing a group of young men sitting on hospital beds in a ward. They are dressed in casual clothing like t-shirts and shorts. Some are holding papers or books. The ward has white walls, metal bed frames, and a window in the background.

³³The daily Jugantor, 14 August 2020; <https://www.jugantor.com/country-news/334817>; The daily NayaDiganta, 16 August 2020; <https://www.dailynayadiganta.com/first-page/521885>

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Immunity of government officials and employees

24. The Cabinet Division has sent a letter to the Secretary, Law and Justice on 8 September 2020 to take necessary steps to ensure that no case can be filed against any government official or employee without the permission of the government. The letter said that recently it has been seen that various Deputy Commissioners, Upazila Executive Officers, Executive Magistrates and government employees are being sued personally for matters concerning the discharge of their government duties. The letter outlines the provisions of various laws aimed at protecting government employees from prosecution in matters relating to performance of their duties or acts committed 'in good faith'. Citing the Code of Criminal Procedure 1898, the letter further said, "No offense committed during the discharge of the duties or responsibilities of a judge, magistrate or any government official or for any act claimed to that effect shall be prosecuted without the prior permission of the government."³⁵
25. If such provisions come into force, the government officials may get special protection from prosecution in matters of irregularities and injustices committed by them in the discharge of their duties. Such a special arrangement is contrary to Article 27 of the Constitution, which states that "all citizens of the country are equal before the law and are entitled to equal protection of the law."

Interference and Oppression on Freedom of Expression and Media

26. Citizens' freedom of speech, thought, conscience and expression has been severely violated in the time period covered by this report. Journalists continue to face various kinds of persecution including dismissal, filing of cases against them and arrests due to their exercise of free expression. Since the news media does not work independently, various incidents were reported on social media. Due to this, the government also keeps a close watch on social media.

Dismissal of teachers

27. Dhaka University teacher Morshed Hasan Khan was sacked on 9 September 2020 for 'insulting former president Sheikh Mujibur Rahman and distorting the history of the liberation war'. The decision was taken at a meeting of the syndicate chaired by Dhaka University's Vice-Chancellor Dr. Mohammad Akhtaruzzaman.³⁶ It is to be mentioned that on 26 March 2018, Professor Morshed Hasan Khan wrote a column in the daily Naya Diganta about the role of the former President of Bangladesh, late Ziaur Rahman, during and after the

³⁵The Prothom Alo, 10 September 2020; <https://www.prothomalo.com/bangladesh/district/ঢাকা-জেলার-কেন্দ্রীয়-স্বাস্থ্য-সংক্রান্ত-সংবাদ>

³⁶Bangladesh Pratidin, 11 September 2020; <https://www.bd-pratidin.com/city/2020/09/11/565546>

war of liberation. On 2 April 2018, the Registrar's Office of Dhaka University suspended him on charges of insulting former President Sheikh Mujibur Rahman and distorting the history of the Liberation War³⁷ through this column. On 26 May 2018, the University Syndicate formed a five-member inquiry committee headed by the Pro Vice-Chancellor. On 12 February 2020, the University authorities informed Professor Morshed Khan in a letter, about the formation of the tribunal. According to Rule 56(3) of Dhaka University Order 1973, a teacher can only be dismissed on the grounds of "moral turpitude" or "inefficiency." The same rule says that "no such teacher or officer shall be dismissed unless an inquiry into the charges of moral turpitude or inefficiency is held by an inquiry committee on which the teacher or the officer may be represented by a person nominated by him". In this case, Rule 56 (3) of Dhaka University Order has been violated and Professor Morshed's right to be defended has been obstructed. Meanwhile, on the day of his dismissal, a Dhaka University student and Chhatra League³⁸ activist filed a sedition case against Professor Morshed with the Chief Metropolitan Magistrate's Court in Dhaka.³⁹

28. AKM Wahiduzzaman, an assistant professor at the National University, was sacked at a Syndicate meeting of the National University, on 10 September 2020, for making "offensive comments" on Facebook about the Prime Minister and her family members. It is to be noted that in 2013, AB Siddique, president of Jononetri Parishad and an Awami League leader, filed a case against Wahiduzzaman with the Chief Metropolitan Magistrate's Court, Dhaka under section 57 of the Information Technology Act, 2006 (amended in 2009 & 2013) and sections 500 and 506 of the Code of Criminal Procedure, 1898. When the court issued an arrest warrant against Wahiduzzaman on 8 October 2013, he was granted a four-week interim bail by the High Court Division of the Supreme Court. On 6 November 2013, he appeared in the lower court and sought bail; however, the court ordered he be sent to jail. Before he was sent to jail, Wahiduzzaman complained to Odhikar that he had been tortured in the court custody cell. On 7 November 2013, the National University authority suspended Wahiduzzaman. After Wahiduzzaman was released from jail on bail, more cases were filed against him and his family members were harassed by members of law enforcement and intelligence agencies. On 5 May 2016, Wahiduzzaman was forced to leave the country. He is currently living voluntary exile in Malaysia.⁴⁰

³⁷ The former is the founder of the Bangladesh Nationalist Party (BNP) and the latter, the founder of the current ruling party, the Awami League (AL).

³⁸ Student wing of the ruling Awami League.

³⁹ Available at: <https://www.amnesty.org/download/Documents/ASA1330552020ENGLISH.pdf>

⁴⁰ Information gathered by Odhikar. Statement of Amnesty International, 25 September 2020; <https://www.amnesty.org/en/documents/asa13/3122/2020/en/>

Repressive Digital Security Act, 2018

29. Access to information and freedom expression is a constitutional right of the citizens of Bangladesh. However the current government is using the repressive Digital Security Act, 2018 to curtail freedom of expression. Citizens of various walks of life, including teachers and imams of mosques, have been sued and arrested under the Digital Security Act in the past three months for expressing critical views, posting on social media Facebook, criticizing high-ranking individuals or leaders of the ruling party. Moreover, harassment cases have also been filed against journalists by enforcing the Digital Security Act, for publishing news on various irregularities. Most of these cases are filed by the members of law enforcement and ruling party leaders and activists, and courts have refused to grant bail to those arrested under the Digital Security Act, 2018.
30. **During the three months of July – September 2020, 15 persons were arrested under the Digital Security Act, 2018, for criticizing individuals or leaders of the government and the ruling party.**
31. Five leaders and activists, including Awami League-backed Chhatra League member Monaim Ahmed Suhan, filed a case under the Digital Security Act against Abdul Qayyum, Imam of a mosque in Chittagong's Hatjahari Upazila for allegedly commenting on Facebook about Prime Minister Sheikh Hasina, the late former Health Minister Mohammad Nasim and the late State Minister for Religion Sheikh Mohammad Abdullah. Police of Hathazari Police Station arrested Abdul Qayyum on 5 July.⁴¹



Abdul Qayyum. Photo: Manabzamin, 6 July 2020

32. Ismail Hossain Rubel, Joint General Secretary of Bakalia ward unit Awami League-backed Chhatra League, has filed a case under the Digital Security Act 2018 against Enamul Haque with the Bakalia Police Station, for allegedly commenting on Facebook about Deputy Minister for Education, Mahibul Hasan

⁴¹ The daily Manabzamin, 06 July 2020; <https://mzamin.com/article.php?mzamin=234131>

Chowdhury Nawfel in Chittagong. On 15 July 2020, police arrested Enamul Haque.⁴²

33. On 19 July 2020, police arrested Jahangir Alam, Noman Siddiqui and ABM Anisur Rahman, teachers of Farakkabad Degree College, under the Digital Security Act, 2018 on charges of allegedly spreading propaganda on Facebook against some Awami League leaders, including Education Minister Dipu Moni, Chandpur Upazila Nirbahi Officer Kaniz Fatema and Farakkabad High School headmaster Mohammad Hannan Mizi.⁴³

Freedom of the media and attacks on journalists

34. Many media outlets and journalists have reportedly resorted to self-censorship as a result of the government's pressure on the media to disrupt objective and impartial news. The government controls most news media, especially electronic media, and almost all electronic media and most print media are owned by individuals loyal to the government. Meanwhile, pro-opposition electronic and print media - Diganta TV, Islamic TV and Amar Desh - have been shut down by the government since 2013. On 11 April 2013, Mahmudur Rahman, the acting editor of the daily Amar Desh, was arrested and tortured in custody after taking into remand. Later the daily Amar Desh newspaper was shut down. Amar Desh, which had not been published in the country for seven years, was launched on 30 August 2020 as a UK-based online portal from London. It has been alleged that interested readers in Bangladesh are not able to read the online newspaper as the news portal has been blocked by the BTRC.⁴⁴ Supporters of the ruling party have also filed sedition cases against journalists for publishing news. In this repressive situation, journalists and reporters who dare to publish objective news have been threatened or attacked and arrested after lawsuits were filed against them.
35. **During the period from July to September 2020, 17 journalists were injured while performing their professional duty, nine were assaulted, four were attacked, four were threatened, two were arrested and 13 journalists were sued.**
36. On 5 September 2020, a group of miscreants beat Tariq Habib, the chief reporter of the daily Amar Habiganj, near Habiganj Sadar Police Station, with rods and hockey sticks, leaving him severely injured. Tariq Habib was admitted to Habiganj Sadar Hospital. Raihan Uddin, news editor of the daily Amar Habiganj, said that the attack on Tariq Habib took place in retaliation of a news published in the newspaper. On 26 August, Habiganj district Awami League-backed Chhatra League president Saidur Rahman and on 2 September, general

⁴² The daily Jugantor, 16 July 2020; <https://www.jugantor.com/todays-paper/news/326393/>

⁴³ The daily Manabzamin, 20 July 2020; <http://www.mzamin.com/article.php?mzamin=236036&cat=1/□□□□□□> and New Age, 20 July 2020; <https://www.newagebd.net/article/111627/atn-news-journalist-arrested-for-harassing-female-colleague>

⁴⁴ AHRC statement, available at: <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-018-2020/>

was thwarted by the police. Police also snatched away the banner of the organisers.⁴⁸



Human chain programme of intern lawyers being stopped by police in Brahmanbaria. Photo: Bangladesh Protidin, 30 June 2020

40. Police attacked the Left Democratic Alliance's sit-in programme in Sylhet on 22 July 2020, that had been organised to demand eight issues, including corona testing free of cost and to ensure health care for all. Ten leaders and activists of the Left Democratic Alliance were injured in this attack.⁴⁹



Police stopping the sit-in programme of the Left Democratic Alliance. Photo: Samakal, 23 July 2020

41. Police attacked local students on 8 August 2020 when they tried to hold a human chain programme demanding the release of Shahedul Islam Sifat. Sifat was with Major (Retd) Sinha Mohammad Rashed Khan (who was extra judicially killed by police) and had been arrested. The police, led by Officer-in-Charge (OC) of Bamna Police Station Ilias Ali Talukder, baton charged the students. Ten students and locals were injured in the police attack.⁵⁰

⁴⁸ The daily Manabzamin, 01 July 2020; <http://www.mzamin.com/article.php?mzamin=233452&cat=9>

⁴⁹ The Naya Diganta 23 July 2020; <https://www.dailynayadiganta.com/more-news/517097>

⁵⁰ The daily Jugantor, 09 August 2020; <https://www.jugantor.com/country-news/332973>

42. On the occasion of Drik's founding anniversary, a photo exhibition was organized at 4:00 pm on 4 September 2020, in front of the National Museum at Shahbagh, Dhaka in protest of 'Crossfire'. When the organisers went to the venue, they saw that large number of government supporters, holding various placards, had gathered there. A large number of police were also present. Drik authorities then took their programme to the Raju sculpture at Dhaka University. As soon as the event started, the government supporters appeared and attempted to disrupt the event, chanted pro-government slogans and tried to snatch banners and tore up the photographs. They also threatened the organisers. One of the female participants from Drik alleged that the government supporters physically assaulted her. Drik was forced to shorten the programme and leave.⁵¹

Political Violence and Criminalisation

43. Leaders and activists of the ruling Awami League are creating panic in different parts of the country, due to the commission of various forms of criminal acts, including extortion, land grabbing and violence against women. They are suppressing opposition leaders and activists and dissidents in various ways. Even high-ranking government officials are not spared from their attacks. Ruling party men have also been involved in clashes with each other, due to internal conflicts of vested interest.⁵² In some selective cases, it is seen that action has been taken against some leaders and activists of the ruling party. Allegations of various forms of corruption and misconduct have also been reported against the ruling party leaders and activists amid this difficult time of COVID-19 pandemic. They are accused of corruption and embezzlement in the distribution of relief allocated to the poor people. They are allegedly laundering huge amounts of money abroad, earned through corruption and looting. In most cases, ruling party leaders and activists have not been brought to justice. In some cases, the government was forced to arrest a few people due to reports in the media, but the real culprits remain out of reach.
44. **From July to September 2020, at least 19 people were killed and 780 injured in political violence. Furthermore, 75 incidents of internal violence in the Awami League were recorded during this period. 16 persons were killed and 607 were injured in internal conflicts within the Awami League.**
45. On 26 June 2020, the Criminal Investigation Department (CID) of Police filed a case with Kafrul Police Station in Dhaka against Faridpur city unit Awami League general secretary Sajjad Hossain Barkat and his brother Imtiaz Hasan Rubel, for smuggling BDT 20 billion. In this case, on 7 July, a large quantity of

⁵¹ Statement of DRIK, 5 September 2020

⁵² The daily Prothom Alo, 18 July 2020; <https://epaper.prothomalo.com/?pagedate=2020-7-18&edcode=71&subcode=71&mod=1&pgnum=1&type=a>



Mother and daughter beaten after being tied with rope over the allegation of stealing a cow in Chakaria of Cox's Bazar. Photo: Prothom Alo, 23 August 2020

47. In the night of 2 September 2020, a group of masked men entered the residence of Ghoraghat Upazila Nirbahi Officer Wahida Khanam in Dinajpur District and stabbed her and her father Omar Ali and also hit them with a hammer, leaving them seriously injured. RAB arrested seven people including Ghoraghat Upazila Juba League convener Jahangir Alam and Upazila Juba League member Asadul Islam in the incident.⁵⁶ Jahangir Alam was later released. On 4 September, RAB said in a press conference that the attack on Wahida Khanum took place with the 'intention of stealing'.⁵⁷ Upazila Juba League member Asadul Islam has admitted his involvement in the attack.⁵⁸ The police carried out a separate investigation. Police stated at a press conference on 12 September, that an employee of the Upazila Nirbahi Office named Rabiul had confessed to them that he was involved in the attack. Police did not find any evidence of the involvement of three persons including Upazila Juba League member Asadul Islam, who was arrested by RAB in this incident.⁵⁹ The different results of the two separate investigations have raised many questions. Locals believe that Upazila Nirbahi Officer Wahida was attacked for obstructing illegal sand extraction, tender bids, land grabbing, drug trade and extortion. All these misdeeds are unilaterally controlled by Ghoraghat Awami League general secretary and Upazila chairman Abdur Rafe Khandaker Shahensha. His close associate is Jahangir Alam.⁶⁰ On 29 September, Rabiul's family held a press conference, claiming that Rabiul was not involved in the incident. Rabiul's

⁵⁶ Bangladesh Pratidin, 04 September 2020; <https://www.bd-pratidin.com/first-page/2020/09/04/563184>

⁵⁷ The daily Prothom Alo, 09 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-9&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁵⁸ The daily Prothom Alo, 13 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-13&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁵⁹ The daily Prothom Alo, 13 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-13&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁶⁰ The daily Manabzamin, 06 September 2020; <https://mzamin.com/article.php?mzamin=241732>

cousin Rashidul Islam told a news conference that three days after the Detective Branch (DB) of Police picked up Rabiul from his house at around 1.30 am on 9 September, they came to know through the media that he had been arrested in connection with the attack on the Upazila Nirbahi Officer and her father. He was then pressured in remand and forced to confess in court about his involvement in the incident.⁶¹

48. On 12 August 2020, RAB-4 members arrested Jadavpur Union Parishad Chairman and Awami League leader Mizanur Rahman Mizu on charges of stealing 35 sacks of rice allotted by the Prime Minister for the poor, in Dhamrai under Dhaka district.⁶²
49. On 13 September 2020, supporters of Kishoreganj-2 Awami League MP Nur Mohammad clashed with supporters of Rafiqul Islam, joint convener of the Upazila unit Awami League and expelled Upazila chairman, over a partisan dispute in Pakundia Upazila of Kishoreganj District. 10 people were injured in this incident.⁶³



Pakundia Upazila unit Sramik League president Nazmul Huq chasing opponents with a large knife. Photo: Prothom Alo, 14 September 2020

⁶¹ Bangladesh Protidin, 30 September 2020; <https://www.bd-pratidin.com/last-page/2020/09/30/571874>

⁶² Bangla Tribune, 12 August 2020; <https://www.banglatribune.com/country/news/636871>

⁶³ The daily Prothom Alo, 14 September 2020; <https://www.prothomalo.com/bangladesh/district/□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□>

Public Lynching

50. People continued to be killed in public lynching. The ruling party Awami League has created an environment of unaccountability and impunity in the country by depriving people from their right to vote. Impunity and corruption have eroded people's confidence in state and constitutional institutions; and a dysfunctional justice system has led to a culture of injustice in the country. As a result, there has been a growing tendency among the people to take the law into their own hands and people are being killed in mob beatings. In this case, some criminals of the society are taking advantage out of this situation.
51. **At least 10 persons were killed in public lynching between July and September 2020.**
52. Cell phones and cash were stolen from the house of a man named Nur Mohammad in Bhujpur under Fatikchhari Upazila of Chittagong district. On 14 July 2020, a farmer named Ahidur Rahman was apprehended and beaten to death by mob on suspicion of involvement in the theft. Police arrested 11 people in the incident.⁶⁴
53. In the night of 8 August, an incident of theft took place at the grocery shop of Jamirul Islam, a trader from Shatibari port under Mithapukur Upazila of Rangpur District. The locals caught Ramzan Ali who was involved in theft. When he was questioned, he implicated the involvement of night watchman Taslim Mia in the crime and some locals grabbed Taslim Mia and beat him up. He died on the way to Rangpur Medical College Hospital. Local people blocked the road in protest of the killing of Taslim Mia. Police arrested two people in this incident.⁶⁵

Death Penalty

54. The provision of death penalty exist in various criminal laws in Bangladesh. Every year a large number of convicted are sentenced to death by the lower courts. The accused, who were sentenced to death, are kept in a condemned cell for many years, which is highly detrimental to their mental well-being. Men have been released on High Court Orders after being held in condemned cells for many years. For example, on 25 June 2000, a Khulna court sentenced a man named Zahid Sheikh to death for killing his wife and one and a half year old daughter. Zahid Sheikh was detained in a condemned cell for 20 years. However as the case was not proved, on August 25, the Appellate Division of the Supreme Court ordered Zahid Sheikh to be acquitted. On 31 August, Zahid Sheikh was released from Khulna District Jail. Zahid's brother-in-law Azizur

⁶⁴ The daily Jugantor, 15 July 2020; <https://www.jugantor.com/todays-paper/city/326120>

⁶⁵ The daily Jugantor, 09 August 2020; <https://www.jugantor.com/country-news/333144>

Rahman said that when a case was filed against Zahid with Fakirhat Police Station under the Prevention of Women and Children Repression Act, the investigating officer demanded a bribe of Tk 50,000 from them. Zahid was convicted in the case because he did not pay the money and a charge sheet was filed in the court implicating him as the perpetrator.⁶⁶



Zahid Sheikh, Photo: Manabzamin, 2 September 2020

55. In the three months from July to September 2020, a total of 52 accused were sentenced with the death penalty.

Constitutional Body Subservient to the Government: Election Commission

56. The Awami League government has pushed the country towards a terrible crisis by controlling and politicizing constitutional and state institutions. Citizens are being deprived from good governance and the degree of human rights violations has increased as the state institutions have become subservient bodies to the government.
57. Bangladesh is a state party to the International Covenant on Civil and Political Rights (ICCPR). Article 25 (b) of this treaty provides for universal suffrage and the right to vote freely in a secret booth by secret ballot. However, the government and the Election Commission together have destroyed the electoral system by depriving the people of their right to franchise. As the people have lost confidence in the government, the Election Commission and the electoral system, most abstained from voting in the current elections and the polling stations were found to be empty.⁶⁷ Even in the catastrophe created by the outbreak of COVID-19 and the deterioration created by floods since the beginning of July, the Election Commission has held several by-elections, where voter turnout was negligible. The Election Commission, being a subservient

⁶⁶ The daily Manabzamin, 02 September 2020; <https://mzamin.com/article.php?mzamin=241217>

⁶⁷ The daily Manabzamin, 14 July 2020; <http://mzamin.com/article.php?mzamin=235202>

body to the government, has overstated the turnout in an attempt to make this election acceptable.

58. By-elections were held in Bogura-1⁶⁸ and Jashore-6⁶⁹ parliamentary constituencies on 13 July 2020. The BNP boycotted the Bogura elections. Voter turnout was very low in the flood-hit Bogura-1 constituency. No candidate's polling agents other than the Awami League nominated candidate were seen at each polling station.⁷⁰ Till noon, 225 out of 2,512 voters cast their votes at Sariakandri Phulbari Government Primary School polling centre.⁷¹ The Returning Officer said that 47 percent votes were cast in this constituency even though the centers were vacant.⁷² Apart from supporters of Awami League nominated candidate Shahin Chakladar, no other candidate's men were seen in the polling stations of Jessore-6 constituency. Other candidates did not have agents in the polling stations. Despite the low voter turnout, the returning officer said that 63 percent votes were cast in Jashore-6 constituency.⁷³



A voter-less polling station in by-election for Bogura-1 constituency. Photo: Manabzamin, 14 July 2020



There are no voters. Members of the law enforcement are relaxing at the Jamuna Kindergarten School polling center in Sariakandi. Photo: Prothom Alo, 14 July 2020

⁶⁸ The seat became vacant when the Member of Parliament from this constituency, Adul Mannan died on 18 January 2020.

⁶⁹ The seat became vacant when the Member of Parliament from this constituency, Ismat Ara Sadeq died on 21 January 2020.

⁷⁰ The daily Prothom Alo, 14 July 2020; <https://www.prothomalo.com/bangladesh/article/1668894/□□□>

⁷¹ The daily Manabzamin, 14 July 2020; <http://mzamin.com/article.php?mzamin=235202>

⁷² The daily Naya Diganta, 16 July 2020; <https://www.dailynayadiganta.com/last-page/515558/□□□□>

⁷³ The daily Naya Diganta, 16 July 2020; <https://www.dailynayadiganta.com/last-page/515558/আজগু>



A voter-less polling station at Hatphulbari in Sariakandi, Bogura. Photo: Inquilab, 14 July 2020



A young man is casting a vote in the open in the by-election of Bogura-1 constituency at Dhap Government Primary School polling centre in Sariakandi Upazila. Photo: Prothom Alo, 15 July 2020

Labour Rights

59. In the last three months from July to September, workers in both the formal and informal sectors and migrant workers have been subjected to a variety of human rights violations, including dire livelihood crises.

Situation of readymade garment industry

60. At present, the workers of the ready-made garment industry of Bangladesh are facing a difficult situation due to the COVID-19 pandemic. The closure of factories without informing the workers, layoffs and non-payment of wages continued and this has resulted in worker unrest in this sector. In addition to the garment factories, jute mill workers have staged protests demanding payments of arrear wages. At present, women workers in the ready-made garment industry are being deprived from maternity benefits. Factory authorities are dismissing pregnant women workers. Although it is illegal to dismiss pregnant workers, dozens of pregnant women workers from at least 30 factories have been dismissed.⁷⁴ The factory authorities forced workers, who protested against the misconduct of the authorities, to resign after taking their identity cards.⁷⁵
61. **In the last three months from July to September 2020, 55 workers were injured by the police and one by factory authority, when the workers held a demonstration for the payment of their Eid bonus and arrears. Furthermore, three workers were arrested and 35 workers were sued.**
62. On 25 July 2020, workers of Viela Tex Garment Factory in Tongi area of Gazipur and Shafi Tex Garment Factory in Chandana area of Gazipur staged protests demanding payment of advance salary and Eid bonus and an increase of Eid holidays and vandalized vehicles by blocking highways. At that time, several clashes took place between the angry workers and the police. During clashes, police opened fire with shotguns and threw sound grenades and tear gas shells at workers. Fifty workers and 13 policemen were injured in the incident. According to the workers, the police attacked the protesting workers without any provocation.⁷⁶

Workers in the informal sectors

63. No clear policy has been formulated for workers working in the informal sector. Many of them work under the open sky. No minimum wage has been set for their work. As a result, men and women are being subjected to various forms of discrimination. They are being employed in risky jobs without any protection such as gloves, masks, etc., making them vulnerable to physical harm and accidents. Many such workers have lost their jobs during the COVID-19 pandemic.

⁷⁴ We are on our own': Bangladesh's pregnant garment workers face the sack, The Guardian, 09 July 2020; <https://www.theguardian.com/global-development/2020/jul/09/we-are-on-our-own-bangladeshs-pregnant-garment-workers-face-the-sack>

⁷⁵ Ibid. <https://www.theguardian.com/global-development/2020/jul/09/we-are-on-our-own-bangladeshs-pregnant-garment-workers-face-the-sack>

⁷⁶ The daily Naya Diganta, 26 July 2020; <https://www.dailynayadiganta.com/last-page/517811>

64. From July to September 2020, 26 workers from informal sectors were killed in workplace/work-related accidents and nine were injured.
65. On 28 September 2020, three construction workers named Shafiqul, Insan and Osman, were killed when the sunshade of an under construction building collapsed at Dhanmondi's Road No. 32 in Dhaka. A Deputy Director of the Fire Service and Civil Defense said that they were working on a bamboo scaffold without complying with the Building Code.⁷⁷

State repression on migrant workers returning to the country

66. Every year many people from Bangladesh migrate abroad in search of work by taking loans/debts and selling land. These migrants are working hard abroad as labourers and are staying there amidst various adversities. As per reports, many women workers are being subjected to physical, mental and sexual harassment including rape. The money sent by these migrant workers has kept the wheel of Bangladesh's economy turning.
67. There have been many allegations against officials of Bangladeshi embassies abroad for their non-cooperation towards Bangladeshi migrant workers. Around two hundred thousand migrant workers came into the country on holiday at the beginning of the COVID-19 outbreak. Many of them could not return to work. About one hundred thousand new workers could not go even after completing all the preparations. One hundred thousand additional migrant workers have returned to Bangladesh between the periods from April to August 2020. On an average, two thousand workers are returning every day. But most of the workers did not get any government or private assistance.⁷⁸ There are also allegations that migrant workers are being harassed at Bangladeshi airports after returning home. There have also been cases of migrant workers being detained and sent to jail.
68. On 4 July 2020, the police arrested 219 migrant workers who returned home from Kuwait, Bahrain and Qatar and sent them to jail though court orders. The police application filed in the court on 4 July, said that they were imprisoned after being convicted in the host countries, for their involvement in various criminal activities and while they were in quarantine in Dhaka, they were divided into different groups and were involved in conspiracy to tarnish the image of the country. Police further alleged that by engaging in criminal activities abroad, they have tarnished the image of Bangladesh in the international arena, which has adversely affected the international labor market. However, even though these workers from the Middle East were imprisoned on

⁷⁷ The daily Prothom Alo, 29 September 2020; <https://www.prothomalo.com/bangladesh/capital/□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□>

⁷⁸ The daily Prothom Alo, 2 September 2020 <https://www.prothomalo.com/bangladesh/district/8-□□□□□□□□□□-□□□□□□□□□□-□□□□□□□□□□-আরও>

Violence against Women

35

Rape

70. Due to the loopholes in the law and other reasons, rapists have been released or not even arrested and the incident of rape widely increased. One of the reasons behind not getting justice is the non-cooperation of the police. There are allegations that the police do not want to take complaints in many cases. About half of the women and children were harassed at the police station while filing the case. Even after a case was filed, the police were reluctant to arrest the accused. The police themselves have also been involved in rape.⁸² Besides, leaders and activists of the ruling party are committing incidents of rape and threats are being given to victims to withdraw the complaints.⁸³ The ruling party leaders are imposing fines on the victim's family through arbitration.⁸⁴ Moreover, the documents relating to rape cases are also disappearing from the courts.⁸⁵
71. **From July to September 2020, a total of 322 females were raped. Among them, 121 were women, 186 were minors (below the age of 18 years) and the age of 15 females could not be determined. Of the women, 42 were victims of gang rape, two were killed after being raped and one woman committed suicide after being raped. Out of the 186 minors, 34 were victims of gang rape, six were killed after being raped and one committed suicide. Furthermore, 38 females were also victims of attempted rape.**
72. When a couple went to visit Murari Chand (MC) College in Sylhet on 25 September 2020, Tarique Ahmed, Shah Mahbubur Rahman Rony, Arjun Laskar, Rabiul Islam and Mahfuzur Rahman led by Awami League-backed Bangladesh Chhatra League (BCL) activist Saifur Rahman, picked them up and took them inside the college dormitory. After that, the BCL activists detained the husband and raped his wife. On 26 September, police raided a BCL-occupied dormitory and recovered a pipe gun and four cleavers.⁸⁶ Police arrested two suspects including Saifur Rahman, Shah Mahbubur Rahman Rony, Arjun Laskar and Rabiul Islam in the incident.⁸⁷
73. In the early morning of 23 September 2020, eight or nine miscreants attacked the family of an ethnic minority community in the suburbs of Khagrachhari District,

⁸² The daily Prothom Alo, 02 July 2020; <https://epaper.prothomalo.com/?mod=1&pgnum=6&edcode=71&pagedate=2020-07-02>

⁸³ The daily Jugantor, 06 July 2020; <https://www.jugantor.com/country-news/323320/>

⁸⁴ The rape victim's family became victim of arbitration. Local Awami League leaders fined one thousand and twenty five thousand taka to the family of a raped schoolgirl through arbitration in Magura. The daily Prothom Alo, 21 July 2020; <https://epaper.prothomalo.com/?mod=1&pgnum=16&edcode=71&pagedate=2020-7-21>

⁸⁵ The daily Jugantor, 04 July 2020; <https://www.jugantor.com/todays-paper/bangla-face/322515/>

⁸⁶ The daily Prothom Alo, 27 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-27&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁸⁷ The daily Prothom Alo, 29 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-29&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

tied up the parents and raped their mentally disable daughter. Police arrested seven people on suspicion of involvement in the incident.⁸⁸

Sexual harassment

74. Sexual harassment continued unabated in the three months from July-September 2020. It is alleged that some of the victims of sexual harassment chose the path of suicide due to the negligence of the police in taking action even after filing complaints.
75. **A reported total of 35 women and minors (below the age of 18) became victims of sexual harassment between July and September 2020. Among them, four committed suicide, one was killed, nine were assaulted, three were injured and 18 were harassed in various ways.**
76. A young woman named Beauty Mondol committed suicide on 09 September after an 'offensive' picture of her was posted on Facebook in Tala Upazila of Satkhira District. Beauty's father, Nitai Mondol, alleged that a nude photo was photo shopped and his daughters face superimposed on it. His daughter's cell phone number was also given in the picture. He lodged a written complaint with Tala Police Station on 07 September and said that Mrityunjoy Roy, a second-year student of Shaheed Zia College, was involved in the incident. Despite the allegations, the police did not take any action in this regard. His daughter committed suicide in shame and anger.⁸⁹

Dowry related violence

77. Although giving and taking dowry is a criminal offense under the Dowry Prohibition Act of 1980 and the Prevention of Repression against Women and Children Act of 2000, the practice of giving and receiving dowry is widely prevalent in society and most of the victims are being deprived from justice due to lack of rule of law. During these three months, women were beaten, burned, suffocated and hacked to death due to non-receipt of dowry. Police often do not want to take the case of the victim's family.⁹⁰
78. **In the three months from July to September 2020, a reported total of 45 women were subjected to dowry violence. Among them, 17 women were killed allegedly for dowry and 28 were physically abused due to dowry demands.**
79. On 10 July 2020, a housewife named Khodeja Akter Sumi in Tarakanda of Mymensingh district was set on fire by her husband Billal Hossain for not receiving the demanded money for dowry. Sumi was admitted to the burn unit

⁸⁸ The daily Prothom Alo, 29 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-27&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

⁸⁹ The daily Prothom Alo, 12 September 2020; <https://epaper.prothomalo.com/?mod=1&pgnum=3&edcode=71&pagedate=2020-9-12>

⁹⁰ The daily Naya Diganta, 12 July 2020; <https://www.dailynayadiganta.com/bangla-diganta/514603>

of Dhaka Medical College Hospital in a critical condition where she died on 15 July. Police arrested Billal Hossain and his mother Kulsum Begum.⁹¹

Acid violence

80. Acid violence continues due to non-implementation of both the Acid Control Act⁹² of 2002 and Acid Crime Control Act⁹³ of 2002.
81. **A total of nine persons became victims of acid violence between July and September 2020. Among them, four were women, three were minor girls and two were men.**
82. In the night of 11 August 2020, some unidentified criminals threw acid on a Madrasa student named Suma Khatun (15) while she was sleeping at her home in Godagari Upazila of Rajshahi District. She was admitted to the burn unit of Rajshahi Medical College Hospital with serious injuries.⁹⁴

Neighbouring States: India and Myanmar

Extra Judicial killings of Bangladeshi nationals at the border by Indian BSF

83. Members of the Indian Border Security Force (BSF) continue to kill, torture and abduct Bangladeshi nationals at the border, violating the Memorandum of Understandings (MoU) signed between the two countries and international humanitarian law. Furthermore, BSF members are trespassing to Bangladesh illegally at any time and attacking the citizens of Bangladesh. The India-Bangladesh border is the only border in the world where killings are constantly occurring. Despite a high number of brutal attacks by the BSF on Bangladeshi citizens throughout the years, the Bangladeshi government has not taken any effective action in this regard and has not even strongly protested. To date, there has not been a single trial for the killing of Bangladeshi nationals by the BSF.

⁹¹ The daily Jugantor, 17 July 2020; <https://www.jugantor.com/country-news/326870>

⁹² The Acid Control Act was adopted to control the import, production, transportation, hoarding, sale and use of acid, prevent misuse of acid as corrosive inflammatory substance and to provide treatment to victims of acid violence, rehabilitate them and provide legal assistance. If a person is involved in unlicensed production, import, transport, storage, sale and use acid and infringes any sections of this Act, he/she will be imprisoned for 3-10 years rigorous imprisonment and additionally liable to pay a fine not exceeding BDT 50,000.

⁹³ The Acid Crime Control Act was enacted to control acid crimes. The offences under this Act are non-bailable. There are various punishments depending on the parts of the body affected by acid. If any person causes death of any other person by acid or causes hurt to any other person in such a way that her/his eyesight or hearing power is lost fully or partially or face, breast or sexual organ is defaced or destroyed, such person will be punished with death or rigorous imprisonment for life and in addition shall also be liable to fine not exceeding BDT 1,00,000. Damage or disfigurement of any other organ, ligament or part of the body will result in 7-14 years of rigorous imprisonment and also with a fine not exceeding BDT 50,000. The Suppression of Repression against Women and Children Act 2001 (amended in 2003) also contains provisions for punishment for using corrosive substance to commit an offence against women.

⁹⁴ The daily Prothom Alo, 12 August 2020

84. From July to September 2020, 11 Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Among them, 10 were gunned down and one was tortured to death by BSF members. Furthermore, two Bangladeshis were injured and three were abducted by the BSF during this period.
85. On 3 July 2020, a Bangladeshi national named Riazul Islam (32) was shot dead by members of the BSF's Banshghata Camp along the Dhanyakhola border in Benapole, under Jashore District.⁹⁵
86. BSF members shot and killed Bangladeshi citizens along the Bangladesh-India border over several days in August 2020. On 11 August, a Bangladeshi cattle trader named Akhirul Islam at the Char Italukanda border under RoumariUpazila in Kurigram District⁹⁶; on 14 August, a Bangladeshi youth named Kashem at the Daulatpur border in Kushtia⁹⁷; and on 16 August, a Bangladeshi youth named Mohammad Shumon at the Shingnagar border under Shibganj Upazila in Chapainawabganj District⁹⁸, were all shot dead by BSF members.
87. In the night of 5 September 2020, a Bangladeshi youth named Mohammad Badshah was shot dead by BSF members of the Shoshani camp in Kaliachak-Golapganj area of Malda District in West Bengal, India, at the Shibganj border in Chapainawabganj District of Bangladesh. The next day (on 6 September), BSF members came and took the body away.⁹⁹

India's dominance over Bangladesh

88. In addition to the massive human rights violations on Bangladeshi citizens at the border by the Indian BSF, India's economic and political dominance over Bangladesh has been severely established. The Government of India has played a key role in undermining Bangladesh's democratic system by widely supporting the Awami League government in holding non-transparent, controversial and unilateral parliamentary elections on 5 January 2014, with the intention of interfering in Bangladesh's internal affairs.¹⁰⁰ Following this election, the Awami League government came back to power through another controversial and farcical one-sided elections held on 30 December 2018; which completely destroyed the democratic and electoral system of Bangladesh. Since the 2014 parliamentary elections, due to the weak foreign policy of the Government of Bangladesh, the interference of the Indian government in the internal affairs of Bangladesh has gradually increased. During the visit of Indian Prime Minister Narendra Modi to Dhaka in June 2015, a record number of

⁹⁵ The daily Jugantor, 3 July 2020; <https://www.jugantor.com/country-news/322278>

⁹⁶ The daily Naya Diganta, 13 August 2020; <https://www.dailynayadiganta.com/last-page/521241>

⁹⁷ The daily Jugantor, 15 August 2020; <https://www.jugantor.com/country-news/335043>

⁹⁸ The daily Jugantor, 17 August 2020; <https://www.jugantor.com/country-news/335599>

⁹⁹ The daily Prothom Alo, 7 September 2020;

<https://epaper.prothomalo.com/?mod=1&pgnum=16&edcode=71&pagedate=2020-09-07>

¹⁰⁰ Available at: [www.dw.com/bn/wbe@vPb-bv-n#j-#g\\$jev#`i-Divb-n#e/a-17271479](http://www.dw.com/bn/wbe@vPb-bv-n#j-#g$jev#`i-Divb-n#e/a-17271479)

Human rights violations on the Rohingya population

90. Myanmar's military and Buddhist extremists began the process of genocide on the Rohingya population and expelling them from Myanmar on 25 August 2017. During these operations, members of the Rohingya community took refuge in 34 refugee camps in Ukhia and Teknaf Upazilas of Cox's Bazar District, Bangladesh after being subjected to various forms of torture and violence, including killings, disappearances, gang rape, and arson on homes and farmlands by Myanmar's military and Buddhist extremists. The Myanmar Army and the government led by State Councilor Aung San Suu Kyi, have denied the allegations. Two members of the Myanmar army, Mayo Win Tun and J Naing Tun, involved in the genocide, fled Myanmar in August 2020. They were later taken to The Hague in the Netherlands and held in the custody of the International Criminal Court. The two former soldiers of Myanmar army acknowledged that allegations of genocide against Rohingya population, mass burials after the killings, and destruction of Rohingya villages, as well as mass rape against the Myanmar army, were true.¹⁰⁵ Later two other members of the Myanmar army, Chao Mio Aung and Par Tao Ni, testified at the International Criminal Court. There they gave details of the brutal torture and massacre of the Rohingyas.¹⁰⁶
91. Violence against Rohingya Muslims and several other ethnic groups has been reported in Rakhine State of Myanmar, in addition to convicting Myanmar army officers for committing genocide against Rohingyas in Rakhine State. While speaking at the 43rd High-Level Meeting of the UN Human Rights Council in Geneva, the High Commissioner for Human Rights Michelle Bachelet highlighted the ongoing violence against several ethnic groups, including the Rohingya Muslims, in Myanmar's Rakhine state.¹⁰⁷
92. There are frustrations among Rohingyas over the lack of progress in repatriation to their own country. As a result, Rohingya refugees are trying to cross the dangerous path of the sea to go abroad. More than 300 Rohingyas, including 33 children floating in a vessel in the sea, were rescued and sent to Bhasanchar in April this year. At that time, Bangladesh authorities said that the rescued refugees had been temporarily kept in quarantine at Bhasanchar to prevent the spread of COVID-19 in the camps in Cox's Bazar of Bangladesh. However, after more than five months, they were not repatriated and despite promises, the Bangladesh government did not allow UN officials to provide protection to the Rohingyas. The UN Secretary General Antonio Guterres called for the safe evacuation of Rohingyas from Bhasanchar to Cox's Bazar, but the Bangladesh government did not respond. The families of the Rohingyas in Bhasanchar said

¹⁰⁵ The daily Prothom Alo, 09 September 2020 ; <https://www.prothomalo.com/world/□□□□□□□□-□□□□□□-□□□□□□-□□□□□□-□□□□>

¹⁰⁶ The daily Jugantor, 12 September 2020; <https://www.jugantor.com/todays-paper/first-page/343815>

¹⁰⁷ The daily Naya Diganta, 05 July 2020; <https://www.dailynayadiganta.com/first-page/513053>

that they are being held there like prisoners without sufficient food and health care. There are even allegations that some of the women Rohingya refugees have been raped and sexually harassed. Furthermore, Rohingyas are suffering from acute shortage of drinking water there. Some refugees have complained that they were beaten by the Bangladeshi authorities in Bhasanchar. Rohingya refugees in Cox's Bazar said that they were told they would have to go to Bhasanchar if they wanted to see their family members there.¹⁰⁸

Hindrance to Human Rights Activities

93. The government's harassment on Odhikar, which began in 2013, continues. In 2014, Odhikar applied to the NGO Affairs Bureau (NGOAB) under the Prime Minister's Office for renewal of its registration. The renewal is still pending.¹⁰⁹ The NGOAB has also stopped giving fund clearance for all of Odhikar's projects for more than six years and completely barred approval of any new project. As part of the government's crackdown, the Standard Chartered Bank is also harassing Odhikar by suspending its bank accounts. Human rights activists associated with Odhikar are under surveillance for being vocal about human rights violations. The case filed against Odhikar's Secretary and Director under the Information and Communication Technology Act 2006 (amended 2009) is still pending before the court. Odhikar has also been forced to resort to self-censorship while publishing its reports, due to these various obstacles and curtailments of freedom of expression by the government.

¹⁰⁸ HRW report, 09 July 2020; <https://www.hrw.org/news/2020/07/09/bangladesh-move-rohingya-dangerous-silt-island>; and The Guardian, 22 September 2020; <https://www.theguardian.com/world/2020/sep/22/rohingya-refugees-allege-sexual-assault-on-bangladeshi-island>

¹⁰⁹ Odhikar filed a writ petition (No. 5402/2019) in the High Court Division of the Supreme Court on 13 May 2019, as the NGOAB did not renew the registration even till 2019. The court issued a Rule upon the NGOAB stating as to why the inaction of the Respondent (NGOAB) to grant renewal of Odhikar's registration, pursuant to application made by the Petitioner (Odhikar) on 25 September 2014, shall not be declared to be without lawful authority and of no legal effect; and why the Respondent shall not be directed to renew registration of the Petitioner from 2015 onwards in accordance with law. The NGOAB was asked to respond to the rule within two weeks, but the Bureau did not take any steps to renew Odhikar's registration.

Recommendations

1. The international community including the United Nations must urgently cooperate in restoring (transparent, fair, and participatory) electoral democracy in Bangladesh.
2. Justice to the victims of enforced disappearances must be ensured at the International Criminal Court (ICC), as the domestic courts and government here are unwilling to give justice. The International Convention for the Protection of All Persons from Enforced Disappearance must be ratified immediately.
3. Members of the law enforcement and intelligence agencies who are involved in extreme human rights violations and crimes against humanity, with impunity, must be brought to justice, punished as per criminal laws and dismissed from employment. We need to create a democratic environment to implement the recommendations of the UN Committee Against Torture and the Human Rights Committee. The government must accede to the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013.
4. An environment needs to be created where the flow of financial resources to independent human rights organisations continues, allowing them to work independently in compliance with the international standards.
5. The government must refrain from repressive, unconstitutional, and undemocratic activities. Freedom of expression and media must be ensured. 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. All repressive and abusive laws, including the Special Powers Act, 1974, the Information and Communication Technology Act, 2006 (amendment 2009 and 2013) and the Digital Security Act, 2018 and its Rules 2020 should be repealed immediately.
6. Workers' rights must be implemented in accordance with the ILO Convention, including the right to form trade unions in all factories. Workers in other sectors need to create a conducive working environment and fair policies for their work, including the prevention of discrimination. Arresting migrant workers and filing harassment cases against them are violations to international and national law. The government and courts must refrain from allowing such repressive activities.
7. The insecurity and fear created due to the escalation of rape and other abuses against women needs urgent attention and must be stopped. Perpetrators of the crime of rape and other acts of violence against women and harassment, must be punished by ensuring justice. The harbouring/protecting of a criminal is in itself an offence. Criminals affiliated with the ruling party who are attacking women should not be given immunity.

8. All human rights violations, including killings and torture by the Indian Border Security Force (BSF) on Bangladeshi nationals at the border must be stopped and the victims must be compensated by Indian authorities. Perpetrators from the BSF must be put to trial. Apart from stopping India's influence over Bangladesh, a balance has to be maintained in unequal trade between India and Bangladesh.
9. The safe and dignified repatriation of the Rohingya people, who are victims of genocide and crimes against humanity, to their homeland must be ensured along with the restoration of their citizenship; and their human rights be established by ensuring justice for the crimes committed against the Rohingya.
10. The on-going state of repression on Odhikar must stop. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn.

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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