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The State of the World's Human Rights; Bangladesh 2023

Background

2023 marked the 15th consecutive year that the Awami League remained the ruling political party.

Freedom of expression

In September, the draconian Digital Security Act (DSA) was repealed and replaced with the almost identical Cyber Security Act (CSA), following tokenistic consultation.¹ Authorities had weaponized the DSA to threaten and silence thousands of journalists and critics, restricting liberty and rights to privacy as well as freedom of expression. The CSA retained many of the repressive features of the DSA, including verbatim all but two of the DSA offences, albeit with some reductions to the maximum sentences, maintaining broad powers of arrest and investigation.²

Journalists

Journalists faced increasing attacks and prosecutions amid a deepening crisis for press freedom and a growing culture of zero tolerance for dissent more broadly.

In April, Prime Minister Sheikh Hasina labelled Prothom Alo – the country’s largest daily newspaper – “an enemy of the Awami League, democracy, and the people of Bangladesh” in parliament. Hours later, a group of individuals barged into the newspaper’s office in the capital, Dhaka, issuing threats and vandalizing its logo.³ This was in reaction to an article by journalist Shamsuzzaman Shams, published by the media outlet on 26 March, Independence Day, covering the cost of living crisis in Bangladesh.

On 29 March, Shamsuzzaman Shams was arbitrarily arrested and detained under the DSA for publishing “defamatory, false and fabricated information”. He was initially denied bail and jailed. Although released on bail on 3 April, if convicted he could face up to seven years’ imprisonment.

In June, journalist Golam Rabbani was beaten to death by a group of men armed with machetes and steel bars. The attack came hours after a local court dismissed a case filed against Golam Rabbani under the DSA by the then Sadhurpara union council chairman, who was also a member of the ruling party. Golam Rabbani’s family alleged he was killed in retaliation for a series of reports he authored on the chairman, which also prompted the DSA case.

Women and girls

The DSA was used to punish individuals with links to critical voices in the diaspora. In November, Khadijatul Kubra, a second-year university student, was finally granted bail after spending over 14 months in arbitrary pretrial detention under the DSA, in connection with critical statements made against the government by a guest speaker during a webinar she had moderated when aged 17. Khadijatul Kubra was repeatedly denied bail by the Supreme Court, which stated she should take responsibility for the views expressed on her talk show.⁴

In August, the police arbitrarily arrested and detained 58-year-old Anisha Siddika on charges of “sabotage” against the government under the authoritarian Special Powers Act. This came three

days after Anisha Siddika's son, who lives in the USA, published a Facebook post critical of the ruling party. While in police custody, Anisha Siddika was ordered to remove her face veil before police forcibly photographed her and posted it on their Facebook page. She also alleged that she was denied food and the opportunity to pray for 12 hours while in custody.⁵

Human rights defenders

In September, a cyber tribunal sentenced Adilur Rahman Khan and A.S.M. Nasiruddin Elan, leaders of human rights organization Odhikar, to two years' imprisonment under Section 57 of the draconian Information and Communication Technology Act 2006. Odhikar had published a fact-finding report documenting extrajudicial killings conducted by the state in response to a protest in 2013. The two men had endured a decade of persecution, intimidation and harassment by the state and were denied their right to fair trial. The state's relentless crackdown on Odhikar and its leaders had a chilling effect on civil society, especially those documenting violations of human rights.

Freedom of peaceful assembly

Authorities used unlawful force coupled with widespread arrests to curb opposition-led protests throughout the year. Police unlawfully used rubber bullets and tear gas against largely peaceful protesters at a sit-in on 29 July in Dhaka. Law enforcement representatives beat unarmed protesters and fired tear gas near a hospital, while officers in civilian clothes used unlawful force against protesters.⁶ Ahead of the protest, on 28 July, more than 500 opposition leaders and activists were arrested. The police boarded buses entering Dhaka and conducted searches of people's phones to prevent individuals from joining opposition rallies.

In an earlier protest on 18 July, the authorities used live bullets against protesters resulting in at least one death.⁷ The police filed cases against over 12,000 unnamed and 1,036 named opposition activists in 14 districts. As opposition-led protests intensified, at least 1,727 opposition activists were arrested in Dhaka between 21 and 28 October, including the secretary general of the largest opposition party.

In August, Mominul Islam Jishan and five other leaders of the student wing of the main opposition party were picked up from Mominul Islam Jishan's home by a group of men in civilian clothing who identified themselves as members of the Detective Branch of the police. Their whereabouts remained unknown for over 24 hours before the police told the press that the six men were held under the authoritarian Special Powers Act and Arms Act.

Enforced disappearances and extrajudicial executions

Odhikar estimated 24 extrajudicial killings and 52 enforced disappearances in 2023, compared to 31 extrajudicial killings and 21 enforced disappearances in 2022.

In May, Ikramul Haque, a madrasa teacher, his wife, Anika Faria, and their six-month-old son were brought before a court in Dhaka in an anti-terrorism case, one month after they were detained by the police. Their family told media that their whereabouts remained unknown during that period. The police denied the allegation of enforced disappearance and accused the couple of being recruiters for the banned militant group Ansar-al-Islam.

Torture and other ill-treatment

Bangladesh failed to submit its report to the UN Committee against Torture, due in August.

Custodial deaths continued to be reported in the media with alarming frequency. Odhikar estimated at least 94 deaths in jail custody in the first nine months of the year. Authorities failed to ensure prompt, effective, impartial and independent investigations into deaths in custody.

In March, Sultana Jasmine, a government employee detained under the DSA died in custody due to internal bleeding in her head. The Supreme Court ordered a probe committee to be formed to investigate her death after finding inconsistencies in the official post-mortem report. The case remained ongoing.

In June, Ekramul Hossain, a farmer, died in police custody after being detained on drug related charges, although no drugs were found in his possession. His family alleged that the police tortured him in custody because they were unable to pay the demanded bribe. The police refuted this, claiming that Ekramul Hossain “tripped and fell” when trying to flee.

In July, a court in the north-western Natore district ordered the Superintendent of Police to prosecute five police officers accused of torturing three men to extract confessions in a robbery case. The Superintendent refuted the torture allegation by asserting that the men “fell and hurt themselves” when trying to escape from the police. The investigation order was later stayed by a higher court, while two of the police officers accused of torture were awarded prizes for “best police officers of the month” 10 days later by Natore police.

Workers’ rights

April marked 10 years since the Rana Plaza collapse, which left more than 1,100 garment workers dead and thousands injured. Despite the reforms that followed, occupational safety remained a distant dream for many workers. The Safety and Rights Society estimated that at least 875 workers were killed in 712 workplace accidents in 2023, marking a rise from 712 deaths recorded in 2022.

In June, the president of the Bangladesh Garments and Industrial Workers’ Federation was beaten to death by a group of armed men outside a factory where he was intervening on behalf of workers over a dispute relating to unpaid wages.

In October and November, at least three workers were killed in protests relating to the national minimum wage for ready-made garment (RMG) workers due to lethal force used by law enforcement. RMG workers called for their monthly wage to be increased from BDT 8,000 (USD 74) to at least BDT 23,000 (USD 212). However, in November, the government announced that the minimum wage would increase to only BDT 12,500 (USD 114).

In November, the government amended the labour law to increase maternity leave from 112 days to 120 days and lower the number of workers’ signatures required for the formation of trade unions. Workers’ rights groups demanded the withdrawal of the Essential Services Bill tabled in parliament. The proposed law would render industrial action by workers – such as protests – unlawful in any sector deemed “essential” by the government.

Authorities weaponized labour laws to launch a criminal prosecution against 83-year-old Nobel Laureate Mohammad Yunus and three of his colleagues at Grameen Telecom, alleging non-compliance with the Labour Act 2006. The ongoing trial proceeded with unusual speed and was one of more than 150 cases filed against Mohammad Yunus since the Awami League party came into power in 2008, with the prime minister, Sheikh Hasina publicly denigrating him on many occasions.⁸

Refugees’ and migrants’ rights

Bangladesh continued to host over 1 million Rohingya refugees in camps in poor conditions for the sixth consecutive year.

In March, a devastating fire destroyed around 2,000 shelters and left around 12,000 Rohingya refugees homeless.⁹ In May, cyclone Mocha, made worse by climate change, destroyed camp infrastructure and dwellings. In June, the UN announced that an acute funding shortfall forced the World Food Programme to further slash the value of refugees' monthly rations from USD 12 to USD 8. Days later, tens of thousands of Rohingya refugees in Bangladesh launched a protest demanding to be repatriated to Myanmar, citing their dire situation.

The UN Special Rapporteur on the situation of human rights in Myanmar urged Bangladesh to suspend its pilot repatriation project given the continuing risk for returning refugees.

In July, an ICC prosecutor visited the camps to collect testimony from refugees to aid the court's investigation against the Myanmar military for genocide. Mohammad Ebadullah, a junior refugee camp warden who was assembling refugees to testify, was stabbed to death just before the prosecutor arrived in the camps. Six other refugees were killed the day after his visit. While the ICC prosecutor told press that these killings were unrelated to the court's investigation, they underscored the deteriorating security in the camps.

On a positive note, in July, UNICEF announced that a record number of 300,000 Rohingya refugee children were enrolled for the 2023/24 school year.
