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Three-month Human Rights Monitoring Report on Bangladesh

Reporting Period: January – March 2020

Prepared by Odhikar

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Foreword

Since its establishment in 1994, Odhikar as a human rights organisation has always been active to raise mass awareness of the human rights violations committed by the state and to campaign for internationally recognised civil and political rights, protest abuses of rights and prevent the state from violating human rights. Odhikar unconditionally stands beside the victims of human rights violations, and works to ensure the safety of victims and establish justice.

In order to promote and protect human rights, Odhikar has been facing extreme state oppression and harassment of the present government since 2013. Despite this adverse situation, Odhikar continues to work; and has prepared the first quarter (January-March) 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 on the human rights situation between January- March 2020, highlights issues such as the abolition of democracy and freedom of speech and expression and the deprivation of the people's right to life.
2. The current government has been in power since 2009, so the first three months of human rights violations in 2020 are a continuation of human rights abuses over the last eleven years. The government has been using national institutions such as the Election Commission, the Anti-Corruption Commission and the National Human Rights Commission to implement its political agenda. The farcical Jatiya Sangsad¹ elections held under the Election Commission in 2014² and 2018³ have completely disrupted Bangladesh's electoral system. These last two national elections managed to create a lack of confidence in the government and the electoral system. As a result, voters did not show interest in voting even in the by-elections of a few parliamentary constituencies and in the local government elections held in the first three months of 2020. The government backed candidates won through massive irregularities and vote rigging, while most polling stations were seen to be empty.
3. The culture of impunity of the government has become stronger as it came to power without people's mandate. As a result, citizens have been subjected to various human rights abuses, including enforced disappearances, extrajudicial killings, and torture throughout this regime. Extra-judicial killings are occurring due to lack of government's accountability, no rule of law, a dysfunctional justice delivery system and impunity of the culprits. Extrajudicial killings are often covered up by law enforcement by their claims of the death of the victim in a 'gunfight'. During this period, seven Rohingya refugees were also reportedly killed extra judicially.
4. The massive, worldwide outbreak of the novel Coronavirus (COVID-19) has caused a pandemic. The people of Bangladesh are also infected with this deadly virus and the government of Bangladesh has also adopted a lockdown policy since 26 March as a way to prevent the spread of COVID-19. Bangladesh had more than two months

¹National Parliament

² The Caretaker Government system was incorporated in the Constitution through the 13th amendment to the Constitution, as a result of people's movement led by the then Opposition Awami League and its alliance between 1994 and 1996 due to the continuation of enmity, mistrust and violence between the two main political parties (BNP and Awami League). Later this system received a huge public support. However, in 2011 the caretaker government system were removed unilaterally by the Awami League government through the 15th amendment to the Constitution, without any referendum and ignoring the protests from various sectors; and a provision was made that elections were now to be held under the incumbent government. As a result, the farcical 10th Parliamentary elections were held on 5 January 2014, despite the boycotting of this election by a large majority of political parties. The election was farcical and out of 300 constituencies, 153 MP's were declared elected uncontested even before the polling commenced.

³ During the 11th Parliamentary elections on 30 December 2018, incidents of various irregularities, such as stuffing ballot boxes the night before polling day; casting fake votes; voters being forced or coerced to vote openly for the ruling party candidates; 'capturing' polling centres; arrests and forcibly ousting of polling agents of the opposition party-nominated candidates; and intimidation of voters by supporters of the ruling Awami League-nominated candidates, election officials and members of law enforcement agencies, occurred. As a result, most of the people could not vote. <https://www.ti-bangladesh.org/beta3/index.php/en/highlights/5749-2019-01-15-07-24-53>

to prepare for the prevention of the Coronavirus outbreak. However, despite warnings from the World Health Organisation, the Bangladesh government failed to take appropriate and timely measures to prevent the COVID-19 pandemic.

5. The provision of the death penalty exists in criminal laws in Bangladesh, and there is no interest in a moratorium.
6. Public lynching is common. The tendency of the ordinary people to take up the law into their own hands has increased due to the weakness of the criminal justice system, the impunity of law enforcement agencies and lack of confidence in the institutions due to corruption. As a result, deaths have been reported in public lynching.
7. The right to freedom of expression has been massively violated in the country during these three months. Dissidents, opposition leaders-activists and ordinary citizens and even a Baul artist have been sued under the Digital Security Act 2018 and sent to jail for allegedly writing on social media or posting a 'like / share' on a post against high level persons of the ruling party or their family members, the ministers, parliamentarians and even Indian Prime Minister Narendra Modi; and for hurting 'religious sentiment'. The Digital Security Act has also been used against journalists for published news. A Member of Parliament of the ruling party has filed a lawsuit against 32 people, including the Chief Editor of the daily Manabzamin, under the Digital Security Act 2018. In the meantime, the government has issued the Digital Security Rules 2020 in order to enforce the Digital Security Act 2018 more strictly. The government has pressurized the media in various ways and has disrupted the promotion of objective and neutral news. In most cases, journalists are being forced to apply self-censorship. During this reporting period, journalists who were performing professional duties have been subjected to attacks by pro-government miscreants. There were allegations of accusing the Editor of the daily Prothom Alo in a criminal case for publishing news against the government and the administration and imprisoning a journalist of the Bangla Tribune, an online news media, through a mobile court.
8. As always, the right to freedom of assembly and holding meetings of the opposition political parties and dissidents continued to be curtailed in the first quarter of 2020. Apart from the BNP, there have been obstacles placed and attacks made on the processions and rallies of other opposition political parties and protesting organisations/groups. Furthermore, opposition leaders and activists were arrested from indoor meetings and cases have been filed against them for 'plotting sabotage'.
9. There are allegations that some inmates have died due to lack of doctors, inadequate medical treatment and due to the negligence of the jail authority, in overcrowded prisons where inmates are living a miserable life.
10. Former Prime Minister Khaleda Zia was imprisoned in jail since 8 February 2018 and she was under treatment under the jail management, at Bangabandhu Sheikh Mujib Medical University (BSMMU) due to ill health. Although she was ailing, her

bail application was rejected by the court. The BNP alleged that Khaleda Zia was not being granted bail by government order. The USA State Department's Human Rights Report 2019, also mentioned that, "international and domestic legal experts commented on the lack of evidence to support the conviction, suggesting a political ploy to remove the leader of the opposition from the electoral process".⁴ On 25 March 2020, the government finally decided to release BNP Chairperson Khaleda Zia from hospital custody, due to the COVID-19 crisis. The government, through an executive order, released her for six months on the condition that she will stay at home and not leave the country. The government made the decision as per section 401 (1) of the Code of Criminal Procedure and accordingly she was released on 26 March from the BSMMU.

11. During the last three months, there have been various allegations against Awami League, Chhatra League⁵ and Jubo League⁶ leaders and activists for attacks on opposition party leaders-activists, abduction, beatings of university teachers, brutality on students and ordinary citizens and violence against women across the country. Moreover, Awami League, Chhatra League and Juba League leaders were involved in internal clashes due to conflicts of interest.
12. Violence against women continued in the first three months of 2020. Many women and children are subjected to various forms of violence. The ruling party leaders and activists have been accused of suppression and violence against women. It is alleged that the victims of rape were prevented from being taken to the hospital for treatment. Intimidation of witnesses in the rape case and/or attacks on them by the accused have also been reported. Furthermore, there have been reports of the ruling party leaders making large amounts of money by reconciliation through mediation. Dowry violence remains unchecked, despite the practice being unlawful. It is unfortunate that the violence is investigated only after the victim of dowry violence is killed.
13. In the first three months of this year, workers in both formal and informal sectors have been subjected to various forms of human rights violations. Workers were killed in various occupations and workers of the garment industry staged protests demanding payment of their arrears, and one of the workers was shot dead by police during protest.
14. India's domination over Bangladesh continues. The present government, which came to power through farcical elections, has given India a huge opportunity to dominate Bangladesh and violate human rights.⁷ In the first three months of 2020, Bangladeshi citizens have been killed and tortured by members of the Indian Border Security Force (BSF) along the Bangladesh-India border areas.

⁴ <https://www.state.gov/wp-content/uploads/2020/02/BANGLADESH-2019-HUMAN-RIGHTS-REPORT-1.pdf>

⁵ Student wing of Awami League

⁶ Youth wing of Awami League

⁷ Bangladesh Protidin, 24 November 2019; <https://www.bd-pratidin.com/abroad-paper/2019/11/24/477559>

15. The International Criminal Court Prosecutor, Fatou Bensouda, on 4 July 2019, requested judicial authorisation to commence an investigation into the situation of the Rohingya community in Bangladesh/Myanmar. Meanwhile on 11 November 2019, the Gambia, filed a lawsuit against Myanmar at the International Court of Justice, for committing various forms of torture and violence, including murder, enforced disappearance, gang rape and setting fire to houses of members of the Rohingya community.⁸ On 23 January 2020, the International Court of Justice passed four interim orders to the Myanmar government to protect Rohingya people from genocide.⁹ Just one day after the International Court of Justice's directive, the Myanmar army fired at Rohingya village, Kin Taung, at midnight on 24 January. As a result, two Rohingyas, one of whom was pregnant, were killed and seven injured. In addition, the International Criminal Court began its investigation on 28 January. Attacks on Rohingyas in the Rakhine state of Myanmar continued while the mass atrocity crimes are under investigation in the two international courts. On 29 February, the Myanmar army started bombing the Bu Ta Lone village of Rakhine and killed five Rohingya Muslims, including a 12-year-old child.¹⁰
16. The government has always been active in curbing *Odhikar's* voice against human rights violations. The government's repression and harassment on *Odhikar*, which accelerated in 2013, did not change and continues in 2020. *Odhikar* submitted an application for the renewal of its registration in the NGO Affairs Bureau under the Prime Minister's Office, in 2014. This has still not been renewed. Furthermore, banking transactions of *Odhikar* at the Standard Chartered Bank have been stopped. The case filed under the Information and Communication Technology Act 2006 (Amendment 2009) against the Secretary and Director of *Odhikar* is still pending.

⁸ New Age, 12 November 2019; <https://www.newagebd.net/article/90354>

⁹ The daily Manabzamin, 24 January 2020; <http://www.mzamin.com/article.php?mzamin=209747>

¹⁰ The daily Jugantor, 2 March 2020; <https://www.jugantor.com/international/284467>

Statistics: Human Rights violations (January-March) 2020

Statistics: January-March 2020*						
Type of Human Rights Violation			January	February	March	Total
Extrajudicial killings	Crossfire		21	24	28	73
	Tortured to death		1	2	3	6
	Shot to death		1	0	5	6
	Beaten to death		0	0	1	1
	Total		23	26	37	86
Enforced Disappearances			4	3	2	9
Death in Jail			4	6	7	17
Death Penalty (sentenced to death)			33	28	18	79
Human rights violations by Indian BSF	Bangladeshis Killed		13	3	0	16
	Bangladeshis Injured		4	2	0	6
	Bangladeshis Abducted		1	0	2	3
	Total		18	5	2	25
Attack on journalists	Injured		1	6	5	12
	Assaulted		3	5	1	9
	Attacked		0	2	0	2
	Threatened		0	0	3	3
	Total		4	13	9	26
Political violence**	Killed		0	5	6	11
	Injured		209	132	146	487
Dowry related violence against women			16	8	12	36
Rape	Girl under the age of 18		66	72	57	195
	Women		26	33	25	84
	Age could not be determined		0	1	0	1
	Total		92	106	82	280
Sexual harassment /Stalking of females			11	15	13	39
Acid violence			0	3	1	4
Public lynching			6	2	4	12
Situation of workers	RMG workers	Killed	0	0	0	0
		Injured	4	10	0	14
	Workers in other sectors (Informal)	Killed	5	6	7	18
		Injured	11	1	17	29
Arrest under Digital Security Act 2018			5	4	5	14

* Odhikar documentation

State Repression and Impunity

Extrajudicial killings

1. Extra-judicial killings are occurring due to lack of accountability of the government, no rule of law, a dysfunctional justice delivery system and impunity of law enforcement and security forces. It is also occurring in the name of the nationwide anti-drug operations. It is alleged that law enforcement agencies attempt to mask the killing by calling it a death in 'gunfight.' While men are generally victims of extrajudicial killings, a woman has also been victim of extrajudicial killing in January this year. In addition, seven Rohingya refugees were allegedly killed together in a 'gunfight'.
2. A total of 86 persons were reportedly killed extra-judicially between January and March 2020. Of them, 40 persons were killed by police, 24 by RAB, 14 by BGB, seven by Detective Branch (DB) Police and one by the Army. Among the 86 persons extra judicially killed, 73 were killed in 'crossfire/ encounters/ gunfights'. Furthermore, among the deceased, six persons were allegedly tortured to death by police, six were shot to death by police and BGB, and one was beaten to death by police. Some incidents are as follows:
3. On 5 January 2020, a woman named Samuda Begum (40) was shot dead by police in Teknaf, under Cox's Bazar District. Police claimed that Samuda Begum was a drug dealer and was killed during a police operation between policemen and drug peddlers.¹¹
4. Shamsul Huda Nissan, Shariful Islam and Mahfuz Alam Sujan were reported missing after they disappeared while on their way home from appearing in a Feni court, on 27 February 2020. In the early morning of 28 February, Shamsul Huda and Shariful Islam were killed in a 'gunfight' with police and another young man, Sujan, was killed at midnight on 29 February. Sonagazi police claimed they were members of a group of robbers. Meanwhile the family members of the victims alleged that the police took them and shot them to death.¹²
5. On 2 March 2020, seven Rohingya people, including Mohammad Farooq, Nur Hossain, Mohammad Imran, a resident of Shalban Rohingya camp in Teknaf, were allegedly killed in a 'gunfight' with RAB members in Teknaf under Cox's Bazar District.¹³

¹¹The daily Jugantor, 6 January 2020; <https://www.jugantor.com/todays-paper/news/263807>

¹² Information sent by local human rights defender associated with *Odhikar* from Feni

¹³The daily Prothom Alo, 3 March 2020

Torture

6. In the first three months of 2020, there have been allegations of torture and death in police custody. The Torture and Custodial Death (prevention) Act 2013 is in force on paper only and the reality has not changed. Members of the law enforcement agencies continue to torture with impunity. After filling complaints, the families of the victims of torture face harassment and threats by the police. Members of law enforcement agencies investigate most cases of death in custody. As a result, it is alleged that the investigations are biased and could not be conducted in a neutral manner. Six persons, including one woman, were reportedly killed in police custody during this reporting period. Some incidents are as follows:
7. On 2 February 2020, an auto-rickshaw driver named Mozaffar Hossain (30) was killed in police custody at Bhurungamari in Kurigram. Abdul Wahab, his father, said that a drug smuggler was a passenger in Mozaffar's auto rickshaw. When the police tried to apprehend the man, he fled. Police then arrested Mozaffar and took him, along with three and half kilograms of *Ganja* (marijuana) which was left behind by the fleeing passenger, to the police station. Mozaffar allegedly died when police tortured him at the police station.¹⁴



Auto rickshaw driver Mozaffar Hossain killed in police custody. Photo: Ittefaq, 3 February 2020

8. A woman named Yasmin Begum was tortured to death by the Detective Branch of Police in Gazipur. Family members of the victim said that on 18 February 2020, a group of DB police launched a raid at her house in the Bhawal Gazipur area under Gazipur District, to arrest Abdul Hai. However, after failing to find Abdul Hai, they broke a collapsible gate and entered the house and arrested Abdul Hai's wife Yasmin Begum. The DB police beat Yasmin Begum up when she did not want to go with them. Police claimed that Yasmin Begum was a drug dealer. During the raid, 100 Yaba pills were recovered. Yasin Arafat, son of the deceased Yasmin Begum, said that after receiving the news he went home and

¹⁴ The daily Naya Diganya, 4 February 2020; <https://www.dailynayadiganta.com/last-page/477702>

saw the police taking his mother. Later, he called his mother's cell phone and was harassed with abusive language from the other side. He claimed that he could hear his mother crying and screaming in the background. At 11:00 pm, someone used his mother's phone to call and tell him to go to the DB office. Later, he was asked to go to Gazipur Martyr Tajuddin Ahmed Medical College Hospital. At the hospital, he received the news of his mother's death. Yasin said that his mother was not involved in drug peddling and no Yaba was recovered that day. Police arrested his mother and beat her to death on false charges of keeping drugs.¹⁵

9. There are allegations of threats to plaintiff Alo Begum, wife of Alamgir Hossain who was tortured to death in police custody and witnesses of the case, by police for filing a case against police of Uttara Police Station of Dhaka under the Torture and Custodial Death (Prevention) Act, 2013. On 15 January 2020, Alo Begum filed a case against Uttara (West) Police Station's Officer-in-Charge Tapan Chandra Das, Sub Inspector Mizan, Assistant Sub Inspector Nazmul and Constable Sohag in the Metropolitan Sessions Judge's Court under the Torture and Custodial Death (Prevention) Act. It is to be noted that on 16 December 2019, Alamgir Hossain, a petty trader in Uttara, Dhaka, was called by a person named Shanto, who told him to go to sector 7 of Uttara. There, SI Mizan of the Uttara (West) Police Station, without saying anything, put his hand in Alamgir's pocket and said, "You have Yaba." Alamgir was immediately arrested by SI Mizan and taken to the police station. He was kept in custody overnight and tortured by the police. A man named Pranto was detained in police custody at that time. He is known to have been a witness to the torture. The next day Alamgir was sent to the court by police and the court ordered him to be imprisoned. Alamgir was taken to Dhaka Medical College Hospital on 18 December when his condition became critical. There, the doctor declared him dead. Alo Begum complained that after filing the case, a number of phone calls were coming to her from unknown numbers and she was threatened that she will face the same consequence as her husband. She also said that Pranto, who witnessed torture on Alamgir at the police station, is being threatened too.¹⁶
10. On 12 March 2020, a 12-year child called Arif helped lay his father's body in an auto-rickshaw in front of a press club in Mymensingh city, claiming his father had died due to police torture.¹⁷ On 28 February 2020, a small businessman named Altaf Ali was arrested by Sub Inspector Abul Khair and Assistant Sub Inspector Abdul Hamid of Muktachacha Police Station. When asked why he was being arrested, police beat Altaf Ali with sticks in front of his family members and seriously injured him. Later the police took Altaf Ali to the police station and demanded Tk 85,000 for his release. Police detained Altaf Ali for three days in

¹⁵ The daily Prothom Alo, 19 February 2020; <https://www.prothomalo.com/bangladesh/article/1640605>

¹⁶ The daily Prothom Alo, 23 January 2020

¹⁷ The daily Prothom Alo, 15 March 2020

the police station as the poor family members could not pay the money; and then sent him to jail through the court after implicating him in a criminal case. Altaf Ali was released on bail on 3 March and was taken to the Upazila Health Complex by his family when his physical condition deteriorated. He died thereon 12 March.¹⁸

11. On 21 March 2020, a man named Moniruzzaman Hawlader (50) was tortured to death in custody in the Chamurkhan area of Uttarakhan, as per allegations from his family. He used to work in the prison cell of Dhaka District and Sessions Judges Court. Family members of the deceased said that about 25 policemen from Uttarkhan Police Station came to their house in the morning on the day of the incident and informed them that they had detained five people in the house and demanded ransom. Police arrested three and took Moniruzzaman four flights up to the roof of the residence, all the while beating him. After a while, the police informed them that Moniruzzaman had suffered a stroke. He was later rushed to Uttara Crescent Hospital, where doctors declared him dead. Police retrieved his body and sent it to the morgue of Dhaka Medical College Hospital for autopsy. According to the family, the police took Moniruzzaman to the roof and beat him to death. However, the police denied the allegation.¹⁹

Degrading treatment and lack of accountability by law enforcement agencies and security forces

12. In the first three months of 2020, members of the Border Guard Bangladesh (BGB) were accused of shooting civilians. In addition, there have been widespread accusations against members of law enforcement agencies during this period for allegedly collecting money in fear of crossfire, arresting innocent people instead of main culprits, harassment, accusing children of criminal cases, trade in the name of detention and extortion. Members of these forces are enjoying impunity as the law enforcement agencies are being used by the government to suppress political opponents, critics of the government and dissidents. Some incidents are as follows:
13. Kamrul Islam Bachchu filed a case at Sadar Police Station on 24 May 2019 against Mohammad Shaon and Mohammad Shamim for allegedly beating his son Yadin Islam and robbing his money and belongings, in West Jhalokathi area. The investigating officer of the case, Sub Inspector Montu Mia of Jhalokathi Sadar Police Station, submitted a charge sheet in court against six-year-old Mohammed Shaon, whose age was shown on the charge sheet as 28 years. On 20 January 2020, when the child appeared in Jhalakathi District and Sessions Judge Court, the court acquitted the minor Mohammed Shaon from the case.²⁰

¹⁸ The daily Prothom Alo, 15 March 2020

¹⁹ New Age, 22 March 2020; <https://www.newagebd.net/article/102943/>

²⁰ The daily Naya Diganta, 21 January 2020; <https://www.dailynayadiganta.com/last-page/473886>

14. On 29 January 2020, Sohail, a cloth merchant from Keraniganj under Dhaka district, was arrested by plain clothed members of the Detective Branch of Police, Sub Inspector Syed Mahmudul Islam, Assistant Sub Inspector Forhad Ali, Constables Mohammad Rajib Ahmed, Mohammad Sumon, Mohammad Abdul Jobbar, Mohammad Rashel and Mohammad Mojammel Hossain, from his shop in Kaliganj. He was taken to the Looter Char area, threatened with death in crossfire and then released after taking four hundred and fifty thousand taka from him. Sohail filed a written complaint to the Dhaka District Police Superintendent seeking remedy for the incident. The Police Superintendent ordered the Officer-in-Charge of the Detective Branch of Police, Nazrul Islam to investigate this matter. Later, according to the investigative report, the seven accused policemen were withdrawn from the DB and sent to the police line.²¹
15. On 25 February 2020, a man named Noor Mohammad was arrested by an Assistant Sub Inspector of Sripur Police Station, Mohabbat Ali, from a sawmill at Masterbari area in Sripur, on the allegation he was an illegal lumber seller. Anisur, the owner of the sawmill, was also arrested. After the arrest, the police officer took 35,000 taka from Noor Mohammad and also demanded a large amount of money from them. Later, Noor Mohammad and Anisur organised the collection of a total of one hundred and fifty thousand taka from their homes and handed it over to the police. At around 2:00 am, they were released from the police station.²²
16. On 3 March 2020, Mohammad Sahab Mia cut four jackfruit trees from his own garden in Matiranga under Khagrachhari District. On the way to a sawmill in Gazinagar area, members of the Border Guard Bangladesh (BGB) Khedachhara zone stopped the tree-carrying tractor and tried to seize the trees, claiming that they had been cut down illegally. The BGB members got into a quarrel with Sahab Miah over this and at one stage the locals gathered around them and began to protest against the BGB members. At one stage, BGB members opened fire on the crowd, killing garden owner Mohammad Sahab Mia and his son Mohammad Akbar Ali on the spot. Another bullet hit son of Sahab Miah, Ahmed Ali and Ahmed Ali's father-in-law Mofiz Miah and a BGB member Mohammad Shaon succumbed to their injuries later on. Locals allege that some BGB members had been harassing the local people in various ways for a long time. In a press release, the BGB said that the BGB fired one round of bullets when the locals surrounded the BGB patrol team who were taking steps to curb illegal timber smuggling and then the locals snatched the BGB's weapons and fired indiscriminately. As a result, BGB member Mohammad Shaon and four locals were killed.²³ The BGB headquarters gave no explanation as to why their team was twenty kilometers away from the border and why they had tried to seize the

²¹ The daily Jugantor, 31 January 2020; <https://www.jugantor.com/country-news/273561>

²² The daily Jugantor, 25 February 2020; <https://www.jugantor.com/todays-paper/second-edition/282253>

²³ The daily Prothom Alo, 4 March 2020

logs, which were not cut from the protected forest. In this regard, an official of the Ministry of Home Affairs said that BGB members cannot conduct operations against smugglers outside 8 kilometers of the international border.²⁴ On 5 March, Habildar Ishaq Ali of BGB filed a case in Matiranga naming 19 people and accusing 60/70 unidentified persons. Sahab Mia, Akbar Ali, Ahmed Ali and Mofiz Mia, who were shot dead by BGB, were all made accused persons in the case.²⁵

17. On 26 March 2020 at around 6:15 am, the body of Shanu Hawladar, a suspect in a murder case, was found hanging from a ceiling fan in the room of the Officer-in-Charge (Investigation) of Amtali Police Station under Barguna District. Shanu's family alleged that he was tortured to death for not paying extortion to the police. According to Shanu's family, on 3 November 2019, criminals killed a farmer named Ibrahim of Paschim Kalagachhia Village in Gulishakhali Union of Amtali Upazila. Mizanur Rahman Hawladar, the step-brother of Shanu Hawladar, was made an accused in the case. However, in that case, the police arrested Shanu Hawladar at 11:30 pm on 23 March. Shanu's family alleged that the Officer-in-Charge of the police station Abul Bashar and the OC (Investigation) Manoranjan Mistri demanded Taka three hundred thousand from them. But as Shanu's family did not agree to pay the police, Shanu Hawladar was kept in police custody and tortured in the name of interrogation. Shanu's son Shakib Hossain handed over Tk 10,000 to OC Abul Bashar in the morning of 24 March. However, the torture continued even after that. On the other hand, OC Abul Bashar claimed that when the accused Shanu told him that he wanted to go to the bathroom, the police took him to bathroom and then Shanu Hawladar committed suicide by hanging himself with rope from a fan in the room of the OC (Investigation) Manoranjan Mistri. A three-member committee was formed to probe the incident and the OC Manoranjan Mistri and the duty officer ASI Arifur Rahman were suspended.²⁶

²⁴ New Age, 4 March 2020; <https://www.newagebd.net/article/101161>

²⁵ The daily Naya Diganta, 6 March 2020; <https://www.dailynayadiganta.com/more-news/485863>

²⁶ The daily Jugantor, 27 March 2020; <https://www.jugantor.com/todays-paper/first-page/293098> and the daily Amader Shomoy; 27 March 2020; <http://www.dainikamadershomoy.com/post/248128>



The half-naked body of Shanu Hawladar hanging in the room of the Inspector of the police station and Shanu's relatives. Photo: Amader Shomoy, 27 March 2020

Enforced disappearances

18. Ever since the Awami League-led Alliance government came to power in 2009, allegations of enforced disappearances have been regularly reported in Bangladesh. There is evidence of the involvement of state security forces in the incidents of enforced disappearance.²⁷ Some people have been released after being disappeared for a long time. The persons who resurfaced or reappeared and their family members do not open their mouths due to fear of reprisals. Persons have also been handed over to the court after a long period of disappearance. Furthermore, some people released on bail have been picked up from the jail gate and disappeared. Bodies have also been found and identified by family members who claim the victim had been disappeared. The whereabouts of many still remain unknown. There were also allegations of enforced disappearance in the name of suppressing 'Islamic militants'.

19. A total of nine persons were allegedly disappeared after being picked up by members of law enforcement agencies, between January and March 2020. Among

²⁷ On 2 March 2017, disappeared victim Mokhesur Rahman Jony's wife Jasmine Nahar Reshma filed a writ petition (No. 2833/2017) before the High Court Division of the Supreme Court. Based on this petition, on 16 May 2017 a High Court Division Bench consisting of Justice Kazi Reza-ul Huq and Justice Mohammad Ullah asked the Chief Judicial Magistrate of Satkhira to submit an inquiry report to the High Court Division by 3 July 2017 regarding the disappearance of homeopathy physician Mokhesur Rahman Jony. A Senior Judicial Magistrate of Satkhira, Habibullah Mahmud, submitted an inquiry report to the High Court Division on 4 July 2017 that found the Superintendent of Police Mohammad Altaf Hossain and former Satkhira Sadar Police Station officer-in-charge Emdadul Huq Sheikh, former Sub-Inspector Himel Hossain, were involved in the arrest of Sheikh Mokhesur 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/>)

them, six bodies were found and the whereabouts of three persons still remain unknown. Some incidents are as follows:

20. Members of the Dhaka Metropolitan Police's Counter Terrorism Unit held a press conference on 10 February 2020, where they said that they had arrested five suspected members of the forbidden militant group, Ansar Al Islam, including Sheikh Iftekharul Islam Arif, a postgraduate student of the Veterinary Faculty of Mymensingh Bangladesh Agricultural University. However, Sheikh Iftekharul Islam had been missing since 9 January 2020.²⁸
21. Borhan Uddin's mother, Rasheda Khatun, said, at a press conference on 15 February 2020, that she was unable to find the whereabouts of her son after he was picked up from Sirajganj District Jail gate soon after he was released on bail. Rasheda Khatun said that her son Borhan Uddin was granted bail from the High Court on 10 February and at around 8:00pm, he came out of Sirajganj District Jail. At that time, some men picked Borhan Uddin up from the jail gate and put him into a microbus. When the family contacted law enforcement agencies several times in search of Borhan, the latter denied the arrest. Earlier, in the night of 26 July 2016, the Detective Branch of Police took Borhan out of his house on suspicion of being a militant. Borhan Uddin was released on bail on 8 April 2019, after being detained in jail for two years and nine months. A group of people in plain clothes picked him up from the prison gate and took him away. Then, 22 days later, on 28 April 2019, he was shown as arrested by DB police in a criminal case. In this case, he was released on bail on 10 February 2020 and was again picked up in the same way.²⁹ On 16 February, RAB members handed Borhan Uddin over to Sirajganj Sadar Police Station and the police showed him arrested in another criminal case and sent him to jail through the court.³⁰
22. Ayub Ali, a former Councilor of Setabganj Municipality under Dinajpur District and a BNP leader, was allegedly killed after being disappeared. According to Ayub's family, he was picked up by two policemen from his home in Rail Colony Para at around 11:30pm on 12 February 2020 when he was watching TV. He was taken to Bochaganj Police Station. Later that night, he was put in a microbus and was shifted somewhere else, as alleged by his daughter Lovely Yeasmin. The next day, the family searched for Ayub Ali in different places, including the DB office. The DB police denied arresting Ayub Ali. On 17 February, the family came to know that Ayub Ali's body had been found.³¹
23. Former RAB officer, Lt. Col. Hasinur Rahman returned to his residence at Mirpur on 21 February 2020 at around 11:00 pm, after one and half years of his disappearance, his wife Shamima Akhtar said. On 8 August 2018 at 10:30 pm, a

²⁸ The daily Prothom Alo, 11 February 2020

²⁹ The daily Jugantor, 16 February 2020; <https://www.jugantor.com/todays-paper/bangla-face/278887>

³⁰ Information sent by local human rights defenders associated with *Odhikar* from Sirajganj.

³¹ The Daily Star, 19 February 2020; <https://www.thedailystar.net/backpage/news/drug-dealer-killed-during-gunfight-1869877>

group of plain clothed men picked up Hasinur from in front of his residence at the DOHS in Mirpur, Dhaka.³² His family members held a press conference demanding his return.



Former RAB officer, Lt. Col. Hasinur Rahman. Photo: Manabzamin 23 February 2020.

24. On 30 January 2020, the family members of two men named Mohammad Shahin (32) and Nazmul Huda (25) alleged that they were shot dead by police of Hatirjheel Police Station after being picked up from Khilkhet, Dhaka. Shahin's brother Bachchu Mia said that Shahin used to trade in birds and that there were no criminal charges against him. On 16 January, Shahin was taken away by some plain clothed men from a bird shop on the Honda Road in Tongi, under Gazipur district. They have CCTV video footage. Although they searched for Shahin at various places, including the DB office, no one acknowledged the arrest. Police later shot Shahin to death in the name of 'gunfight'. Nazmul Huda's mother, Nazma Begum, said Nazmul used to drive a Laguna³³. On 13 January 2020, a group of plainclothes men picked up Nazmul from their residence at Tongi.³⁴
25. Photojournalist and editor of Pokkhakal Magazine, Shafiqul Islam Kajal was allegedly disappeared, after leaving his house for work on 10 March.³⁵ It is to be mentioned that on 9 March 2020, Saifuzzaman Shikhar, Member of Parliament belong to the Awami League from Magura-1 constituency, filed a case with Shere Bangla Nagar Police Station at Dhaka under the Digital Security Act, 2018 against the Chief Editor of the daily Manabzamin Matiur Rahman Chowdhury and its chief reporter Al-Amin, over a report published on 2 March in the daily

³² The daily Manabzamin, 23 February 2020; <http://www.mzamin.com/article.php?mzamin=214271>

³³ A 'Laguna' is the term given to a form of public transport.

³⁴ The daily Prothom Alo, 1 February 2020

³⁵ Amnesty International, 18 March 2020; https://www.amnesty.org/en/latest/news/2020/03/bangladesh-must-reveal-whereabouts-of-disappeared-journalist-and-end-repression/?fbclid=IwAR1sBX7colnY8oVSwbtof-p_3q7LPrhialeAQI6FwK0P0gZgEC3jhFu9kv4

Manabzamin. He also accused 32 others who shared the news on social media Facebook, including Shafiqul Islam Kajal.³⁶



Photojournalist and editor of Pokkhakal Magazine, Shafiqul Islam Kajal. Photo: Bangla Tribune 13 March 2020.

Human rights violations in prisons

26. There are allegations that many people are being held in prisons without evidence or proof of the commission of any offence, as the criminal justice system in Bangladesh becomes dysfunctional. Prisoners are being subjected to torture and various forms of degrading treatment by prison authorities. Almost all the prison officials and employees of the country have also been accused of irregularities and corruption. In addition, a humanitarian catastrophe has been created due to gross overcrowding in prisons. As usual, in the first three months of 2020, there were inmates beyond cell capacity crammed in the 68 prisons of the country. During this period, most of the prisoners were deprived of medical treatment due to the severe crisis of doctors and lack of medical facilities in the prisons; and some of the prisoners had become ill and died in prisons. It is to be noted that in the Khulna Division, the total number of prisoners in 10 jails, including Jashore Central Jail, is about 7,000.³⁷ However, there is no doctor to treat these prisoners. In addition, prisoners are at high risk of COVID 19 infection due to the overcrowding and lack of proper sanitation.

27. The total capacity of jails across the country is 41,314 inmates. The official capacity provides space for 39,395 male prisoners and 1,919 female prisoners. However, until 31 March 2020, there were 83,121 inmates in the prisons around the country. Of this number, 61,343 were male under-trial prisoners, 2615 were female under-trial prisoners, 18,483 were male convicted prisoners, and 690 were female convicted prisoners.³⁸

³⁶ The daily Prothom Alo, 11 March 2020; and Amnesty International, 21 March 2020;

<https://www.amnesty.org/en/latest/news/2020/03/cctv-footage-shows-last-whereabouts-of-bangladeshi-journalist-shafiqul-islam-kajal/?fbclid=IwAR2gHPg9HKwiCv7uv6YJiSs7EwGfwQSNfOMLX-DgLfYR24S4clQ1kbPs6g>

³⁷ The daily Naya Dignata, 24 January 2020; <https://www.dailynayadiganta.com/law-and-justice/474817>

³⁸ <https://prison.com.bd/>

28. From January to March 2010, 17 inmates died in jail, allegedly due to ‘illnesses’.
29. The country’s first woman Prime Minister and BNP chairperson Khaleda Zia (74) was admitted to Bangabandhu Sheikh Mujib Medical University (BSMMU) after being taken seriously ill while in jail custody. Khaleda Zia’s sister Selima Islam met Khaleda Zia twice in hospital on 24 January and 11 February 2020. She said that Khaleda Zia’s condition was very bad. Selima Islam claimed that the treatment that doctors were providing her at BSMMU was not working.³⁹ It is important to note that on 19 December 2019, Amnesty International issued a statement expressing a deep concern over the physical condition of BNP chairperson Khaleda Zia.⁴⁰ Later, in 2020, when the global COVID-19 pandemic crisis started and the disease spread to Bangladesh from March, the government on 25 March, decided to release Khaleda Zia. Through an executive order, the government released Khaleda Zia on the condition that she will stay at her home in the capital and not leave the country. The government took this decision under Section 401 (1) of the Code of Criminal Procedure and she was released from BSMMU on 26 March.

COVID-19 Pandemic and Bangladesh’s Situation

30. The people of Bangladesh are also falling ill with COVID-19 and the government of Bangladesh has adopted a lockdown policy since 26 March as a way to prevent the spreading of the virus. However, lack of proper planning and guidance in densely populated Bangladesh, apparent medical crisis and corruption in the distribution of relief during the COVID-19 period, have exacerbated the crisis.
31. Bangladesh had more than two months to prepare for the prevention of the Coronavirus outbreak. However, despite warnings from the World Health Organization, the Bangladesh government failed to take timely and appropriate measures to prevent the spread of COVID-19. The government placed the sole responsibility on the Institute of Epidemiology, Disease Control and Research (IEDCR) for testing Coronavirus suspects, conducting medical treatment and controlling all information related to COVID-19. Important and reliable government and non-government health and medical organisations, such as BSMMU, ICDDR, and Gonoshastha Kendra, were not included. There are only 500 ICU beds across the country for a population of around 180 million.⁴¹ From the very beginning, the Coronavirus has been transmitted throughout the community due to, among other things, lack of coordination between the

³⁹ The daily Jugantor, 24 January 2020; <https://www.jugantor.com/politics/270862>

⁴⁰ <https://www.amnesty.org/download/Documents/ASA1314442019ENGLISH.pdf>

⁴¹ A Joint Statement by the Asian Human Rights Commission, Shasthya Andolon, Odhikar, Jonoshasthya Sangram Parishad, Sramabikash, and Anti-Tobacco Women Alliance, March 19, 2020; <http://www.humanrights.asia/news/ahrc-news/AHRC-JST-001-2020/>

Department of Health and the IEDCR. In many cases, doctors do not treat patients with COVID-19-like symptoms, because of the government's monopoly control over the diagnosis of COVID-19, lack of proper arrangements and non-availability of Personal Protection Equipment (PPE) for doctors, nurses and health workers. Due to this, many patients and their families suffer. A number of doctors and health workers have been infected with COVID-19 due to non-availability of PPE and some of them have died.⁴²

32. According to official data, the first case of Coronavirus was identified in Bangladesh on 8 March. As of 31 March, there were 51 confirmed cases of Coronavirus in Bangladesh and five people had died.⁴³ However, as per media reports, 37 people have died in different parts of the country with the symptoms of Coronavirus (fever, cough, sore throat, shortness of breath).⁴⁴ Even more people are reported to be dying of the common cold/fever and flu due to lack of treatment. It was learnt that the afflicted were reportedly not tested and that local doctors refused to treat the ill because they suspected that they were infected with COVID-19.⁴⁵ Experts and the ordinary public alike, believe that the potential number of people infected with COVID-19 in the country is very high. As a result, questions and suspicions have been raised regarding the actual number of patients infected with Coronavirus and the number of deaths due to COVID-19. This is because COVID-19 identification tests are very inadequate and potential patients are not being tested. Regrettably, the government has not adopted any specific and effective plan to protect healthcare professionals, doctors, nurses, ward boys and other hospital support staff.⁴⁶
33. As elsewhere, the COVID-19 pandemic has not only affected public health, but also the economic and social life of the people of Bangladesh. Due to the ongoing lockdown, the poor, especially the working people, day laborers, garment workers and small traders have suffered financially. There are allegations that Awami League leaders and activists and the local government representatives have looted the government relief materials allocated for the poor, without distributing them properly. Sacks of rice and wheat have already been recovered from some of their homes.⁴⁷
34. Meanwhile, according to a UN document released on 26 March 2020, due to the weak health system in Bangladesh, patients in severe or critical condition from COVID-19 virus or other diseases will not receive treatment. The reason given is that "the health care system will be completely paralyzed in the early stages of the epidemic." The UN inter-agency document states that COVID-19 infection in

⁴² [Ibid](#)

⁴³ World Health Organisation, https://www.who.int/docs/default-source/searo/bangladesh/covid-19-who-bangladesh-situation-reports/who-ban-covid-19-sitrep-05.pdf?sfvrsn=23b90f3c_8

⁴⁴ Dhaka Tribune, 5 April 2020; <https://www.dhakatribune.com/health/coronavirus/2020/04/05/37>

⁴⁵ New Age, 2 April 2020; <https://www.newagebd.net/article/103590/covid-19-and-healthcare-denial>

⁴⁶ New Age, 2 April 2020; <https://www.newagebd.net/article/103590/covid-19-and-healthcare-denial>

⁴⁷ The daily Prothom Alo, 2 April 2020; <https://www.prothomalo.com/bangladesh/article/1648533>

Bangladesh cannot be greatly reduced by “lockdown” alone; and that only a combination of all interventions simultaneously, referred to as “suppression” is expected to provide sufficient reduction in contract rate to blunt the pandemic.⁴⁸

35. Acts of extrajudicial killings, enforced disappearances, torture, and other cruel, inhumane or degrading treatment by members of the law enforcement agencies have also been widely observed during the COVID-19 lockdown. In addition, since the beginning of the Coronavirus combating measures, the government severely curtailed freedom of speech, conscience and expression of citizens to prevent the free flow of information. During this period, the government brought social media under widened scrutiny. There are allegations that people from different walks of life, including doctors, journalists, teachers and lawyers, have been detained under the Digital Security Act and other relevant laws for criticizing the government for how it is tackling the Coronavirus pandemic and writing about it on social media. It is to be noted that on 28 March, police arrested six people from different parts of Dhaka on charges of spreading rumors and misleading information on the Coronavirus outbreak. Police claimed that the arrestees were distributing leaflets containing ‘misleading and false information’ and a large quantity of leaflets were recovered from them.⁴⁹

Political Suppression and Hindrance to Freedom Assembly

36. During this reporting period, the rights of freedom of assembly and holding peaceful meetings of the opposition political parties and dissidents continued to be curtailed. Apart from the BNP, the government entities stopped and attacked processions and protest rallies of political parties and other organisations that are critical of the government. The opposition leaders and activists were arrested even from indoor meetings and cases were filed against them for allegedly planning sabotage. Leaders of the ruling party have also stopped the opposition political parties from putting up posters. Some incidents are as follows:
37. Police interrupted, baton charged and arrested BNP and Chhatra Dal⁵⁰ leaders-activists at ceremonies held in different districts on 1 January 2020, commemorating the founding of the Chhatra Dal. In Jhenaidah, police forcibly entered the residence of Jhenaidah District unit BNP Member Secretary Advocate MA Majid and baton charged the BNP leaders and activists and vandalized the house. Police chased after a Chhatra Dal rally in Dinajpur and arrested four

⁴⁸ South Asia Monitor, <https://south-asian-monitor.com/bn/reports/two-million-could-die-in-bangladesh-from-coronavirus-warns-un?fbclid=IwAR0uP4tgMc6Aa5H39u0WOLLP2JFTNqoxY7eSq71Ojx69YDRDAU1Cg3Vi53I>

⁴⁹ The Daily Star, 29 March 2020; <https://www.thedailystar.net/spreading-coronavirus-rumours-6-people-arrested-in-dhaka-1887274?amp>

⁵⁰ Student wing of Bangladesh Nationalist Party (BNP)

persons from the procession.⁵¹ Police baton charged a Chhatra Dal procession in Kishoreganj and arrested 14 people.⁵²

38. On 23 January 2020, the three-year council of Begunbari Union unit BNP of Thakurgaon Sadar Upazila was organised at Danarhat Eidgah grounds with the permission of the local police. However, the Upazila Administration imposed section 144⁵³ of the Code of Criminal Procedure for an indefinite period, when the Awami Sechhasebak League⁵⁴ announced a meeting at the same time and same place. Later the BNP leaders made preparations for the council at Shalhat, two kilometers away from the Danarhat Eidgah grounds, but the police and Awami League leaders stopped them from gathering there.⁵⁵
39. On 31 January 2020, police of the Ashulia Police Station arrested seven people during an indoor meeting of local leaders and activists of BNP in Dehubor area of Savar under Dhaka district. Police alleged that they were planning to commit 'destructive activities'.⁵⁶

Political Violence by the Ruling Party

40. In the first three months of 2020, criminal activities of Awami League, Chhatra League and Jubo League⁵⁷ leaders and activists continued throughout the country. During this period, allegations of various criminal activities, including attacks on the opposition party leaders-activists, abduction, beating of a university teacher, brutality on students and ordinary citizens and violence against women, were found against the Chhatra League leaders and activists. Furthermore, leaders and activists of Awami League, Chhatra League and Jubo League have also been involved in clashes due to internal conflicts of their own interest. In most cases, the accused persons were not brought to justice.
41. From January to March 2020, 11 persons were killed and 487 persons were injured in political violence. Furthermore, 48 incidents of internal violence in the Awami League and one incident of internal violence in the BNP were recorded during this period. Seven persons were killed and 384 were injured in internal conflicts within the Awami League and 20 persons were injured within the BNP. Some incidents are as follows:
42. On 5 January 2020, Associate Professor of the Anthropology Department at Dhaka University and Assistant Residential Teacher of Bangamata Sheikh

⁵¹ The daily Manabzamin 2 January 2020

⁵² The daily Prothom Alo, 2 January 2020

⁵³ Power to issue order. <http://bdlaws.minlaw.gov.bd/act-75/section-20789.html>

⁵⁴ Volunteers wing of Awami League

⁵⁵ The daily Jugantor, 24 January 2020; <https://www.jugantor.com/todays-paper/news/270565/>

⁵⁶ The daily Jugantor, 1 February 2020; <https://www.jugantor.com/country-news/273772/>

⁵⁷ The student and youth wings of the Awami League respectively.

Fazilatunnesa Mujib Hall, Dr. Zobaida Nasreen, was beaten and assaulted by Awami League-backed Chhatra League leaders and activists.⁵⁸

43. On 21 January 2020, Chhatra League leaders and activists, including Shaheed Sergeant Zahurul Haque Hall⁵⁹ unit Chhatra League Vice-President Anwar Hossain and Joint General Secretary Amir Hamja, beat Dhaka University students Mukimal Haque Chowdhury, Sanowar Hossain, Minhaj Uddin and Afsar Uddin with hammers, iron rods, cricket stumps and sticks at the Hall's guest room, suspecting them to be Chhatra Shibir⁶⁰ activists. Although the resident teacher of the hall was present in the guestroom at that time, he was merely a spectator. Later, the injured students were handed over to Shahbag Police Station by the hall administration, University Proctor's team and police. When the condition of the students deteriorated, the police took them to Dhaka Medical College Hospital for treatment. Later, the parents of the students were summoned and the students were released from the police station after the submission of written bonds from their guardians.⁶¹
44. Rob Mia was murdered eight years ago in the village of Izarakandi in Kalapahariya Union under Araihasar Upazila in Narayanganj District. The victim's son, Main Uddin, filed a case in this regard. On 15 February 2020, police arrested one of the accused in the case. A group of leaders and activists of Chhatra League, led by Kalapaharia Union Awami League-backed Chhatra League President Saddam Hussein, attacked the house of plaintiff Main Uddin and injured his family members. At that time, criminals stabbed Main Uddin's younger brother, college student Mohammed Rony and severed his wrist.⁶²

Public Lynching

45. A dysfunctional justice delivery system, impunity of law enforcement agencies and corruption have created a crisis of people's confidence in the judiciary. As a result, there has been a tendency among the common people to take the law into their own hands as well as an increase in social unrest.
46. At least 12 persons were killed in public acts of lynching between January and March 2020.

⁵⁸ The daily Jugantor, 8 January 2020; <https://www.jugantor.com/todays-paper/second-edition/264735>

⁵⁹ University dormitory

⁶⁰ Student wing of Jamaat-e-Islami

⁶¹ The daily Naya Diganta, 23 January 2020; <https://www.dailynayadiganta.com/first-page/474511>

⁶² The daily Manabzamin, 20 February 2020; <https://mzamin.com/article.php?mzamin=213853>

Death Penalty

47. The provision of the death penalty remains in force in various criminal laws of Bangladesh. As per Odhikar record, 79 persons have been sentenced to death during the period from January to March 2020.

Constitutional and State Institutions

48. The Awami League government has transformed several important state and autonomous institutions into subservient institutions through politicization. As a result, the government is using various institutions including the Election Commission, Anti-Corruption Commission, and the National Human Rights Commission to implement its political agenda.

Electoral System and Bangladesh Election Commission

49. The election system of Bangladesh has completely collapsed as the 10th parliamentary elections on 5 January 2014, the 11th parliamentary elections on 30 December 2018 and other local elections were held in farcical manner. This type of election has deprived the people from their right to vote, which has created mistrust in the government and the Election Commission. Several by-elections of the Jatiya Sangsad⁶³ and two city corporations of Dhaka, including local government elections, were held in the first three months of 2020. Although the majority of voters in these polls refrained from voting, the ruling Awami League party won elections through fraud and influence.⁶⁴ During the elections, most of the polling stations were empty. Such reluctance to vote has never been witnessed in Bangladesh in the past. Before the polls, the candidates of the ruling party had recklessly violated the electoral Code of Conduct, but the Election Commission was reluctant to intervene and remained indifferent.⁶⁵
50. One Election Commissioner, Mahbub Talukder, complained that no discussions were held at the Election Commission's meetings before the two city corporations' polls on 1 February 2020, regarding the election Code of Conduct, irregularities or complaints of candidates for Dhaka North and Dhaka South City Corporation. He said there was no level playing field within the Election Commission. He instructed the two returning officers of the Dhaka North and Dhaka South City Corporation to inquire into information regarding the various allegations of the candidates and to submit reports on what action was taken on these allegations. However, his instructions were ignored. No information was provided to him.⁶⁶

⁶³ National Parliament

⁶⁴ The daily Prothom Alo, 2 February 2020; <https://www.prothomalo.com/bangladesh/article/1637653>

⁶⁵ The daily Jugantor, 19 February 2020; <https://www.jugantor.com/todays-paper/first-page/268526>

⁶⁶ The Daily Ittefaq, 26 January 2020; <https://www.ittefaq.com.bd/national/125664>

Jatiya Sangsad by-election and elections of Dhaka North, Dhaka South and Chittagong City Corporation

51. The elections held under the Election Commission in the first three months of 2020 were held with various irregularities, including unilateral control of the ruling party leaders and activists, ‘capturing’ of polling centres and expulsion of polling agents from the opposition from the polling booths. Although the Election Commission has talked about using Electronic Voting Machines (EVMs) for free and fair voting, however, in fact the ruling party leaders-activists have owned the polls by publicly engaging in irregularities and through influence. The Election Commission did not take any action against such acts.
52. On 13 January 2020, during the Jatiya Sangsad by-election of Chittagong-8 constituency (this by-election was held due to the death of Moinuddin Khan Badal, of the JSD, one of the government’s affiliated political parties), the polling stations were occupied and controlled from morning by the ruling party leaders and activists.⁶⁷ In this election, the Awami League candidate won through various irregularities, including intimidation of general voters by exploding crude bombs outside the polling centers and by preventing entry or forcibly ousting polling agents of the BNP-nominated candidate from the center.⁶⁸ BNP candidate Abu Sufian alleged that although only 5 percent of the votes were cast, the Election Commission said that 22.94 percent votes were cast.⁶⁹



Police talking in a voter- less Bahaddarhat Ekhlashur Rahman Government Primary School polling centre in Chittagong. Photo: Naya Diganta, 14 February 2020

53. The elections of Dhaka North and Dhaka South City Corporation were held on 1 February under the control of the ruling party leaders and activists in the same manner. On the polling day, the ruling party activists wearing badges of the government party (Awami League) symbol ‘boat,’ unilaterally took control of the

⁶⁷ The daily Prothom Alo, 2 February 2020; <https://www.prothomalo.com/bangladesh/article/1637653>

⁶⁸ The daily Naya Diganta, 14 February 2020; <https://www.dailynayadiganta.com/first-page/472056>

⁶⁹ The daily Jugantor, 19 February 2020; <https://www.jugantor.com/todays-paper/first-page/266676>

polling booths and outside the centres, by ousting polling agents of the BNP nominated candidates from almost all polling centres.⁷⁰ Awami League-backed Chhatra League activists beat the polling agents of the BNP-nominated mayor and councilor candidates from the Dhaka University Annex Building polling center under the Dhaka South City Corporation.⁷¹ BNP nominated mayoral candidate Tabith Awal of the Dhaka North City Corporation was not allowed to enter the polling centre by the presiding officer when he went to Gulshan's Kalachandpur Government Primary School polling centre.⁷²



Only one person at a time is allowed to enter the booth. However, here two persons are seen behind the screen in the secret ballot area. Voters were forced to vote for the symbol of the 'specific' candidate through EVM at the Dhaka Residential Model College polling centre. Photo: Prothom Alo, 2 February 2020



1) An unwanted person entered the secret ballot area at Ashrafabad Government Primary School polling centre in Kamrangirchar area with the voter. 2). While taking pictures, he looked around after someone commented from behind. 3). Then he ducked down. Photo: Prothom Alo, 2 February 2020

⁷⁰ The daily Prothom Alo, 2 February 2020; <https://www.prothomalo.com/bangladesh/article/1637653>

⁷¹ The daily Prothom Alo, 1 February 2020; <https://www.prothomalo.com/bangladesh/article/1637556>

⁷² The daily Naya Diganta, 2 February 2020; <https://www.dailynayadiganta.com/first-page/477168>

54. Leaders and activists of the ruling party forced most voters to vote on their electoral symbol 'boat' or ousted voters from the polling centres and cast votes by themselves.⁷³ At that time, the police officers were silent spectators.⁷⁴ In addition to the police, Ansar⁷⁵ members were deployed at the polling centers. Among them, some trained Ansar members were temporarily appointed for election duty. These temporary Ansar members had all been appointed on the recommendation of the Awami League and its allies.⁷⁶ In front of Khaled Haider High School polling center of Dhaka North, Jubo Mohila League⁷⁷ activists were shouting: "Boat should be voted for in favor of development. There is no need to come if you want to vote for sheaf of paddy."⁷⁸ Awami League and Chhatra League leaders-activists threatened voters to leave after some voters gathered outside the Manipur High School polling centre at 8:00 am.⁷⁹ Chhatra League activists beat one person for voting for the BNP at the Curzon Hall polling center of Dhaka University.⁸⁰ The activists of the ruling party stayed inside the Narinda Mahila Samiti Government Primary School polling centre at 11:00 am, closing the door of the male polling booth. Voters complained that they had to vote openly as per their direction. Humayun Kabir, the presiding officer of this polling center, said that he was helpless. There was nothing he could do. The Awami League activists beat a voter with his disabled child, dragging him away from the center as he voted for 'sheaf of paddy' (BNP) in Naznin School and College polling centre.⁸¹ In addition, journalists were allegedly attacked at various places and forcefully ousted from the polling centres. Shakhawat Hossain Sumon, journalist of Agami.com, was stabbed and severely injured by ruling party activists, when he took photos of the ruling party leaders-activist while they were openly roaming outside the polling centre with guns, in Jaffarabad of Mohammadpur, Dhaka.⁸² Chhatra League leaders and activists assaulted Business Standard reporter Nurul Amin and Bangladesh Protidin reporter Mahbub Mamtazi at the Faridabad Madrasa polling centre in Gendaria. Despite failing to conduct a free and fair election, the Chief Election Commissioner made provocative statements against the opposition polling agents. On election day, Chief Election Commissioner KM Nurul Huda said that the polling agents of different candidates at polling booths should be able to survive.⁸³

55. Bangladesh is a state party to the International Covenant on Civil and Political Rights (ICCPR). Article 25 (b) of this Treaty states that every citizen shall have

⁷³ The daily Manabzamin 2 February 2020; <https://www.mzamin.com/article.php?mzamin=211143>

⁷⁴ The daily Prothom Alo, 2 February 2020

⁷⁵ Auxiliary forces to maintain law and order particularly during elections.

⁷⁶ The daily Prothom Alo, 2 February 2020; <https://www.prothomalo.com/bangladesh/article/1637653>

⁷⁷ Youth women wing of Awami League

⁷⁸ The sheaf of paddy is the symbol of the Bangladesh Nationalist Party, or BNP.

⁷⁹ The daily Manabzamin, 2 February 2020; <https://www.mzamin.com/article.php?mzamin=211191>

⁸⁰ The daily Prothom Alo, 2 February 2020

⁸¹ The daily Manabzamin, 2 February 2020; <https://www.prothomalo.com/bangladesh/article/1637653>

⁸² The daily Naya Diganta, 2 February 2020; <https://www.dailynayadiganta.com/first-page/477168>

⁸³ The daily Prothom Alo, 1 February 2020; <https://www.prothomalo.com/bangladesh/article/1637497>

the right and the opportunity to vote and to be elected at genuine periodic elections 'which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors'. However, the Election Commission being a subservient body of the government has completely failed to fulfill the duty of protecting the right to franchise of the people.

Anti-Corruption Commission

56. It is widely acknowledged that corruption is rampant in the country. The ruling party leaders-activists and government supported individuals and professionals and government officials and employees have been accused of widespread looting, illegal trade, unscrupulous tender-bidding, extortion, money laundering and stock market racketeering in the name of 'development'. Many financial institutions are shutting down due to massive corruption. It is alleged that money was being laundered abroad. According to a report by the US-based international company Global Financial Integrity (GFI), about 4 lac crore taka (5 thousand and 270 crores dollars) has been laundered abroad from Bangladesh for the last seven years, with an average of 64 thousand crore taka every year.⁸⁴
57. Although the Anti-Corruption Commission (ACC) is supposed to work as an independent and impartial body to curb corruption, under the pressure of the ruling party, the ACC has become a subservient institution, which is reflected in its various activities. Some cases of corruption against the current government's parliamentarians, influential politicians and bureaucrats are investigated, but most of the accused are being acquitted from these cases. On the other hand, the Commission has continued to take legal action, including investigation on corruption and filing cases, against top leaders of the opposition BNP. On 25 February 2020, Transparency International, Bangladesh (TIB) published a research report, which noted that the Anti-Corruption Commission of Bangladesh stood against the opposition. However, in the case of the ruling political party, it is flexible. The institution is being used politically as a whole.⁸⁵

Independence of the Judiciary

58. It has been alleged that the ruling Awami League government is also controlling the judiciary. The government had begun to exert considerable influence over the judiciary since it assumed power in 2009. Later, the Awami League established absolute authority over the judiciary after it came to power through two controversial and farcical elections, with hardly any public participation in 2014 and 2018. In 2017, the Ministry of Law, Justice and Parliamentary Affairs published the Gazette of the Discipline Rules of Employment of Judges of the

⁸⁴ The daily Jugantor, 5 March 2020; <https://www.jugantor.com/todays-paper/editorial/285382>

⁸⁵ The Daily Star, 26 February 2020; <https://www.thedailystar.net/frontpage/news/politically-biased-hiring-deprives-acc-free-rein-1872862>

Subordinate Courts. The rules stipulate that disciplinary matters of the officers of the subordinate judiciary shall be governed by the appropriate authorities. The rules of employment of the judges of the subordinate courts have been drafted mainly keeping control in the hands of the government.

59. In 2019, the Anti-Corruption Commission (ACC) filed three cases against the president of Pirojpur District unit Awami League and former parliamentarian AKMA Awal, for alleged possession of government property. In one of the cases, Awal along with his wife and District chief of the Mahila Awami League⁸⁶, Laila Parvin, were also accused. In this case, Awal and his wife got an 8-week interim bail from the High Court Division of the Supreme Court. After the expiry of the bail, they sought bail on 3 March 2020 in Pirojpur District and Sessions Judge Abdul Mannan's court. After the hearing, the court rejected their bail and ordered them to be sent to jail. After passing this Order, the Law Ministry withdrew the District and Sessions Judge Abdul Mannan from Pirojpur and ordered him to be attached as Special Operating Officer (OSD) in Dhaka. In the afternoon, Abdul Mannan was replaced by Acting District and Sessions Judge Nahid Nasrin. She granted bail to Awal and his wife.⁸⁷ At a press conference on 4 March at the district Awami League office, AKMA Awal alleged that the Member of Parliament of this locality and Livestock Minister SM Rezaul Karim, prohibited the District and Sessions Judge to grant bail for him and his wife. On 4 March, a bench comprising of Justice Tariqul Hakim and Justice Mohammad Iqbal Kabir of the High Court Division of the Supreme Court issued a *suomoto* rule as to why the order to remove Judge Abdul Mannan from his post without proper due process, should not be declared illegal and unconstitutional.⁸⁸

Freedom of Expression, Repressive Law and Freedom of the Media

Repressive Digital Security Act, 2018

60. Citizens' right to freedom of expression has been widely disrupted in the first three months of 2020. During this period journalists, opposition political activists, dissidents and even ordinary citizens were arrested by applying the repressive Digital Security Act 2018, for allegedly publishing critical information about the government and the ruling party or the high-level persons of the ruling party and even the Prime Minister of India Narendra Modi. It has been reported that the ruling party leaders and activists filed these cases. Furthermore, cases have been filed against a Baul⁸⁹. On 24 February 2020, a bench comprising of Justice Sheikh Hasan Arif and Justice Mohammad Mahmood Hossain Talukder

⁸⁶ The Women's Wing of the Awami League.

⁸⁷ The daily Prothom Alo, 4 March 2020; <https://www.prothomalo.com/bangladesh/article/1642925>

⁸⁸ The daily Prothom Alo, 5 March 2020

⁸⁹ Bauls are a group of mystic minstrels of mixed elements of Tantra, Sufism, Vaishnavism and Buddhism.

of the High Court Division of the Supreme Court issued a rule as to why sections 25 and 31 of the Digital Security Act shall not be unconstitutional.⁹⁰ Nine persons, including journalists, lawyers and university teachers, filed this Writ Petition.⁹¹ It is to be noted that on 8 March 2020, the government issued the Rules of this law in order to enforce the Digital Security Act more strictly.⁹²

61. From January to March 2020, 14 persons were arrested under the Digital Security Act 2018. Some incidents are as follows:
62. On 5 January 2020, MG Kibria Chowdhury, Editor and Publisher of the Daily Jatiya Orthonity, was arrested from his newspaper office in Paltan, Dhaka by Sub Inspector Rezaul Huq of Sonaimuri Police Station in Noakhali under the Digital Security Act. On 27 November 2019, a news was published on the online version of the daily Jatiya Orthonity and its Facebook page, against Ataur Rahman Bhuiyan Manik, owner of Toma Group and vice-president of Noakhali District unit Awami League. Enraged by this, Ataur Rahman Bhuiyan Manik, on 11 December 2019, filed a case with Sonaimuri Police Station in Noakhali under sections 25(2)/29(1) of the Digital Security Act, accusing Monirunnesa Nenu, Chairman and MG Kibria Chowdhury, editor and publisher of the daily Jatiya Orthonity.⁹³
63. On 9 January 2020, Faridul Islam, the Imam of a mosque in Agodholla Village under Mirzapur Upazila in Tangail District, filed a case against a Baul artist named Shariat Boyati at Mirzapur Police Station under the Digital Security Act, for allegedly hurting 'religious sentiment' of Muslims. On 11 January, Shariat Boyati was arrested by the police from the Bashil area under Bhaluka Upazila in Mymensingh District and taken on remand for three days.⁹⁴
64. Muktagachha unit Awami League General Secretary Billal Hossain filed a case with Muktagachha Police Station under the Digital Security Act against one Emdadul Huq, a medicine shop owner in Muktagachha, Mymensingh, for allegedly making a 'satirical' post on Facebook against the Indian Prime Minister Narendra Modi and Bangladesh's Road Transport and Bridge Minister Obaidul Kader. On 3 March 2020, police arrested him.⁹⁵
65. On 2 March 2020, the daily Manabzamin published a report titled "Names of 30 persons including bureaucrats, MPs and businessmen disclosed by Papia⁹⁶". Saifuzzaman Shikhar, a Member of Parliament of Awami League from Magura-1

⁹⁰ Dhaka Tribune, 24 February 2020; <https://www.dhakatribune.com/bangladesh/court/2020/02/24/hc-issues-rule-on-sections-25-31-of-digital-security-act-2018>

⁹¹ The daily Jugantor, 25 February 2020; <https://www.jugantor.com/todays-paper/first-page/282051>

⁹² Digital Security Rules 2020 gazette passed on 8 March 2020. As like as the Digital Security Act 2018, the Digital Security Rules 2020 is focused on safety and security of the Critical Infrastructure, not on individual person's security.

⁹³ The daily Prothom Alo, 6 January 2020; <https://www.prothomalo.com/bangladesh/article/1633023/>

⁹⁴ Bangla Tribune, 12 January 2020; <https://www.banglatribune.com/country/news/603515>

⁹⁵ The daily Prothom Alo, 6 March 2020

⁹⁶ For a background on Papia (Shamima Nur Papia), see <https://www.thedailystar.net/backpage/news/papia-arrested-pms-instructions-1872889>

constituency, claimed that the report pointed fingers at him. On 9 March, Saifuzzaman Shikhar filed a case with Dhaka's Sher-e-Bangla Nagar Police Station against the editor-in-chief of daily Manabzamin Matiur Rahman Chowdhury and reporter Al-Amin and 32 people who shared the news on social media including Facebook.⁹⁷ One of the accused of this case, Shafiqul Islam Kajal, photojournalist and editor of Pokkhokal Magazine, went missing after he left the house on 10 March, his family members said at a press conference on 13 March.⁹⁸

66. Police arrested Chhatra Dal leader Monsur Helal of Daulatkhan Upazila under Bhola District, for allegedly posting 'offensive' pictures and making 'disrespectful' comments on Facebook against former President Sheikh Mujibur Rahman and Prime Minister Sheikh Hasina. Police filed a case against him under the Digital Security Act at Daulatkhan Police Station.⁹⁹

Freedom of the media

67. The present government started to control the media ever since it came to power in 2009 and at present, this control has become widespread. The government is controlling most of the media, especially the electronic media, and is obstructing objective and neutral reporting by putting pressure on the media in various ways. Furthermore, the editor of the daily Prothom Alo, the most widely read Bangla language newspaper in Bangladesh, was accused in a case of publishing news against the government and the administration; and a Bangla Tribune journalist was allegedly tortured and imprisoned through a mobile court.
68. During the period from January to March 2020, 12 journalists were injured while performing their professional duty, nine were assaulted, two were attacked, three were threatened, one arrested, and 32 journalists were sued. Some incidents are as follows:
69. On 16 January 2020, Dhaka Additional Chief Metropolitan Magistrate Mohammad Kaysarul Islam issued arrest warrants against 10 people, including Prothom Alo's Editor Matiur Rahman, in a case filed over the negligent death of a Dhaka Residential Model College student Naimul Abrar. On 20 January, the High Court Division of the Supreme Court granted Matiur Rahman four weeks'

⁹⁷ The daily Prothom Alo, 11 March 2020 ; <https://www.prothomalo.com/bangladesh/article/1644309>

⁹⁸ The daily Naya Diganta, 14 March 2020; <https://www.dailynayadiganta.com/city/487932>

⁹⁹ <https://bangla.dhakatribune.com/bangladesh/2020/03/13/21108/%E0%A6%AC%E0%A6%99%E0%A7%8D%E0%A6%97%E0%A6%AC%E0%A6%A8%E0%A7%8D%E0%A6%A7%E0%A7%81-%E0%A6%93-%E0%A6%AA%E0%A7%8D%E0%A6%B0%E0%A6%A7%E0%A6%BE%E0%A6%A8%E0%A6%AE%E0%A6%A8%E0%A7%8D%E0%A6%A4%E0%A7%8D%E0%A6%B0%E0%A7%80%E0%A6%95%E0%A7%87-%E0%A6%A8%E0%A6%BF%E0%A7%9F%E0%A7%87-%E0%A6%AB%E0%A7%87%E0%A6%B8%E0%A6%AC%E0%A7%81%E0%A6%95%E0%A7%87-%E0%A6%AC%E0%A6%BF%E0%A6%B0%E0%A7%82%E0%A6%AA-%E0%A6%AE%E0%A6%A8%E0%A7%8D%E0%A6%A4%E0%A6%AC%E0%A7%8D%E0%A6%AF,-%E0%A6%9B%E0%A6%BE%E0%A6%A4%E0%A7%8D%E0%A6%B0%E0%A6%A6%E0%A6%B2-%E0%A6%A8%E0%A7%87%E0%A6%A4%E0%A6%BE-%E0%A6%97%E0%A7%8D%E0%A6%B0%E0%A7%87%E0%A6%AA%E0%A7%8D%E0%A6%A4%E0%A6%BE%E0%A6%B0>

anticipatory bail and ordered him to appear before the lower court.¹⁰⁰ It is to be mentioned that Naimul Abrar died after being electrocuted during the 'Kishore Alo' youth program conducted by Prothom Alo at Dhaka Residential Model College on 1 November 2019. In the incident, Abrar's father Mojibur Rahman complained to the police about Abrar's unnatural death and took the body away without an autopsy, stating, there is no complaint against anyone. However, on 6 November 2019, Abrar's father filed a case in the Dhaka Chief Metropolitan Magistrate's Court accusing Motiur Rahman, editor of Prothom Alo, and anonymous persons for Abrar's death.¹⁰¹ On 9 November, a human chain program led by Awami League-backed BCL leaders and activists of Dhaka University was held in front of Prothom Alo's office at Shahbagh and Kawran Bazar in Dhaka demanding a speedy trial of Abrar's death.¹⁰²

70. On 21 February 2020, a news was published in the daily Deshkal newspaper titled "Agitation against Razakar's¹⁰³ children and relatives infiltrating the Awami League in Saturia". Saturia Union Parishad Chairman Anwar Hossain became angry as his name was mentioned in the news. In the wake of this, on 2 March, some criminals, including Raj Ahmed attacked and beat Abu Bakr, Saturia Upazila correspondent of Deshkal, under the direction of Anwar Hossain, in Dhulla bus stand area of Saturia. He was rushed to Dhaka Medical College Hospital after being seriously injured by a iron rod.¹⁰⁴
71. In the night of 13 March 2020, Kurigram District correspondent of the online media Bangla Tribune, Ariful Islam, was picked up after the door of his house was broken down. He was tortured by a group people led by Senior Assistant Commissioner Nazim Uddin. Ariful Islam was fined Tk 50,000 by a mobile court of Kurigram's Senior Assistant Commissioner Nazim Uddin and Assistant Commissioner Rintu Chakma for the allegation of possessing drugs.¹⁰⁵ On 15 March, Additional District Magistrate of Kurigram Mohammad Sujaudaula granted bail to Ariful Islam. After being released on bail, Ariful Islam was admitted to Kurigram General Hospital. Hospital superintendent Abu Mohammad Zakirul Islam said that there were marks of injuries on different parts of Ariful's body. Ariful, who was undergoing treatment at the hospital, said that a group of men led by Nazim Uddin, broke into his house and Nazim Uddin hit him on the head. He was then blindfolded and dragged into a car and his hands and legs tied. He was taken to an unknown location. At that time, he was repeatedly told that, "your life is over today. You should utter Kalima¹⁰⁶. You will be killed in an encounter". He was then taken to a room of the Deputy

¹⁰⁰ The daily Prothom Alo, 25 February 2020; <https://www.prothomalo.com/bangladesh/article/1641445>

¹⁰¹ The daily Prothom Alo, 6 November 2019; <https://www.prothomalo.com/bangladesh/article/1622983>

¹⁰² The daily Prothom Alo, 9 November 2019; <https://www.prothomalo.com/bangladesh/article/1623543>

¹⁰³ A Razakar is the name given to those who collaborated with the Pakistani Army during Bangladesh's liberation war.

¹⁰⁴ The daily Prothom Alo, 4 March 2020

¹⁰⁵ The daily Prothom Alo, 15 March 2020

¹⁰⁶ Kalima is one of the foundations of Islam: "There is no God but Allah, and Muhammad is the messenger of Allah."

Commissioner's office, undressed and tortured.¹⁰⁷ Ariful Islam's wife Mostarima Sardar said they were summoned to the office of the Deputy Commissioner (DC) the next morning. When she went to the DC Office with some of her family members, the Senior Assistant Commissioner Nazim Uddin threatened them by saying that they should "not dispute with the crocodile when living in water". It is alleged that the Deputy Commissioner of Kurigram, Sultana Parveen reformed a pond some time ago and named it after herself. Ariful had reported on this. He also posted on Facebook against the Deputy Commissioner, for irregularities in recruitment to the District. Apparently this cause friction and irked many people, including the Deputy Commissioner.¹⁰⁸



Ariful Islam. Photo: Manabzamin, 16 March 2020

Violence against Women

72. In the three months from January to March 2020, women have also been subjected to rape, sexual harassment, dowry violence and domestic violence. The rape of children has also increased alarmingly. The ruling party leaders and activists have been accused of suppression and violence against women. The number of trials and convictions of all these cases is negligible.

Rape

73. It is alleged that victims of rape were prevented from being taken to the hospital for treatment, witnesses in rape cases had been attacked, and ruling party activists had reconciled incidents of rape through mediation and earn huge amounts of money in the process. It is alleged that in many of these incidents the police were involved or aware of what was happening. According to the statistics of Bangladesh Supreme Court, about 1 hundred and 66 thousand (1,66,000) cases are pending in 95 Tribunals across the country, created under the Prevention of Women and Children Repression Act, till December 2019. Of these cases, the trial of about 40,000 cases have been running for more than five years. Besides, in many cases, the lawyers of the accused in association with the staff of

¹⁰⁷ The daily Manabzamin, 16 March 2020; <http://www.mzamin.com/article.php?mzamin=217711>

¹⁰⁸ The daily Prothom Alo, 15 March 2020

the tribunal, did not allow the witnesses to appear in court. On the other hand, lawyers of the plaintiff have been known to form secret deals with the lawyers of the accused.¹⁰⁹As a result, rape victims are being deprived from justice.

74. In the first three months of 2020, a total of 280 females were raped. Among them, 84 were women, 195 were minors (below the age of 18 years) and one person's age could not be determined. Of the women, 28 were victims of gang rape and five were killed after being raped. Out of the 195 minors, 50 were victims of gang rape, five were killed after being raped and three committed suicide. Furthermore, 30 females were also victims of attempted rape. Some incidents are as follows:
75. Ekram, the brother-in-law of a woman who was gang raped by Awami League leaders and activists at Subarnchar in Noakhali on the night of 30 December 2018, testified at the Prevention of Women and Children Repression Tribunal in Noakhali on 9 February 2020. Due to this, on 15 February, several people including Sayedul Haq of Ekramnagar area beat him with sticks leaving him severely injured.¹¹⁰
76. In December 2019, a teenage girl was raped at Pabna district headquarters. The teenager's father filed a case with Pabna Police Station, accusing eight people, including Awami League leader and chairman of Maligacha Union Parishad, Shariful Islam. The investigating officer of the case, Inspector (Investigation) of the Sadar Police Station Khairul Islam, on 17 January, called four persons, including a man named Abdul Alim, to a tea stall and took their testimonies about the case. As they left the tea stall, some locals attacked Alim with rods and hammers in front of Inspector Khairul Islam. Khairul Islam quickly left the place instead of taking any attempt to protect the witness Alim. Alim was admitted to Rajshahi Medical College Hospital after he was seriously injured in the attack.¹¹¹
77. On 9 January 2020, some miscreants led by Abu Sufian, vice-president of Tarab Municipality unit Chhatra League under Rupganj Upazila in Narayanganj District, forcibly picked up a 9th grade student of Gandharbpur Multilateral High School into a microbus and raped her while confining her for two days. Police arrested 12 people, including Abu Sufyan, on 12 January.¹¹²

Sexual harassment

78. The prevalence of sexual harassment continued in the first three months of 2020. During this period, allegations of sexual harassment on women were reported against the leaders and activists of the ruling party.

¹⁰⁹ The daily Jugantor, 14 March 2020; <https://www.jugantor.com/todays-paper/news/288780>

¹¹⁰ The daily Manabzamin, 18 February 2020; <http://www.mzamin.com/article.php?mzamin=213512>

¹¹¹ The daily Jugantor, 22 January 2020; <https://www.jugantor.com/todays-paper/news/269777>

¹¹² The daily Naya Ddigantha, 15 January 2020; <https://www.dailynayadiganta.com/more-news/472292>

79. From January to March 2020, a reported total of 39 women and minors (below the age of 18) became victims of sexual harassment. Among them, six committed suicide, one was injured, two were assaulted, one was abducted and 29 were harassed in various ways. An example is as follows:
80. Hossain Ahmed and Raighata Union unit Chhatra League president Shahinul Alam Mithu and his associates were harassing a schoolgirl in Mohanpur Upazila under Rajshahi District for a long time. On 16 February 2020, the accused verbally abused the schoolgirl when she was on the way home from school. When she protested, some men, including Hossain Ahmed and Shahinul Alam, physically harassed her. In the evening on the date when the case was filed in this regard, the police arrested seven persons, including Shahinul Alam.¹¹³

Dowry related violence

81. Violence against women stemming from dowry demands, was widely prevalent in the last three months from January to March 2020. Inhumane incidents like women being burnt to death, beaten, strangled and stabbed to death took place. Some of the women were pregnant. Even teenagers who have been victims of child marriage were also killed because of dowry and some women committed suicide. According to the Dowry Prohibition Act 1980 and the Prevention of Repression against Women and Children Act 2000, giving and taking dowry and committing violence for dowry, are punishable offences, but the practice is widely prevalent in society and most victims of dowry are deprived from justice due to lack of rule of law.
82. A reported total of 36 women were subjected to dowry violence from January to March 2020. Among them, 17 females, including a child bride, were allegedly killed for dowry and 18 were physically abused due to dowry demands. One woman committed suicide for dowry violence. Some incidents are as follows:
83. On 3 January 2020, a housewife named Asamani (18) was killed by her husband Touhid and his family members after she failed to pay five hundred thousand taka dowry in Gobindganj under Gaibandha District.¹¹⁴
84. A housewife named Rina Phul Parvin, in the Mugda area of Dhaka, committed suicide on 1 February 2020, after she could not bear the physical and mental suppression and failed to pay three hundred thousand taka dowry to her husband Emon Hossain.¹¹⁵

¹¹³ The daily Jugantor, 17 January 2020; <https://www.jugantor.com/country-news/268068>

¹¹⁴ The daily Jugantor, 5 January 2020; <https://www.jugantor.com/todays-paper/news/263382>

¹¹⁵ The daily Prothom Alo, 3 February 2020 ; <https://www.prothomalo.com/bangladesh/article/1637930>

Acid violence

85. It was reported that four women became victims of acid violence in the first three months of 2020.
86. On 1 March 2020, a group of criminals led by Ria Khatun's husband Tanvirul Islam Rahul threw acid on Ria Khatun and her mother Baby Begum while they were on their way back home from a trade fair in Dinajpur. It was alleged that Rahul threw acid on his wife and mother-in-law for not paying dowry money.¹¹⁶

Labour Rights

87. Workers of both the formal and informal sectors have been subjected to various human rights violations in the first three months of 2020. Among them, one worker was killed during a clash with police.

Situation of readymade garment industry

88. Incidents of closing down factories without notice, termination of workers and non-payment of wages on time are often occurring and this has resulted in labour unrest in the readymade garment sector. In many factories, workers are deprived from trade union rights and women workers are subjected to various forms of deprivation and physical and mental abuse in the factory. Furthermore, most of the garment factories are forcing workers to work more than 10 hours a day, violating the labour law. In some factories, workers are forced to work more than 13 hours a day. 46.95 percent workers have considered this a positive thing due to the additional income that supplements their low wages. Despite the extra money given to them, 53.05 percent workers feel this is bad because they are losing their normal life, due to working in the factory for a large part of the day.¹¹⁷
89. From January to March 2020, 10 readymade garment (RMG) factory workers were injured by the police when the workers demonstration for payment of their arrear wages and four were injured by fire. Some incidents are as follows:
90. On 16 February 2020, a textile factory named SAARC Knitwear Limited in Savar under Dhaka District, suspended work and closed the factory for an indefinite period without paying wages to the workers. In the morning, the workers came to work and saw the notice. As a result, they blocked the road demanding their wages and arrears. At that time, a clash took place between workers and police. 10 workers were injured in the police baton charge.¹¹⁸

¹¹⁶ The daily Jugantor, 3 March 2020; <https://www.jugantor.com/todays-paper/news/284711>

¹¹⁷ The daily Prothom Alo, 2 March 2020 ; <https://www.prothomalo.com/economy/article/1637871>

¹¹⁸ The daily Jugantor, 17 February 2020; <https://www.jugantor.com/todays-paper/news/279271>

91. On 22 March 2020, garment workers staged a protest on Dhaka's Malibagh DIT Road demanding their arrears of wages. Hundreds of garment workers blocked roads in the area demanding payment of arrears from the Dragon Sweater Factory. It was learnt that the workers of Dragon Sweater Factory started a protest demanding the payment of five months' arrears. They stopped transportation on the road at that time. Later the police brought the situation under control. The protesting workers resumed work after the police spoke to the owners'.¹¹⁹



Garment workers blockade the road in Malbiag Chowdhurypara, demanding payment of arrears. Photo: Naya Diganta, 23 March 2020

Workers in the informal sectors

92. From January to March 2020, 18 workers from informal sectors were killed while they were working and 29 were injured. Some incidents are as follows:
93. On 26 January 2020, stone workers blocked the Tantulia-Dhaka National Highway in Bhajanpur under Tetulia Upazila of Panchagarh District, demanding the removal of underground rocks, which was not allowed. A laborer named Jumar Uddin was killed when stone workers clashed with the police over this issue.¹²⁰
94. On 25 March 2020, a tea-vendor was killed and three workers were shot when police opened fire on workers demanding arrears of wages at the Rupali Bangla Jute Mill owned by an Awami League leader in Birol under Dinajpur District. Furthermore, at least 15 more workers were injured in the police baton charge. The deceased was identified as Surat Ali (40). He was the son of Mohammad Ali of Husna Village in ward 3 of Biral Municipality. According to eyewitnesses, the owner of the mill, former president of Biral Upazila unit Awami League Abdul Latif announced the shutting down of the mill without any prior notice, amid the Coronavirus outbreak. However, he did not say anything about the arrears and

¹¹⁹ The daily Naya Dignata, 23 March 2020; <https://www.dailynayadiganta.com/last-page/490437>

¹²⁰ The daily Jugantor, 27 January 2020; <https://www.jugantor.com/todays-paper/last-page/271734>

wages of the workers. The workers demonstrated in and around the mill demanding payment of their three weeks' arrears. Meanwhile, Abdul Kader, sub-inspector of Birol Police Station, filed a case accusing 1,100 unnamed people in connection with the incident.¹²¹

Human Rights Violations on Minority Communities

95. In the first three months of 2020, there were attacks on the places of worship of the citizens belonging to religious minority communities. During this period, criminals vandalized the places of worship of the Hindu and the Ahmadiyya communities. Such incidents could not be stopped, as the past cases were not resolved due to the politicisation of these occurrences and the lack of prosecution.¹²²
96. Ahmadiyya Muslim Jamaat Bangladesh, in a statement, said that a group of bigots spread a rumour that 'Quadianis¹²³ beat madrassah students' in Kandipara area under Brahmanbaria District, instigating an agitation among the locals. In the evening of 14 January 2020, locals attacked the Ahmadiyya 'Masjid Baitul Wahed' mosque and meeting place, broke its windows and vandalized a parked microbus of the community and nearby houses of Ahmadiyyas.¹²⁴
97. In the late night of 2 March 2020, criminals broke into the Hindu temple, Krishna Mandir in Soapur Village under Dhamrai Upazila of Dhaka District and robbed the jewelry and silver ornaments and other paraphernalia. At that time, the effigy of Krishna was also vandalized and thrown out by criminals.¹²⁵

Neighbouring States: India and Myanmar

India's influence over Bangladesh

98. India's supremacy and influence over Bangladesh and incidents of human rights abuses continue to occur. Members of the Indian Border Security Force (BSF) continue to kill, abduct and torture Bangladeshi nationals along the border areas. In the first three months of 2020, such activities carried out by the BSF members had been widespread. During this period, BSF members shot dead a farmer doing agricultural work on his land in Bangladesh territory and arrested Bangladeshi fishermen while fishing in the river on the Bangladesh side. Despite

¹²¹ The Daily Star, 27 March 2020; <https://www.thedailystar.net/backpage/news/protest-over-arrears-one-killed-jute-workers-clash-cops-dinaipur-1886530>

¹²² The daily Manabzamin, 3 January 2020; <http://www.mzamin.com/article.php?mzamin=206639>

¹²³ The members of the Ahmadiyya community are also known as Quadianis.

¹²⁴ New Age, 16 January 2020, <https://www.newagebd.net/article/96747/ahmadiyya-mosque-houses-attacked-in-brahmanbaria>

¹²⁵ The daily Prothom Alo, 4 March 2020; BD Journal, 4 March 2020; <https://www.bd-journal.com/bangladesh/110141>

the BSF's brutal attacks on Bangladeshi citizens, the government of Bangladesh has not taken any effective role in this regard and has never strongly protested against such attacks. Instead, the ministers of the government of Bangladesh have tried to justify the killings and torture of Bangladeshis by BSF.

99. It is to be mentioned that according to the Memorandum of Understanding and related treaties signed between the two countries, if a citizen of one country crosses the border illegally, it should be identified as infiltration and accordingly the person should be arrested and handed over to the civil authorities.¹²⁶ However, it appears that Indian BSF has long been killing or torturing or shooting people to death, violating the agreement and international law when BSF members see anyone near the border or if someone crosses the border.¹²⁷
100. From January to March 2020, 16 Bangladeshis were killed by the Indian Border Security Force (BSF). Among them, 11 were shot dead, three were tortured and two died by jumping into the river when the BSF members chased them. Furthermore, six were injured by the BSF. Among the injured, four were shot and two were injured when the BSF members chased them. Moreover, three Bangladeshi nationals were abducted by BSF. Some incidents are as follows:
101. On 22 January 2020, BSF members shot three Bangladeshi citizens, Mofizul Islam, Kamal Hossain and Ranjit Kumar to death at Porsha border under Naogaon District.¹²⁸ Local Parliamentarian and Food Minister Sadhon Chandra Majumder, from Porsha area on 25 January, said about this incident at a programme in Rajshahi that, "The fault lies in the Bangladeshi citizens, so the government has nothing to do. If someone forcibly cuts a barbed wire fence to bring cows and is shot dead in India, the Bangladesh government will not take that responsibility."¹²⁹
102. On 8 January 2020, two Bangladeshi nationals - Selim and Suman - were shot dead by members of 78 Battalion BSF on the spot near the pillar S 16/6 at the border area of Shibganj under Chapainawabganj District when a group Bangladeshi cattle traders went to India. It is to be mentioned that Selim's father Mohammed Buddhu was also shot dead by BSF members in 1992.¹³⁰
103. On 31 January 2020, five Bangladeshi fishermen named Rajan Hossain, Sohel Rana, Kabil Hossain, Shaheen Ali and Shafiqul Islam were arrested and tortured by BSF members when they went to the Padma river to catch fish at Khorchaka border under Godmagari Upazila in Rajshahi. Later, BSF handed over the five fishermen to Murshidabad Police Station in India.¹³¹

¹²⁶ New Age, 24 September 2016; <http://archive.newagebd.net/253126/bsf-kills-2-bangladeshis-borders/>

¹²⁷ <https://www.hrw.org/report/2010/12/09/trigger-happy/excessive-use-force-indian-troops-bangladesh-border>

¹²⁸ The daily Jugantor, 24 January 2020; <https://www.jugantor.com/todays-paper/last-page/270520>

¹²⁹ The daily Naya Diganta, 26 January 2020; <https://www.dailynayadiganta.com/first-page/475234>

¹³⁰ The daily Prothom Alo, 11 January 2020

¹³¹ The daily Manabzamin, 2 February 2020; <http://www.mzamin.com/article.php?mzamin=211149&cat=9>

104. On 4 February 2020, four Bangladeshi farmers were harvesting mustard on their land in Bangladesh territory, at Cholim Char border under Daulatpur Upazila of Kushtia District. At this time, members of Muradpur camp under 141 BSF Battalion Commandant in Murshidabad District of India, fired at them without any reason. Farmer Solaiman was shot and taken by BSF members. He was later admitted to a hospital in Murshidabad. On 7 February, Solaiman died while undergoing treatment.¹³²

Genocide against Rohingya Population

105. The Myanmar army and Buddhist extremists had renewed their genocidal operation again on the Rohingya population and caused their expulsion from Myanmar since 25 August 2017. In these operations, members of the Rohingya community took shelter in 34 refugee camps in Ukhia and Teknaf Upazilas of Cox's Bazar District in Bangladesh, after being subjected to various forms of violations, including murder, torture, enforced disappearance, gang rape, and arson on homes and their farm and agricultural land. On 4 July 2019, Fatou Bensouda, a prosecutor at the International Criminal Court (ICC), appealed to the ICC to allow an investigation into crimes against humanity committed on the Rohingya people in Myanmar. On 14 November, a three-member pre-hearing chamber led by the ICC Judge Olga Herrera Carbuccion, instructed Fatou Bensouda to investigate whether crimes against humanity on the Rohingyas had been committed or not.¹³³ Meanwhile on 11 November, the Gambia, filed a lawsuit against Myanmar at the UN's highest judicial body – the International Court of Justice.¹³⁴ On 23 January 2020, the International Court of Justice issued four interim orders to Myanmar to protect the Rohingya people from genocide. It was stated in the directives that Myanmar must protect the Rohingya living in the country; it must ensure that the Army or any other security forces under their control could not commit genocide against Rohingyas. No evidence relating to the genocide committed in the country can be destroyed. The report should be submitted within four months regarding implementation of the interim directives. From then until the final verdict, a report should be made at intervals of every six months.¹³⁵ Just one day after the International Court of Justice's directives, on 24 January 2020 at midnight, the Myanmar army bombarded a Rohingya village, Kin Taung in Rakhine state. As a result, two Rohingya, including a pregnant woman, were killed and seven were injured. Two houses were completely destroyed due to bombardment.¹³⁶

¹³² The daily Manabzamin, 11 February 2020; <https://www.mzamin.com/article.php?mzamin=212526>

¹³³ The daily Prothom Alo, 15 November 2019; <https://www.prothomalo.com/bangladesh/article/1624379>

¹³⁴ New Age, 12 November 2019; <https://www.newagebd.net/article/90354>

¹³⁵ The daily Manabzamin, 24 January 2020; <http://www.mzamin.com/article.php?mzamin=209747>

¹³⁶ The daily Prothom Alo, 26 January 2020; <https://www.prothomalo.com/international/article/1636352>

106. The investigation into whether crimes against humanity had been committed against Rohingyas, commenced on 28 January 2020, ordered by the International Criminal Court on 14 November 2019. In Dhaka, senior consultant to the ICC's counsel, Fakiso Mochochoko, held a press conference highlighting the issues relating to the investigation process. The trial of the accused of Myanmar will be held in the ICC while the trial of Myanmar as a state will be held in ICJ.¹³⁷ Attacks on Rohingyas in Rakhine continued while the cases were under investigation in the ICC and ICJ. On 29 February 2020, five Rohingyas, including a 12-year-old child, were killed when the Myanmar army opened fire at Bu Ta Lone Village in Rakhine state of Myanmar.¹³⁸

Hindrance to Human Rights Activities

107. The government has used law enforcement agencies, the NGO Affairs Bureau, the Anti-Corruption Commission, the Election Commission, and the pro-government print and electronic media (owned by supporters of the government) to gag *Odhikar's* voice against human rights abuses. The government persecution of *Odhikar* that began in 2013, has not changed even in 2020. *Odhikar* submitted an application to the NGO Affairs Bureau under the Prime Minister's Office for the renewal of its registration¹³⁹ in 2014, however, the registration has not been renewed till the end of March 2020. In order to halt all human rights activities, the NGO Affairs Bureau has stopped fund clearance for all projects for the last six years and completely barred any approval of any new project. The Standard Chartered Bank also suspended *Odhikar's* bank accounts and harassed it in various ways, as part of the government's repression. Furthermore, human rights defenders associated with *Odhikar* have been subjected to various forms of harassment, including surveillance due to their bold position on 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 ongoing. *Odhikar* also has to maintain self-censorship while reporting on human rights abuses, due to curtailment of freedom of expression.

¹³⁷ The daily Prothom Alo, 5 February 2020

¹³⁸ The daily Jugantor, 2 March 2020; <https://www.jugantor.com/international/284467>

¹³⁹ On 13 May 2019, *Odhikar* filed a Writ Petition (numbered 5402/2019) to the High Court Division of the Supreme Court; the court issued a Rule upon the NGO Affairs Bureau as to why the inaction of the Respondent to grant renewal of registration, pursuant to application made by the Petitioner dated 25.09.2014, 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 Rule was made returnable within 2 (two) weeks.

Recommendations

1. Accurate information must be given to the public to quell suspicions and gain the confidence of the people while dealing with the COVID-19 pandemic. It is imperative that a national committee be formed immediately with those in the community who are able to review information on pathogens impartially: such as virus diagnosis experts and epidemiologists who will be able to educate, enlighten and determine the duties of the people so that everyone can take as much care and precautions possible. This committee must have the support of all political parties to ensure credibility and dispel distrust.
2. The government must immediately abandon its policy of protecting the interests of rich businessmen only; and take immediate steps to provide relief to the workers in all sectors, people of various professions and especially the needy and unemployed. Arrangements should be made to pay workers at the end of the month their wages and other arrears. Public and private initiatives need to be coordinated and ordinary people whose problems need to be addressed should be involved. Stealing relief allocated for the needy people must be stopped and the perpetrators brought to justice.
3. The country's public health system has collapsed as a result of a free market centered development policy. A people-oriented health system must be created immediately. Effective measures must be taken to protect the affected people immediately by adopting a universal and inclusive health programme instead of a discriminatory health system. Adequate security arrangements should be made for doctors and health workers. Prisoners detained for political reasons and elderly inmates must be released immediately to prevent a mass COVID-19 outbreak.
4. The government must stop extrajudicial killings. There is no pretext justifying such killings. Concerned members of law enforcement agencies involved in extrajudicial killings and torture should be brought to justice.
5. The government must accede to the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013, and the High Court and Appellate Division directives contained in the matter of BLAST and Others Vs. Bangladesh and Others.
6. Members of the state security forces and other law enforcement agencies who are involved in enforced disappearances must be brought to justice. The government must accede to the International Convention for the Protection of All Persons from Enforced Disappearance. Those who have disappeared must be retrieved and returned.
7. The government should refrain from repressive, unconstitutional and undemocratic activities. The government must allow the opposition political parties and people who have alternative beliefs to hold peaceful rallies and

meetings by respecting the right to freedom of assembly and association guaranteed in the Constitution and ICCPR.

8. The government must bring the ruling party activists to justice, for their criminal acts in order to stop political violence. The government should stop filing cases against unidentified persons so as to discourage sweeping arrests.
9. Freedoms of speech, expression and the media must be ensured and protected. The ban on the publication of the daily Amar Desh and on the broadcasting of Diganta TV, Islamic TV and Channel 1 must be removed. 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 must be repealed.
10. The rights of the workers, in both the formal and informal sectors, have to be implemented in accordance with the ILO Conventions. The right to trade unions in all industries, including readymade garment factories must be ensured. Workers in other sectors need to create a conducive working environment, including the prevention of discrimination and create fair policies for their work.
11. The government must ensure proper implementation of laws to stop violence against women and children and the offenders must be effectively brought to justice under prevalent laws. Criminals affiliated with the ruling party who are attacking women should not be given immunity.
12. The Indian Border Security Force (BSF) must stop human rights violations, including killing and torturing Bangladeshi citizens along the border areas; and the Indian government should compensate the victims of violence. The construction and operation of the hazardous Rampal Power Plant must be stopped to save Bangladesh's environment and ecology and a balance has to be maintained in unequal trade between India and Bangladesh.
13. In order to protect the lives and rights of the members of the Rohingya community, peace must be established in the Rakhine State of Myanmar with the initiative of the United Nations and full civil and political rights of the Rohingya people must be ensured. The Government of Bangladesh must ensure the human rights of the Rohingya population housed in the refugee camps.
14. 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 as it lacks credibility and evidence. Harassment on human rights defenders associated with *Odhikar* must be stopped. The NGO Affairs Bureau must renew *Odhikar's* registration, the application of which is pending with it. The government must release the funds of *Odhikar* to enable it to continue its human rights activities.

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Notes:

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