



HUMAN RIGHTS SITUATION BANGLADESH

AIN O SALISH KENDRA

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SITUATION IN BANGLADESH

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ASK have prepared the Annual Report on human rights situation of 2012 by compiling reports from national newspapers and its own investigation reports.

Several positive measures for human rights have been taken through enactment of legislation by the Parliament, policy formulation by the executive and judicial directions. In 2012 the Parliament enacted the Anti-human Trafficking Act, Pornography Prohibition Act, and Hindu Marriage Registration Act.

The government increased maternity leave for women in public service from four to six months, set up a Repatriates' Welfare Bank, for the benefit of Bangladeshis working abroad, and formed District level committees, to identify properties under the Vested Property Divest Act, 2011. With the formation of the International War Crimes Tribunal in 2009, trials were started against 10 persons accused of crimes against humanity. Besides, Domestic Violence Resistance and Protection Act has also been enacted.

The Appellate Division issued a rule declaring illegal penalties issued imposed by fatwa's 12 May 2011.

Trials of personnel accused of involvement in the BDR mutinies were completed in 2012 but the hearings on cases of murder, looting and other offences continued.

We have identified the situation of human rights separately first under civil and political rights and the second under economic, social and cultural rights. Although Bangladesh saw some progress in economic and social sectors in 2012, the overall human rights situation in 2012 was not satisfactory. As in the previous years, extra-judicial deaths (explained as "crossfire" and "encounter") and enforced disappearances by law enforcement agencies. Incidents of detention without trial, torture and death in police or jail custody were reported this year.

Several attacks on religious minorities have heightened their insecurity. In March in Kaligonj, Shatkhira. On 31 March, 7 Hindu families of Fatehpur village of Satkhira district were attacked and their houses were looted and burned. On 4 August, Hindu community of 3 villages was attacked over the construction of mosque close to a temple. Section 144 was imposed there on that day and nearly 2000 people attacked 28 houses in presence of UNO, UP Chairman and police officers.

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Statistics

In April in Chiribondh, Dinajpur, a conflict over the construction of a mosque led to attack on Hindu families. Instances of conflict between Bangali settlers and Adibashis in CHT were reported throughout the year. The worst communal attack occurred in Ramu in 2012, when mobs burned down 13 Buddhist temples and over 100 houses in Ramu, Ukhiya of Cox's Bazar and Patiya in Teknaf. Besides, Hindu communities of Jessore, Jhenaidah and Bagerhat were attacked. An Ahmediya mosque in Rangpur was damaged and they were prevented from constructing a mosque in Tangail.

Border Killings by the India's Border Security Force (BSF) was very alarming.

Law enforcement agencies did not provide adequate protection for journalists to carry out their responsibilities. The death of two journalists (Rumi and Sagar) in 2012 remained unsolved, even after several investigations, journalists face attacks.

Violence against women also resulted in the death of women due to domestic violence and reported rape of 1149 women.

The law and order situation this year was not satisfactory and excessive use of force by law enforcement agencies on political rallies or other form of dissent was matched by violence instigated by opposition parties.

A fire in Tazreen Garments on the 24th November 2012 led to 112 confirmed deaths and injury of workers. The fire resulting in a short circuit in the ground floor spread due to the location of raw materials on the same floor, which is contrary to regulations. Deaths occurred due to the absence of a fire escape and all other stairs leading to the fire on the ground floor. Workers right to life was further violated as they were prevented from leaving their shop floor. Compensation for the families of the dead and for medical treatment for injured workers was promised by the Bangladesh Garment Manufacturers and Exporters' Association (BGMEA) after DNA verification, but there were complaints from workers of delays or non payment. In a public interest litigation filed by ASK, BLAST, BRAC and Nijera Kori the High Court directed that there needs to be immediate inspectorate of the working environment in garments factories, over which national and international community expressed their concern.

Enforced disappearance

According to media reports, 56 people were reported to be missing, of them eight were released, the dead bodies of four were recovered and six were handed over to the police and the whereabouts of the rest remained unknown. The relatives of the victims alleged the involvement of law enforcing agencies, especially RAB, in these incidents. These incidents have sparked insecurity among people. Authorities concerned have not taken any initiative to solve the problem rather their inconsistent statements have hindered proper investigation.

M Elias Ali, Organising Secretary of the main opposition party BNP, was abducted on 17 April from Mohakhali. On 3 April, Sylhet Chatthro Dal leaders Iftekhar Ahmed Dinar and Junaid were abducted from Dhaka. Their whereabouts remain unknown. In the evening of 4 April, labour leader Aminul disappeared from Ashulia, after he left the office of Bangladesh Centre for Workers' Solidarity. Next day, his dead body was found on the side of the Tangail-Mymensingh highway. Both of his knees were broken, a hole had been drilled just under his right knee, and his teeth and nails were uprooted. Different national and international communities expressed their grave concern over the incident.

Extra-judicial killing and torture

Although the Awami League led coalition of parties took office on the promise of stopping extra judicial killings by law enforcement agencies, the incidents of “cross fire” and “encounter” have continued. According to news reports, 91 persons were victims of extra judicial killing.

On 2nd April, six persons died in an encounter with RAB in Madarganj of Narshingdi. Shah Alif Prince, a student of Physics in Government Titumir College in Dhaka, was alleged by his family to have been tortured in RAB custody for 44 days.

Torture and death in police custody

On the 8 January, Mahabul Hossain of Kathunia village of Kushtia Sadar Upazila was arrested by police and admitted to Kushtia Sadar Hospital after brutal torture by the police. He died in hospital on 9 January.

On 15 May, police charged batons on a rally of primary school teachers who were demanding nationalization of their schools. Police also used hot water and several teachers fell sick and had to be hospitalised. One of them died later.

On 29 May, a teenage girl was assaulted in the Police Club adjacent to the CMM Court. A Police Sub-inspector in civil dress dragged the girl and her father inside the Club. Where she was assaulted by eight police officers and her father was brutally beaten in another room. Later they were confined in Kotwali Police Station. Lawyers and journalists protesting the assault on the girl were detained by police. They were all released after Ain o Salish Kendra intervened.

Torture on Minorities

On 29 September, seven ancient Buddhist temples were completely burnt, 13 were partially burnt, looted and destroyed in Ramu, Ukhiya and Teknaf after a photo was tagged in the Facebook account of a person named Uttam Barua. In addition 27 Buddhist houses were completely burnt and 77 were partially burnt and destroyed. Besides, some valuable Buddhist monuments and other properties were looted. Police and the local administration did not take any adequate deterrent action.

On 31 March, 7 Hindu families of Fatehpur village of Satkhira district were attacked and their houses looted and burned. On 4 August, Hindu communities in three villages were attacked over the construction of mosque close to a temple.

Section 144 was imposed on that day and nearly 2,000 people attacked 28 houses in presence of UNO, UP Chairman and police officers.

Border Deaths

Newspapers reported that 319 people were killed and tortured on the border by BSF (Border Security Force) in this year. Among them, 48 were killed, 106 were tortured and physically assaulted and 140 were abducted. Last year the total number of such incidents was 155.

On 18 May, Saidur Rahman of Dinajpur died after BSF threw a cocktail. On 22 June, in Kurigram, a BSF team forcefully entered into the house of Abul Kashem to arrest alleged smugglers. They tortured him and his son Mozzammel Haque. On 15 July, BSF charged bayonets at Akhtarul Islam of Shatkhira injuring him severely. Later, he was taken to a BSF camp, and his hands and feet were broken after torture.

Torture on journalists

Violence on journalist had increased in 2012. News reports stated at least 442 Journalists were tortured. Among them 74 were tortured by law enforcing agencies, 87 were tortured by terrorists, 72 by political leaders and five were murdered. In 2011, the total number of journalists subject to torture was 306. While carrying out their professional duties about 50 journalists were sued by Ministers, MPs or their cadre.

Sagor Sarwar and Meherun Runi. Two TV reporters were killed in their own home on 11 February. The Home Ministers and the top police officials promised to identify and punish the perpetrators. But there was no progress in investigating their crime. On 28 May, sub-editor Rifat Newaz, reporter Salahuddin Wahid, office assistant Ruhul Amin and eight other journalists of BDnews24.com were attacked by gangs in front of their own office in Mohakhali.

Sexual Harassment

In 2012, about 250 women were sexually assaulted, sixteen of them committed suicide. Two hundred and fifteen persons were attacked for protesting against sexual harassment, and 15 of whom were killed.

On 17 November, a girl named Farhana Akhter Rimi of Chorgoaldi village in Pirozepur Union under Sonargaon Upazila in Narayanganj district had been sexually harassed by one Shamim and five to seven of his associates of the same village. Later that day, Rimi committed suicide by taking pesticides. On 30 July, a teacher and a female student of Rajshahi University were sexually harassed by three students in the campus.

Fatwa and Shalish

Though instigated by fatwa was declared illegal by the High Court in 2012, in 2012, 48 persons were tortured in the name of Fatwa, among which only 16 cases have been filed in police station. Twenty two women were subject to physical violence and mental torture as a result of *fatwas* and in shalish, twelve had been evicted from the village or ostracized by the community and five have committed suicide after torture. On 19 February, Aklima of Naogaon committed suicide after *fatwa* by UP members declared she be ostracized.

Torture for dowry

538 women were tortured for dowry in 2012. Among which 244 were physically tortured, 263 were killed after torture and 19 committed suicide after torture.

On 6 September, Fatema Begum, a mother of two children, was beaten to death by her husband Anwar for dowry in Savar. Her dead body was rescued by police after two days. In Magura, Salma was brutally beaten by her police constable husband Md. Tuhin Mollick after she refused to pay dowry. She was locked in a room so that she cannot take any treatment.

Rape, acid burns, marital violence and violence on domestic worker

In 2012 rape, acid burns, domestic violence and violence on domestic workers was very alarming. In this year, 1149 women and children were raped. Among these, 79 were murdered after rape and 14 committed suicide. Sixty eight women were burnt with acid, only 28 cases were filed. Four hundred and eighty two women were subjected to marital violence, but only 292 cases were filed. About a hundred female domestic workers were tortured, and cases were filed in only 40 incidents.

Law and order situation

Throughout 2012, the law and order situation was alarming. There were about 512 incidents of political violence in which 74 persons died and 7327 were injured. In 2011, number of such incident was 375.

On 9 December, during a strike by the opposition, a pedestrian Bishwajit Das died in old Dhaka after he was brutally stabbed with a sharp weapon (colloquially “chopper”) by the Chhattra League cadres affiliated to the ruling party. Video footage from different electronic media showed the police watching inactively as armed boys attacked him. The High Court found the forensic report to be wrong.

Political violence

Recently, law enforcing agencies used excessive to contain opposition party activities. At the same time, Jamaat-e-Islami and Islamic Chhattra Shibir (a student affiliate body of the Jamaat) held violent demonstrations to demand release of the accused in the war crimes trial. They were reported to attack the law enforcers, beating and injuring them and sometimes extorting their arms. More than hundred policemen were injured. Vandalism, arson and attacks on the police force were committed during political activities. On the other hand, police arrested many innocent persons to restrain opposition rallies under orders by the Mobile Court under the Speedy Trial Law (DraT Bihar Ain).

Workers’ Rights

Arson in Tazreen Fashion Garments on 24 November led to the death of 112 workers and injury to 150 others. Five investigation teams were formed by the Government. The Fire Service investigation team found that the factory had violated the building code and safety measures prescribed by Bangladesh Labour Act 2006. The deaths also occurred because the workers were prevented from leaving the shop floor.

Throughout the year, export garment workers protested delays and defaults in payment of arrear wages, and overtime and lay offs.