Human rights practices in Bangladesh

Annual State Department Human Rights Report 2000

HE Government generally respected the human rights of its citizens in some areas; however, its record remained poor in many other significant areas, and it continued to commit serious abuses. The Home Affairs Ministry controls the police and paramilitary forces, which bear primary responsibility for maintaining internal security. Government frequently uses the police for political purposes. There is widespread police corruption and lack of discipline. Police officers committed numerous serious human rights abuses. Police committed a number of extrajudicial killings, and some persons died in police custody under suspicious circumstances. Police routinely used torture, beatings, and other forms of abuse while interrogating suspects. Police frequently beat demonstrators. The Government rarely convicts and punishes those persons responsible for torture or unlawful deaths. Prison conditions are extremely poor for the majority of the prison population. Rape of female detainees in prison or other official custody has been a problem; however, there were no reports of this during the year. The Government continued to arrest and detain persons arbitrarily, and to use the Special Powers Act (SPA) and Section 54 of the Code of Criminal Procedure, which allow for arbitrary arrest and preventive detention, to harass political opponents and other citizens by detaining them without formal charges. The Government encourages violence by urging retaliation against opposition members who attack government supporters. The Government filed numerous criminal cases against opposition leaders and activists; in at least some of these cases, the charges likely were false.

The newly-enacted Public Safety Act (PSA) gives the police even greater opportunity to abuse their powers. Much of the judiciary is subject to executive influence and suffers from corruption. A large case backlog slowed the judicial process, and lengthy pretrial detention was a problem. Police searched homes without warrants, and the Government forcibly relocated slum dwellers. Virtually all journalists practiced some selfcensorship. Attacks on journalists and efforts to intimidate them by government officials, political party activists, and others increased. The Government limited freedom of assembly, particularly for political opponents, and on occasion limited freedom of movement. The Government generally permitted a wide variety of human rights groups to conduct their activities, but it continued to refuse to register a local chapter of Amnesty International. Abuse of children and child prostitution are problems. Violence and discrimination against women remained serious problems. Discrimination against the disabled, indigenous people, and religious minorities was a problem. There was occasional violence against members of the Ahmadiya religious minority.

Some domestic servants, including many children, work in conditions that resemble servitude and many suffer abuse. Child labor and abuse of child workers remained widespread and serious problems. However, a 1995 agreement between the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), UNICEF, and the International Labor Organization (ILO) that has eliminated about 95 percent of child labor in the export garment sector, the main export industry, was extended in June. Trafficking in women and children for the purpose of forced prostitution and at times for forced labor remained serious problems. Both ruling and opposition political parties and their activists often employed violence, causing deaths and numerous injuries; however, the number of deaths has declined, likely due to fewer general strikes during the year. justice resulted in numerous killings, according to press reports.

Political and Other Extrajudicial Killings Police committed a number of extrajudicial killings.

Security forces sometimes used unwarranted lethal force. On February 9, police officers shot and killed Mohammad Ahmed Hossain Sumon, while

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Law Desk The Baily Star

19 Karwan Bazar. Dhaka -1215.

Fax: 8125155.

E-mail:lawdesk20@hotmail.com

and 12-year-old niece. Family members began to drive the victims to the hospital in a van, at which time the police again shot at them, breaking the van's windshield. No action was taken against the policemen involved in the killing. On May 3, police officers shot and killed two workers in the Savar EPZ, as police stormed a factory that disgruntled workers had taken over; another two persons later died from stab wounds sustained during the seizure. On September 18, police officers brandished weapons at persons attempting to rescue Mahbub Hasan Khan Oli, who was drowning in a Dhaka pond into which he had jumped to evade police capture. Oli drowned. In March 1999, police officers in Dhaka drowned college student Mujibur Rahman, and in July 1999, three policemen in Dhaka allegedly severely beat Mohammed Shahjada Tuku, then threw him into a canal where he drowned; as of year's end, none of the officers involved had been held accountable.

According to government figures, 134 persons died in prison and police custody during the year . According to an independent human rights organization, 70 persons died in police, prison, court custody, and army camps during the year.

Most police abuses go unpunished, and the resulting climate of impunity remains a serious obstacle to ending police abuse and extrajudicial killings However, in some instances where there was evidence of police culpability for extraiudicial killings, the authorities took action. In March 1999, four police officers were charged with manslaughter after a body was found in the rooftop water tank of the Detective Branch in Dhaka. The case is ongoing. The case against a police sergeant for killing a rickshaw puller in July 1999 in Agargaon remained pending at year's end.

Court proceedings continued against 14 persons, including 13 police officers, arrested and charged after a college student in police custody was beaten to death in July 1998. At year's end, nine of the accused persons were in custody, and proceedings in the case were continuing.

The Government continued to imprison eight persons accused of perpetrating the November 1975 murders of four senior Awami League leaders who then were in iail. On October 12, charges were filed against these individuals and 13 others who are not in custody. At year's end, the court was scheduled to begin hearing testimony in the case on January 24,

Vigilante violence against criminals by private citizens occurs. The Government reported that, by year's end, vigilantes killed 1 person, compared to 20 persons during the first 9 months of 1999. Authorities rarely arrest and punish those responsible for vigilante violence.

Press reports of vigilante killings by mobs are common. Tallying these reports, a newspaper estimated that mobs had beaten to death at least 14 persons in May and had killed at least 10 persons in June. Press editorials and commentaries opinioned that the increasing mob violence reflected a breakdown of law and order and a popular perception that the criminal justice system does not function. Human rights groups and press reports indicate that vigilante violence against women who are accused of having committed moral offenses is common, particularly in rural areas, and that religious leaders sometimes lead it (see Section 5).

Mob violence also occurs. On August 18, Alfred Soren, a leader of the Santal tribe in the northern part of the country was killed and dozens of others were injured, in a mob attack, reportedly carried out by Bengalis who were angry with the tribals over a land dispute.

Violence, often resulting in killings, is a pervasive element in the country's politics. Supporters of different political parties, and often supporters of different factions within one party, frequently clash with each other and with police during rallies and demonstrations. According to government figures, 15 persons were killed and 56 others were injured in politically motivated violence during the year. Awami Leaque supporters, often with the connivance and support of the police, violently disrupted rallies and demonstrations of the opposition parties . Opposition parties also used armed violence and intimidation to enforce general strikes. During the year, four persons died in violence related to general strikes (hartals); five others were killed when run over by recklessly-driven vehicles that were

During an opposition-called hartal in 1999, eyewitnesses saw Maqbul Hossain, an Awami League Member of Parliament (M.P.) for the Dhanmondi area of Dhaka, order the killing of two young BNP activists who had been seized by Hossain's armed followers. Members of Hossain's entourage then shot at point-blank range one of the men, BNP activist Sajal Chowdhury, who subsequently died; the other person was beaten. About a dozen police officers who were standing nearby in riot gear made no effort to intervene or to apprehend the gunmen, nor did the Government later take action against those persons responsible. However, police summoned for repeated interrogations the family of Chowdhury, which had filed a murder complaint against M.P. Hossain and the armed men. One Chowdhury family member was arrested on criminal charges, then detained under the SPA after a judge granted him bail. In December 1999, police submitted their final report on the case to the court, stating that the evidence did not support the murder charge. Subsequently, the court accepted the police report and dismissed the case against Hossain. Hossain then served legal notice on the victim's family, demanding that they explain why they should not be charged with criminal defamation.

Political killings continued during non-hartal periods as well. On July 16, Shamsur Rahman, a well-respected journalist who wrote articles on smuggling and terrorism in the southwestern region, was killed in Jessore The Home Minister blamed the opposition for the killings; others blamed members of the ruling

party who are connected with the smugglers. Numerous other journalists were killed or attacked by government or societal forces throughout the

In March 1999, two persons were killed while making bombs at ruling party M.P. Mohammed Mohibur Rahman Manik's residence in the Sylhet region. Newspaper speculations that the bombs were to have been used if local intraparty conflicts were contested. Police arrested Manik in May 1999 for involvement in bomb making. The court charged the M.P. on February 29; at year's end, Manik remained free on bail

Violence also is endemic between the student political wings of the major national parties, and between rival factions within the parties. In an escalation of political violence, on July 12, gunmen fired automatic guns at a van in Chittagong, killing eight persons, including six members of the ruling party's student wing, the Bangladesh Chhatra League (BCL). The enment accused the student wing of the opposition Jamaat-e-Islami Party of being responsible for the attack. The Prime Minister challenged her supporters and the police to retaliate for the murders of her student supporters, declaring that there should be 10 opposition bodies for each one from the ruling party. An anti-Jamaat campaign following the July 12 killings resulted in the deaths of at least 2 Jamaat activists, the injury of many others, and the arrests of hundreds more.

Extortion from businesses and individuals by persons with political backing was common, and businessmen on several occasions went on strikes to protest the extortion. On May 25, several young men shot and killed Iftekhar Ahmed Shipu, owner of a cellular telephone shop in Dhaka,

after Shipu refused to give them a free telephone. A ruling party parliamentarian's son and several others were charged with the killing in a case filed by Shipu's relatives. According to press accounts and a subsequent investigation by a human rights organization, a gang led by Sumon, son of an influential local Awami League leader, abducted two young men on September 15 and demanded a ransom of about \$1,000 (50,000 Taka), which the parents did not pay. The dismembered bodies of the two victims were found in a drain the following day. The human rights organization report asserts that the police did not intervene to rescue the two young men, but rather shared drinks and cigarettes with the gang members as they were holding the two victims. Subsequently, the officer-in-charge of the local police station was transferred, and the police arrested several members of the gang.

party opposition alliance using tear gas, rubber bullets and batons. At least 25 persons were injured seriously. On October 5, security personnel blocked a road in the southwestern part of the country to prevent opposition leader Begum Khaleda Zia from visiting flood-affected areas and addressng a scheduled rally. According to a May Human Rights Watch (HRW) report, Rohingya refugees living in camps continue to suffer abuses, including beatings and other forms of physical abuse, and in the past have been coerced by camp administrators trying to secure their return to Burma.

rights organization asserted that as of September, 307 females (including

adults and minors) and 114 male children were in "safe custody." Govern-

ment figures showed that 353 persons, including 139 women, were in safe

with opposition demonstrators. Before a scheduled rally of former Awami

League M.P. Kader Siddiqui in May, police stopped Siddiqui in front of his

house, fired gunshots into the sky to scare his followers, and beat him so

severely that he required hospitalization. Four of his party activists were

detained under the PSA. On August 6, police broke up a rally of the four-

The police often employ excessive, sometimes lethal, force in dealing



custody at year's end.

The government frequently uses the police for political purposes.

Disappearance

During the night of September 18, Nurul Islam, the BNP Organizing Secretary for Laxmipur district, was abducted from his home. According to reports from neighbors and from BNP sources, the General Secretary of the local chapter of the Awami League was behind this abduction and suspected killing. Police subsequently searched the General Secretary's residence for evidence relating to the abduction. A case was filed against the General Secretary, 2 of his sons, and 12 others, but neither the General Secretary nor his sons were arrested.

Nasir Uddin Pintu, a leader of the opposition student group Jatiyatabadi Chhatra Dal (JCD), alleged that he was tortured in police custody with beatings, sleep deprivation, and dousing with water. He also reported that he was denied proper food and water while in custody from December 1999 to January. One human rights organization reported that, after conducting a field investigation, it had confirmed that on June 13, police officers in Jhenidaha arrested a 12-year-old boy named Belal, hung him nude from a tree, tied a brick to his genitals, and beat him with sticks, allegedly for teasing a beggar. The human rights organization reported that the family was too intimidated to file a criminal report on this incident. Subsequently, one police officer from the nearby Betai Police Camp was suspended temporarily; other policemen from the Camp were transferred.

Rape of female detainees in police or other official custody has been a problem, as the Chief Justice of the Bangladesh Supreme Court acknowledged in a March speech when he observed that rapes and killings in police custody frequently occurred . Some well-publicized reports of rape in police custody in prior years resulted in a widespread public outcry. While there were no reports of such rapes during the year, it is unclear whether the situation has improved after public condemnation, or whether rapes continue and simply are not being reported.

According to human rights groups and media reports, police engaged in ence and looting during the July 1999 raid of brothel districts, allegedly attacking residents as well as over 40 female human rights activists who were protesting the eviction. The evicted sex workers were detained in vagrant centers, where guards and fellow inmates subjected them to sexual assault and harassment. According to two human rights organizations, fewer than a dozen prostitutes remained in the vagrant homes at year's end.

Police sometimes rape women who are not in custody. The Government reported that in May a police constable raped a woman who was not in police custody. After an investigation, the constable was charged with rape and placed under suspension. The case was pending at year's end. During the first 9 months of the year, one human rights organization documented nine cases of police raping women who were not in custody. In addition after women report that they are raped (or are involved in family disputes), they frequently are detained in "safe custody," where they endure poor conditions, and sometimes are abused or, as has been reported in prior years, are raped. Citing statistics from prison officials, one human

In rural areas, human rights groups and press reports indicate that vigilantism against women for perceived moral transgressions occurs, and may include humiliating, painful punishments such as whipping . Rejected suitors, angry husbands, or those seeking revenge sometimes throw acid in

Prison conditions are extremely poor for most prisoners. The Supreme Court Chief Justice told a seminar on August 10 that prisoners live a 'subhuman" life. Official figures indicated that 134 persons died in prison and police custody during the year. According to credible sources, poor conditions were at least a contributing factor in many of these deaths. Most prisons are overcrowded and lack adequate facilities. According to government figures, the current prison population of 63,489 roughly is 265 percent of the official prison capacity. Of those, 16,393 were convicted and 47.096 were awaiting trial or under trial. In some cases, cells are so crowded that prisoners sleep in shifts. The Dhaka Central Jail reportedly houses over 8,000 prisoners in a facility designed for fewer than 3,000

In general the Government does not permit prison visits by independent human rights monitors . Government-appointed committees of prominent private citizens in each prison locality monitor prisons monthly, but do not elease their findings. District judges occasionally also visit prisons, but rarely disclose their findings.

Arbitrary Arrest, Detention, or Exile

The Government continued to arrest and to detain persons arbitrarily, as well as to use national security legislation (the SPA or PSA) to detain citizens without formal charges or specific complaints being filed against them. The Constitution states that each person arrested shall be informed of the grounds for detention, provided access to a lawyer of his choice, brought before a magistrate within 24 hours, and freed unless the magistrate authorizes continued detention. However, the Constitution specifically allows preventive detention, with specified safeguards, outside these requirements. In practice authorities frequently violate these constitutional provisions, even in non-preventive detention cases. In an April 1999 ruling, a two-judge High Court panel criticized the police force for rampant abuse of

According to a study carried out by a parliamentary subcommittee and released on September 7, successive governments have detained 69,010 persons since the SPA was enacted in 1974, and have released 68,195 persons, following orders from the High Court. The study asserted that the SPA cases generally are so weak and vague that the court had no alternative but to grant bail

The Government cites a significant reduction in the number of persons held under the SPA as evidence that it is minimizing its use of the act; some observers assert that use of the recently-enacted Public Safety Act (PSA) explains the reduction of persons held under the SPA.

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Acts of political repression in 2000

ODHIKAR

Year 2000 has experienced clear lack of decent political culture that accompanied violence and intimidation in the political arena. However people's republic has become nothing but a mere rhetoric, as guns and goons took over. The number of political killing in the year 2000, according to Odhikar's report, is 234 and most of them were state sponsored.

During the same year 6405 people were injured in political encounters and 1976 people were arrested, sometimes on petty grounds like, belonging to a particular political party.

The nation was shocked to know about some undeclared enclaves prevailing in Feni. Laxmipur. Naravangani. Media revealed the grisly tale of the political godfathers and their so called followers. They do or undo the laws of their locality. More than three and half thousands resident of Feni are now living in Dhaka as if they are in exile as both their safety and security is at stake. Where as the hooligans are roaming around freely. The law enforcing agency is doing nothing rather the hooligans make the list of dos and don'ts for the general people as if they are to take care of the law and order situation. Till the 4th December 2000, 35 people were killed in this area. Even the 'kulkhani' of a local opposition

hooligans but the police arrested the mourners. The law enforcing agency and the local administration of this area are apparently working as puppets in the hands of this particular person. As a result of frequent political murders and terrorism the area is sometimes described as a 'death valley' in our national media

On the other hand. Abu Taher of Laxmipur is so powerful that even after the planned abduction and killing of a veteran local politician advocate Nurul Islam, law-enforcing agency remained mum. He allegedly has direct or indirect involvement with 39 political killing among which 20 are BNP activists, 4 are Jamat activists and 14 of them are his

own party leaders and workers. In Barishal town the armed hooligans burned the house of the district BNP Secretary Mr. Ebaidul Haque in August 2000. The 'Panama Bahini', a ruling party sponsored terrorist group. were held responsible for this attack. They allegedly occupied even the Barishal chamber building and ousted the businessmen. Toll collection, looting, bomb explosion, attack, kidnapping, and vandalism have become a regular phenomena in Gournodhi Thana. According to a Daily Ittefaq report published on 13 December, 37 people were hurt in this area in one and half month.

On December 11 2000 the house of the local BNP secretary Mr. Abul Hossain Miah was attacked by the Chatra League cadres. They dam-

aged the property worth one million taka and looted the property equivalent to half a million taka. During this vandalism despite repeated

after one hour when the armed ang already left and no action has been



The right to movement was frequently denied in 2000

On August 20, 2000 Dhaka City BNP leader Advocate Habibur Rahman Mondol was shot dead in old Dhaka on broad day light. Media indicated involvement of a ruling party Ward Commissioner in this killing. But authority did not count on such repeated allegations rather turned a deaf ear to all these allegations

Last August a veteran businessman and political leader Mr. S.M. Rob who was earlier declared as mayoral election candidate of AL in Khulna city corporation by the prime minister, was killed by the assailant. In the same month Kali Das Baral a local AL leader of Bagherhat was shot dead. He was twice elected

as Upazila Chairman of his locality. In both cases the issue of involvement of their own party rival camp were raised.

A real sense of lawlessness gripped the country after the eight murders in Chittagong. Even after five months of that incident the culprits still remain unidentified In October BNP Joint Secretary

of Sitakunda Thana. Mr Nuruzzaman was beheaded.

Evewitnesses alleged the involvement of Jewel Maiumdar. son of a ruling party MP Kamal Majumdar in the Shipu murder case of Banani. Despite the media hypes Jewel was allowed to flee

Every one has the right to justice. But the legal system is

used as a tool to oppress the political opponents

Although controversial Special Power Act (SPA) was existent the government introduced a new law titled Public Safety Act (PSA) which came into force from February 2000. Since its inception the law has been proved as a weapon to harass the opposition activists.

The random abuse of Public Safety Act (PSA) and Special Power Act (SPA) is a common case. Even the influential people like industrialist and parliamentarian Morshed Khan and his son were sued under the PSA. According to a daily news paper, more than 350 cases were filed against the Narayangonj district BNP leaders and workers. Last year, in only 10 police stations under the DMP more than seven hundred cases were filed. In south-western part of the country over ten thousand people were arrested in two-months in the name of anti terrorist operation.

Due to obstacle from the government, in last year opposition activities were mostly confined within their party office premises and a few streets in Dhaka. On the other hand anti hartal and so-called 'peace processions' were allowed to take over the street. It is alleged that 'peace processionists' are by nature violent and they possess illegal

Some time provocation of political violence came from political high ups. On 19 December, 2000 in a

public rally held in Paltan maidan Jubo League president, health and family welfare minister Sheikh Fazlul Karim Selim urged his Jubo League activists to take the law in own hand if the higher court fails to execute the verdict of the killer of late president Sheikh Muiibur Rahman, Later on 14 December judges uphold 10 death sentence and differed in case of the rest five. Following this verdict the same day Liton (27) son of Md. Shafiqur Rahman a tempo driver was shot dead and 25 others were injured in gun shots and beating as members of the AL backed Chatra League brought out procession protesting the split verdict of the High Court Division Bench. At least a hundred motor vehicles were damaged by the angry processionist. Not only that within hours of the

split verdict, the house of the brother of a High Court judge came under attack for differing his opinion regarding the death sentence of the five others. Although freedom of movement

and assembly is a fundamental right, last year in several occasions. opposition activists were prevented from joining rally and mass gathering. Even the law enforcing agencies including the police and BDR put road barricade to prevent leader of the opposition Khaleda Zia from visiting flood hit Kolaroa.

Fazlous Sattar has prepared this report on behalf