

## Are the 'ghost' cases fooling anyone?

Arresting people on false charges is gross human rights violation

We have noted with alarm the intensifying crackdown on the opposition, with mass arrests of BNP leaders and activists all over the country in the lead-up to the general election. With over 9,000 people arrested in less than two weeks, including the party's top brass, the prisons are now overflowing with political prisoners, housing more than double their capacities. Against this backdrop, a recent report by this daily highlights how 'ghost' cases are being filed indiscriminately against expats, journalists, teachers and other professionals, who claim to have no connection to the events unfolding on the streets in Bangladesh. It appears that beyond BNP activists and leaders, law enforcement agencies are now targeting those who are thought to be remotely sympathetic to the opposition party, with false or trumped-up charges filed against them.

For instance, a case filed against Alamin Kazi says he hurled crude bombs at police and carried out subversive activities with BNP men in Shalikhah's Talkhari area in Magura at around 2am on November 3. However, the expatriate businessman has not been in the country for the past nine months, and was fast asleep in his residence in Kuala Lumpur when the crime he was accused of was committed. Similarly, Rajib Shikder, who left the country in September, was accused of hurling bombs in Magura's Mohammadpur upazila. These striking anomalies raise serious questions about the authenticity of the police reports and the motivation behind them. While Alamin and Rajib are lucky that they were out of the country and have documents to prove so, how are others, similarly falsely accused, supposed to prove their innocence when it is their word against that of law enforcers?

While the government claims that the arrests are not politically motivated, the discrepancies outlined above paint a different picture. With law enforcers reportedly making lists of "troublemakers" at the grassroots level, we are seriously concerned about the possibility of gross violation of human rights and the misuse of the legal system to harass and suppress citizens through filing of such "ghost" cases. The ruling Awami League has consistently claimed that it will ensure a free and fair election under its government, but the use of state machinery to target, harass and persecute the opposition suggests that such a scenario is not only improbable, but impossible.

Under such grave circumstances, we call upon the government to ensure the rule of law and protection of human rights ahead of the election. Such ghost cases may end up benefiting the Awami League in the short run, but they will end up irreparably damaging the credibility of crucial state institutions and the country's democratic future.

## Dengue still rages on

Prompt actions needed to prevent future crisis

Despite the onset of winter, dengue cases are still being recorded in the thousands in the country. Just a decade ago, the season rarely witnessed the mosquito borne disease; so what has changed now?

Dengue in autumn-winter period started becoming a visible phenomenon last year, with as many as 19,334 cases and 113 deaths recorded in November. Despite repeated warnings from experts, the authorities failed to take the necessary measures to tackle future outbreaks, and as a result, the situation this November is much worse, as cases have already crossed 14,000 with over 80 deaths. Although infections seem to be tapering off compared to the previous three months, there are still many suffering from this avoidable crisis, which is unacceptable.

A key reason why we are seeing so many cases in winter is because of warming temperatures, falling humidity levels and heavier rainfall, all resulting from climate change. For Aedes mosquitoes, the ideal breeding temperature is 20-30 degrees Celsius, and we have seen in recent times that winter has entered that range. According to a World Bank report, we will see increasingly more dengue cases due to the suitable climatic conditions. However, this worrying reality has apparently yet to raise concern among the relevant authorities here. Despite experts calling for year-round action, when the Aedes population declined after October last year, the authorities did not take any initiative to contain the breeding. On top of that, measures were eased at the beginning of this year. All these missteps have contributed to the ongoing crisis.

Besides, the health ministry has not created a proper database. As many as 16,000 public and private hospitals, clinics, diagnostic centres and blood banks across the country are providing dengue care, but the health directorate's daily dengue bulletin only uses data from 138 such facilities. In absence of precise and specific data, such as location and serotype distribution, any vector-control programme is bound to fail. Additionally, the city corporations frequently try to skirt their responsibilities, sometimes by blaming the citizens and sometimes by taking initiatives that have been proven to be ineffective.

To prevent a similar crisis from occurring next year, all government agencies must prioritise coming up with an action plan to combat dengue. The met office has a key role to play here, as it can give warnings and information about conducive climate for dengue transmission, which the authorities can use to prepare appropriate measures. Active clusters of Aedes mosquitoes must be identified during the lean period of dengue (November-April) to prevent future outbreaks, and the authorities can even prepare for a dengue inoculation programme with the available vaccines in the market. With such measures, we hope that this crisis will cease to exist next winter.

# What does the mass arrest of BNP activists signify?

Politics in Bangladesh is at a crossroads right now. Following the violence that started unfolding at BNP's rally on October 28, the government has so far arrested over 2,000 BNP activists under 89 cases filed with 32 police stations under the Dhaka Metropolitan Police (DMP), including Secretary General Mirza Fakhru Islam Alamgir and other top leaders. Over 9,000 activists have been arrested countrywide since the rally, and law enforcement agencies will reportedly intensify their clampdown even more in the days to come. Given the circumstances, The Daily Star asked civil society members about their views on the mass arrest and their implications for a free, fair and acceptable general election in January 2024.



ILLUSTRATION: BIPLOB CHAKROBORTY



The situation that has arisen since October 28 poses a threat to the human rights of civilians as a whole. Indiscriminate arrests undoubtedly provoke fear among the general population. The public becomes panicked when such incidents

increase, as they fear they could also be arrested. This affects people's inner peace, their sense of security, and undermines their sense of safety, which goes against human rights.

The law enforcement agencies may argue that they are acting under the Special Powers Act (referred to as the *kala kanun*), but are they following the law properly? An important requirement in the law is that detainees must be brought before the courts within 24 hours. Are the thousands of individuals that have been arrested being presented before the court within 24 hours?

Many detained persons are being apprehended based on assumptions and are being left outside of judicial procedure. If the law enforcement officials follow the Special Powers Act accordingly, the detainees must go through the judicial proceedings, and if the accusation is proven, they will receive punishments; if not, they should be released. However, this is not happening. In that

case, we can say they are being detained arbitrarily and discriminatorily.

Arresting thousands of people based on assumptions interferes with their freedom of movement and right to life. There is a matter to consider: what are the criteria for arresting these people? The October 28 incidents may have been carried out by a few hundred people, but the reason behind the number of arrests exceeding thousands remains a question.

When we ask the police about any case of domestic violence, rape, harassment and murder, it is often observed that they claim to not find any charges against the supposed perpetrators. Now, my question is: if the law enforcement agencies are making a list of "troublemakers," based on whose allegations and based on what are they doing so?

If someone is being detained for specific crimes such as theft or robbery, that can be comprehensible. But such measures seem to be absent here. Since there are no clear criteria, they can assume anyone is a troublemaker. How can I be sure they would not consider me a troublemaker?

On top of that, if they decide to target a specific political party, that is also an injustice. In a democratic country, anyone can be a member of any political party, so why would they be assumed to be troublemakers without any concrete reason?

**Sultana Kamal**  
Eminent human rights activist

Bangladesh does not have any credible mechanism to gauge public opinion. Election is not genuine, surveys are not efficient, media is not free and the constitutional provision of referendum is no longer there. Nevertheless, it may be safely argued that the incidents of October 28 have made the people of Bangladesh doubtful about the scope of exercising their voting rights in the forthcoming general election.

As the history and political culture of this country testify, people in this country love their voting rights and aspire to see their representation in the government. This spirit motivated them to engage in the Liberation War in 1971 and later turn in large numbers at the polling booths in elections whenever conducted under a trustworthy government. This explains why an increasing number of people participated in the opposition's movement for a free and fair election in recent months.

The prospect of such an election is hazy now. The speed at which police have filed numerous cases against BNP leaders and activists for the mayhems of October 28, the scale at which they have been arrested, and the uniformity with which they are being denied bail send an unambiguous message. The ruling party is

determined to capitalise on its own narratives of October 28 events to muzzle the opposition, and thus to arrange an election according to its design.

Given the memory of the past two elections in 2014 and 2018, it would surely frustrate the democracy-loving people. The opposition party has resorted to hartals and blockades, while the government is rejecting any prospect of negotiation; this deadlock is causing harm to the country's struggling economy.

In the past, civil society and other powerful groups, both domestic and international, could have played a role to end the impasse. People must be thinking where the solution would come from this time, and how.

Overall, this is a time of despair, at least for the people who suffer most when democracy dies, monopoly in every sector prevails, and corruption multiplies in the absence of accountability and balance of power.

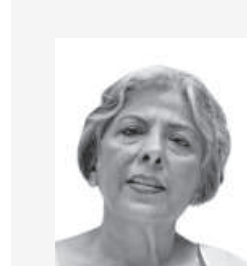
**Dr Asif Nazrul**  
Professor of law and researcher on constitutional and environmental laws

The opportunity was totally lost to mindless corruption and rigging. The people are rightfully asking: how can this EC under the present government hold a credible election in 300 seats? With no real opposition in the field, with high voltage intolerance and fear raging across the political scene along with the proven incompetencies to conduct a fair election, the stage set for the upcoming election is out of whack.

The road the government has chosen is a dead end. It is suicidal for both the ruling party and the country. I cannot help asking, in such a reality: why are we holding an election at all?

The recent by-elections were an opportunity to build trust and prove that elections under an elected government can be free and fair.

**Sharmeen S Murshid**  
Election analyst and CEO of Brotect



The large-scale arrest of opposition party members has grave implications for our democracy. It makes the opposition leaderless and drives its members underground, making it impossible for them to stay aloft and prepare for the upcoming election. The

opposition is on fear mode and this drives them out of the playing field, and leaves the electorate without a right to choose. We are witnessing harsh suppression of the opposition at a moment when all political parties should have been holding colourful electoral campaigns in a safe and healthy electoral environment. Picking



The government's act of arresting opposition leaders and activists right before the election just shows its own weakness. It is doing so to prevent a free and fair election, which most definitely

would not go in its favour.

The government's narrative—that the arrests are being made due to criminal acts—cannot be accepted. Recently, one of our ministers insinuated that syndicates cannot be touched. The authorities are not arresting the hoarders; they are not arresting the garment owners responsible for the recent chaos. Instead, they are opening fire on the workers, who are demanding for their due right. The government is doing all this to prevent a surefire defeat in the election.

Notably, the high-ups are allowing the communal force Jamaat to hold demonstrations. This just proves that the government has no ethical obligations to meet, like upholding non-communalism. It only has one goal in mind: staying in power.

**Mujahidul Islam Selim**  
Former president of the Communist Party of Bangladesh



We are extremely concerned that the Bangladesh government appears to be walking away from its international pledges to hold a free, fair and participatory election this time.

Bangladeshis have repeatedly been denied the right to choose their leaders in the last few elections—including to municipal, local government, and other posts—and this can lead to increasing unrest and risk of violence. Security forces also appear to be acting in a biased manner, targeting the political opposition but failing to act against abuses by ruling party supporters.

Thousands of opposition leaders and supporters are in custody on trumped-up charges, and there are concerning allegations of unlawful arrests and torture in custody. These are not hallmarks of a government that is committed to upholding democracy.

**Meenakshi Ganguly**  
Deputy director, Asia Division, Human Rights Watch



Arbitrarily detaining individuals without justification, especially as a means to target members of a particular political party, will unquestionably have a profound impact on the public. When people are persistently kept in a state of uncertainty or harbour mistrust towards one another, it can lead to potential harassment in the future. This issue also highlights critical human rights concerns.

The situation demands immediate attention from both the law enforcement officials and those responsible for overseeing their actions. Failing to address and rectify this issue promptly could lead to further escalation of the situation, triggering extensive criticism internationally.

The prevalent practice of apprehending individuals who have no direct involvement in the alleged offences or detaining them on the basis of mere suspicion, along with filing anonymous cases, is a recurring problem in our country. Given the public perception of law enforcement, it is imperative that our state security forces act more judiciously and engage more effectively with the general public during these crucial times. Before taking someone into custody, a comprehensive investigation and a rigorous process should be applied.

**Brig Gen (retd) Dr M Sakawat Hussain**  
Former election commissioner of Bangladesh, and senior fellow at the South Asian Institute of Policy and Governance (SIPG) of North South University (NSU)