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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by ODHIKAR - Coalition for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2021]

* Issued as received, in the language(s) of submission only.



BANGLADESH: Government uses lethal force for curbing freedom of peaceful assembly through arbitrary detentions, torture and extrajudicial killings

ODHIKAR – Coalition for Human Rights draws the special attention of the Human Rights Council and UN human rights monitoring mechanisms regarding the systematic violations to civil and political rights of Bangladeshi citizens by Bangladeshi authorities using excessive force and lethal weapons and violent crackdowns on dissidents, violating the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials. Attacks on peaceful rallies of the opposition political parties and dissenting voices, violating right to freedom of peaceful assembly, and making arbitrary arrests and detentions followed by torture and extrajudicial killings in Bangladesh have become of serious concern. The government is also using the COVID-19 pandemic ‘lock downs’ as an excuse to curtail freedoms of assembly and association of the citizens, targeting dissidents and victims of human rights abuses and their families. The imposition of nationwide lockdowns also have a negative impact on the livelihood of thousands who live from hand to mouth – including many victim-families.

The UN Special Procedures and Treaty Bodies have expressed deep concern at persistent allegations of excessive use of force by members of the security forces and the police, targeting political opponents and dissenters. The practice of shooting at people in peaceful protest rallies continues in Bangladesh without prompt, impartial, and effective investigations into the incidents. In Bangladesh, the use of firearms is governed by outdated laws that do not conform to international law and standards. According to the Code of Criminal Procedure of 1898, the use of firearms is permitted only for the purpose of dispersing unlawful assemblies (Sections 127 and 128), and to effect an arrest in certain circumstances (Section 46).

Since the beginning of 2021, the government has cracked down on the opposition and dissidents by curtailing their right to freedom of assembly. In March 2021, the government used members of the law enforcement agencies to threaten political parties and dissidents not to hold meetings and rallies.¹ The government has instigated arbitrary arrests against Anti-Modi protesters since the country’s 50th anniversary of independence. Numerous leaders and activists of the opposition political parties and members of religious organisations, and student organisations critical of the government, have become victims of arbitrary arrests, detentions and torture for attending rallies. Members of the law enforcement agencies have been accused of detaining and torturing opposition leaders, religious leaders and activists.² Between 20 and 28 March 2021, police and members of the ruling party Awami League attacked a series of protest rallies across the country, organised by different political and civil society groups. As per media reports, at least 19 people were killed and more than 100 injured in police firing during protests and strikes organised against the visit of Indian Prime Minister Narendra Modi to Bangladesh on the occasion of the golden jubilee of Bangladesh’s independence.³

The police and the ruling Awami League-backed Chhatra League (its ‘student wing’) jointly attacked the peaceful rallies by Progotishil Chhatra Jote, an alliance of leftist student organisations and the Bangladesh Jubo Odhikar Parishad, that had been organised to protest the hosting of Narendra Modi on the occasion of the 50th year of independence of Bangladesh.⁴ On 26 March 2021, police and the ruling party men attacked a rally that was brought out by leaders, activists and supporters of Hefazat-e-Islam Bangladesh and other

¹ Daily Star, 14 March 2021; Don’t hold programmes in Dhaka city during 10-day state celebrations: DMP | The Daily Star.

² Asian Human Rights Commission, 26 April 2021; <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-004-2021/>.

³ HR-Report_Jan-Mar_2021_Eng.pdf (odhikar.org).

⁴ Prothom Alo, 23 March 2021; At least 25 injured as BCL swoop on anti-Modi protest (prothomalo.com).

faith-based organisations and political parties, after Friday prayers, from the area adjacent to Baitul Mokarram Mosque, in protest of the arrival of Modi. The police fired 1137 rounds of bullets (827 rubber bullets and 310 lead bullets) and threw 93 tear gas shells at protesters.⁵ 55 people were injured in the attack and taken to Dhaka Medical College Hospital.⁶ The news of the police attacks on the anti-Modi protesters at the Baitul Mukarram Mosque triggered instant protests, mainly by madrassa students in different places of the country, including Chittagong and Brahminbaria. At Hathazari of Chittagong, police opened fire at protestors leaving four persons killed, when madrassa students threw brickbats at the Hathazari Police Station, breaking its windows and door, in protest of the police barring their rally. Students of different madrassas in Brahmanbaria also staged protests in different parts of the city over the clashes that took place in Dhaka and Hathazari. Five government institutions including Brahmanbaria Railway Station and two vehicles were vandalised and set on fire. A youth was also shot dead by the police.⁷

Hefazat-e-Islam called for a nationwide dawn to dusk general strike on 28 March 2021 to protest the attack on its supporters and the killing of its leaders-activists and ordinary citizens by law enforcement officials in Chittagong and Brahmanbaria. On the eve of the strike, Hefazat-e-Islam activists brought out a rally in support of the strike on 27 March in Brahmanbaria. The police and BGB obstructed the rally, which triggered clashes between the police-BGB and protesters. Seven people were shot dead and several others were injured in the incident.⁸ Till 30 April, 55 cases have been filed in different police stations in Dhaka and outside Dhaka.⁹ More than 10,000 people, many of them ‘unknown’, have been accused in these cases. The fact that many are ‘unknown’ or unnamed, allows police to arrest other individuals and falsely implicate them in these cases. The accused were all leaders and activists of BNP, Jamaat and Hefazat-e-Islam.

Extrajudicial killings have escalated in the country under the pretext of a “War on Drugs”, orchestrated by the incumbent government as a means of eliminating political opposition and silencing critics. The government has encouraged this process while affording impunity to the perpetrators/law enforcement agencies. A worrying number of extrajudicial killings and torture and ill-treatment have been committed amid the COVID-19 pandemic. Odhikar gathered a total of 45 reported cases of extrajudicial killings by the state law enforcement agencies and security forces from January to April 2021. The actual number of people tortured in custody is difficult to ascertain as most of the incidents of torture go unreported due to fear of further reprisals. Torture victims and/or their family are afraid and feel threatened to file complaints against law enforcers. In Bangladesh, incidents of extrajudicial killings and custodial torture continue to occur due to a dysfunctional justice system and impunity of the killers given by the State.

Recent incidents of atrocities and brutalities of police and security forces in the country show the worrying pattern of extrajudicial killings, custodial torture and police high-handedness. On 18 April, at least five workers were shot dead and dozens injured when police opened fire at workers demanding unpaid wages, and protesting over alleged discrimination at a Chinese-backed coal-fired power plant in Chittagong. Police had fired 332 gunshots and four teargas shells during the protest.¹⁰ One of the more blatant examples of torture and death in custody was the case of 46 year old villager, Abul Hossain, in Saltha Upazila under Faridpur District. He died on 1 May, after he was taken into police custody on a five-day remand, in a case filed over acts of violence on 5 April in Saltha. The family of Abul Hossain alleged that police tortured him to death while he was in remand. The family also claimed that he was arrested on 16 April and was taken to the Detective Branch

⁵ The Business Standard, 30 May 2021; Baitul Mukarram clash: Police yet to identify perpetrators (tbsnews.net).

⁶ Manabzamin, 26 March 2021; <https://mzamin.com/article.php?mzamin=267783&cat=1/>.

⁷ Naya Diganta, 26 March 2021; <https://www.dailynayadiganta.com/chattagram/571875/>.

⁸ Prothom Alo, 8 April 2021; <https://en.prothomalo.com/bangladesh/crime-and-law/brahmanbaria-violence-confusion-over-death-toll>.

⁹ Dhaka Tribune, 1 May 2021; Brahmanbaria mayhem: 6 more Hefazat men arrested | Dhaka Tribune.

¹⁰ Daily Star, 20 April 2021; Banskhali Power Plant: Questions over rationality of police firing | The Daily Star.

of Police custody on 28 April. They are adamant that he was not even present at the place where the violence took place.¹¹

The Torture and Custodial Death (Prevention) Act 2013 was adopted to prohibit torture, cruel and degrading treatment to anyone in the custody of law enforcement agencies and punish the perpetrators. However, custodial torture has become a terrible practice, undermining the rule of law and people's right to life and justice. It is to be noted that Bangladesh has hardly implemented the global recommendations it accepted in the third cycle of the Universal Periodic Review in 2018, while human rights defenders expressed their concerns over a deteriorating human rights situation and the curtailing of freedoms of the citizens in the country. Bangladesh has clearly failed to fully implement its pledge to continue constructive cooperation with the UN human rights mechanisms to protect and promote human rights.

¹¹ Daily Star, 1 May 2021; <https://www.thedailystar.net/crime/news/man-dies-police-custody-faridpur-2086833>.