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## Human Rights Council

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Agenda item 3

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

### **Written statement\* submitted by Asian Legal Resource Centre, a non-governmental organization in general consultative status**

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

[22 August 2021]

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



## **Bangladesh: Enforced Disappearances Must Warrant Consequences**

The Asian Legal Resource Centre (ALRC) raises the issue of Bangladesh's rabid enforced disappearances to the United Nations (UN) Human Rights Council's 48th Regular Session.

Bangladesh's incumbent government began using enforced disappearances as one of the tools to silence the dissidents since assuming to the office in January 2009. Independent human rights defenders' documentation suggests that the law-enforcement agencies had abducted 603 people resulting their disappearance under the incumbent government till June 2021. The actual number of enforced disappearances are few times higher than this figure. Many families of disappeared victims are afraid of revealing the details in public due to severe forms of intimidation and threats to the lives of the remaining members of the family. Out of the 603 disappeared people, the Rapid Action Battalion (RAB) has disappeared 189 people; the Bangladesh Police committed 85 disappearances; the Police and RAB jointly disappeared 12 people. The Detective Branch of the Police have committed 181 disappearances. Other law-enforcement agencies have committed 133 disappearances while the Ansar (Village Defense Party) and Police jointly committed two and the Industrial Police has disappeared one person under the incumbent government.

Among the 603 victims 83 bodies were found in different places after their disappearances. 369 disappeared victims have been resurfaced either in jail or elsewhere. The whereabouts of 153 people including high profile pro-opposition politicians still remain unknown.

There are undeniable evidences available that establish the fact that Bangladesh's law-enforcement agencies were responsible for committing the crime of enforced disappearances.

Dr. Muhammad Iqbal Mahmud, a medical officer at Comilla Medical College, was abducted from Dhaka city at around 3:10 AM on 16 October 2016. A close circuit camera captured the scene of abduction. A police van was spotted at the crime scene while Iqbal was shoved into another van during the abduction. The victim's father Nurul Alam filed a writ petition with the High Court Division of the Supreme Court of Bangladesh after his son was abducted and remained disappeared. The High Court issued rule against the governmental authorities to submit a report within ten days with updated information on steps taken in finding the victim. Three months later, the police officially admitted to the relevant High Court Bench that its official vehicle followed the vehicle carried Dr. Mahmud. Since the confession of the Police there has been no action taken against any officials of the law-enforcement agencies. On 31 May 2017, at around 11:30 PM, a vehicle dropped Dr. Mahmud by the side of the Dhaka-Raipur highway blindfolded. He then returned home after 228 days. Since then the victim or his family refrained from talking about the disappearance to anyone else.

The disappearance case of Sheikh Mokhlesur Rahman Jonny, a homeopathic practitioner of Satkhira district town, has stronger evidence that substantiates the responsibility of the police being responsible for the crime. Endless efforts from the family, including a writ petition triggered a judicial probe report. It confirmed that Mokhlesur was detained in the police cell from 5 August 2016 to 7 August 2017 prior to his disappearance. The probe report was submitted to the High Court Division in response to the writ petition filed the victim's wife. Yet Mokhlesur remains disappeared till the date of submitting this written statement. Regrettably, the responsible police officers have not yet faced any consequence for committing the crime against humanity.

The case of seven men has factually established that the Rapid Action Battalion (RAB) commits enforced disappearances and dispose bodies after murdering the victims. The RAB abducted a city corporation councillor along with his four companions of the ruling party and a lawyer along with his car driver on 27 April 2014. All seven men remained disappeared till 1 May 2014 when the bodies found floating in the Shitalakkhya River. The RAB committed the crime in exchange for BDT sixty million (approximately USD 775,000.00) from another faction of Bangladesh Awami League - the country's ruling party since 2009. This is only prosecution involving enforced disappearance and subsequent extrajudicial killing has taken place as the victims and the perpetrators both belong to the ruling party's influential groups. However, the final appeals of the convicted perpetrators are yet to be completed at the Supreme Court of Bangladesh.

The families of former opposition parliamentarian M. Ilias Ali, who was disappeared on 17 April 2012, and Saiful Islam Hiru, who was disappeared on 27 November 2013, have not allowed access to justice. Likewise, the family of former Dhaka City councillor Chowdhury Alam, a pro-opposition politician, who was abducted from a busy street of Dhaka and still remains disappeared, has not given access to justice since his disappearance on 25 June 2010. The fate of 86 victims including opposition student wing leader Sajedul Islam Sumon, lawyer Mir Ahmad Bin Quasem, Brigadier General Abdullahil Amaan Al Azmi are yet to be confirmed.

The pattern of enforced disappearances and the consistent trend of defending the perpetrators by Prime Minister Sheikh Hasina in parliament, in public domains, in the UN Human Rights Mechanisms establish the fact that the incumbent government maintains a policy of using enforced disappearances against its critics and opposition with blatant impunity.

Many of the incidents of gross violation of human rights involve the government's partnership with the 'anti-terrorism' operations. The perpetrating law-enforcement agencies and security forces have been using invasive spyware technologies to commit gross violation of human rights including enforced disappearances.

The UN Human Rights Council and its Special Procedures need to examine the role of the external interferences for natural resource extortion coupled with geopolitical strategic interests conducive to establishing authoritarian governments in countries like Bangladesh where human rights situation turn to be catastrophic. The role of the UN itself needs to be scrutinised for the protection and promotion of human rights under democracies equipped with functional rule of law institutions in place.

The ALRC urges the Special Procedures mandates of the Human Rights Council to use virtual technologies through the locally based UN office and independent human rights groups to get the ground realities as Bangladesh government consistently refuses to extend the invitation for their country visits. The Office of the United Nations High Commissioner for Human Rights (OHCHR) needs to initiate actions leading to adoption of new mandate on Bangladesh to collect evidences of gross violation of human rights involving the complicity of the justice mechanism so that appropriate changes emerge throughout the actions.

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