



# General Assembly

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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 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.

[22 August 2022]

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



## **Bangladesh: Right to Life and Personal Liberty of Citizens Severely Violated**

ODHIKAR – Coalition for Human Rights draws the special attention of the Human Rights Council, its Special Procedures and UN human rights mechanisms regarding violations of right to life and personal liberty in Bangladesh. The human rights situation in Bangladesh has significantly worsened as the State repression of citizens continues unabated. Perpetrators are being acquitted due to impunity and lack of an effective justice system. People's right to life and personal liberty have been severely violated under the incumbent government and victims are being deprived of justice. All these factors have encouraged the perpetration of various human rights violations, including enforced disappearances, extrajudicial killings and torture. Allegations of gross human rights violations committed by security forces against dissenting voices, including human rights defenders and political opponents, have become widespread. Civic space has continued to shrink and violations, including the judicial harassment of human rights defenders, journalists and critics, continue.<sup>1</sup>

Human rights defenders face persecution, intimidation and harassment, and experience challenges in carrying out their work. The rights to freedom of expression, association and peaceful assembly are being curtailed by draconian laws. Law enforcers have also used excessive force against those engaged in peaceful protest, and allegations of torture, ill-treatment, extrajudicial executions and enforced disappearances by the security forces, including the Rapid Action Battalion (RAB), have not been investigated, despite the United States of America's sanctions.<sup>2</sup> The government has systematically made all state institutions dysfunctional through politicisation in order to further its political agenda. Lack of transparency and accountability, as well as corruption in the justice delivery mechanisms, have resulted in a serious erosion of the rule of law in the country, allowing the proliferation of human rights violations and impunity.

### **Extrajudicial killings:**

Extrajudicial killings continue in the country, under the guise of 'crossfire', 'gunfights', and 'shootouts'. In the aftermath of such killings, law enforcement agencies and members of the security forces depend on the claim that they fired in self-defense. Such killings continue despite widespread criticism and national and international protests and condemnation.

From January 2009 to June 2022, Odhikar documented 2658 cases of alleged extra-judicial killings by law enforcement agencies. In most cases, no prompt and/or thorough investigation into the killings is carried out. The narrative of every extrajudicial killing is almost the same. In many cases, the police and RAB claimed that the victims were shot and killed in crossfire or encounters. However, victims' families alleged that their relatives were executed while in the custody of members of law enforcement agencies.

### **Enforced disappearances:**

The Government of Bangladesh has been using members of law enforcement agencies and security forces to suppress political movements and stifle dissenting voices. Law enforcers are using enforced disappearance as a tool to curb any criticism against the government, creating a climate of fear in the country.<sup>3</sup> From January 2009 to June 2022, Odhikar documented 619 cases of persons who were forcibly disappeared after having allegedly been picked up by men claiming to be members of law enforcement agencies. This number only includes cases where family members or witnesses reported that the victim was abducted by individuals in law enforcement uniform or by people identifying themselves as law enforcement agents.

Bangladeshi law enforcement agencies, particularly the Rapid Action Battalion (RAB) and the Detective Branch of police, are responsible for the commission of the majority of cases of enforced disappearance in the country. The government has consistently denied all cases of enforced disappearance, despite several evidences and probe reports corroborating repeated claims of the families of the disappeared that their loved ones had been taken by

security forces.<sup>4</sup> Most of those who were disappeared have been identified as opposition leaders-activists and dissidents. UN human rights experts, including the Working Group on Enforced or Involuntary Disappearances (WGEID) have raised concern regarding the intimidation and harassment of families of the disappeared persons and HRDs in Bangladesh.<sup>5</sup> The lack of sufficient replies from the government and its failure to respond to the WGEID's request to carry out an official visit to the country, which was made on 12 March 2013, are tantamount to non-cooperation with the UN human rights mechanisms.<sup>6</sup>

Recently, an investigative report published by Netra News has unearthed a secret detention centre "Aynaghar (House of Mirrors)", operated by the Directorate General of Forces Intelligence (DGFI), the military intelligence agency of Bangladesh. According to the report, the facility has more than 30 holding cells and several soundproof interrogation rooms, where detainees are often tortured. Survivors of enforced disappearance shared their horrific experiences in the report.<sup>7</sup>

In the first-ever visit to Bangladesh, the UN High Commissioner for Human Rights, Michelle Bachelet has expressed her "deep concern" over serious allegations of human rights abuses and asked the Government of Bangladesh to acknowledge the cases of enforced disappearance, torture and extrajudicial killings and investigate them impartially by creating an independent and specialised mechanism, given the long-standing frustrations at the lack of progress in investigations and other obstacles to justice. "There are continued, alarming allegations of both short-term and long-term enforced disappearances, and concerns about the lack of due process and judicial safeguards", said Michelle Bachelet during a press briefing on 17 August 2022, at the end of her four-day visit to the country.<sup>8</sup>

### **Torture and ill-treatment:**

Acts of torture and other cruel, inhuman or degrading treatment are widespread and systematic in Bangladesh. Acts of torture continued due to impunity and the lack of implementation of recommendations made by the Committee Against Torture and the Torture and Custodial Death (Prevention) Act 2013. In most cases, victims are tortured during interrogation in remand by the police, RAB or other state agents. According to Odhikar, at least 167 persons were tortured to death in Bangladesh between January 2009 and June 2022. Victims of torture or degrading treatment and/or their family members have been harassed and threatened by the accused for filing cases against them. As a result, many cases of torture go unreported.

Torture and other forms of degrading treatment are institutionalised practices in Bangladesh.<sup>9</sup> Members of the law enforcement agencies have rarely been held accountable for these violations, but rather enjoy impunity as an implicit acknowledgement by the government of their role in the suppression of political opponents, government critics and dissidents. It is a matter of great concern and regret that acts of torture and ill-treatment are persistently taking place in the country by law enforcement officials, despite protests by human rights defenders and victim-families and action taken by the international community against RAB.<sup>10</sup> Instead of addressing torture, extrajudicial killings and other rampant human rights violations, the Bangladeshi government systematically cracks down on victims and their families, along with human rights defenders who speak against abuses and closely work with international human rights organisations and UN bodies and mechanisms.

### **Recommendations:**

Odhikar urges the UN Human Rights Council to:

1. Ask the Government of Bangladesh to put an end to enforced disappearances, torture, extrajudicial killings and other gross human rights violations.
2. Ask the Government of Bangladesh to set up an investigation mechanism under the mandate of the OHCHR to investigate all cases of gross human rights violations.

3. Ask the Government of Bangladesh that all disappeared persons are immediately returned to their families.
4. Ask the Government of Bangladesh to refrain from all forms of reprisals against human rights defenders, victim-families and civil society activists, and ensure the safety and security of victims and their families, and hold perpetrators accountable.
5. Ask the Government of Bangladesh to accede to the International Convention for the Protection of All Persons from Enforced Disappearance and adopt appropriate domestic law criminalising enforced disappearance.
6. Ask the Government of Bangladesh to accede to the Optional Protocol to the Convention Against Torture (OP-CAT), and implement all recommendations made by the Committee Against Torture during its 67th session.

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