



# General Assembly

Distr.: General  
15 March 2023

English only

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## Human Rights Council

### Fifty-second session

27 February–31 March 2023

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.

[4 February 2023]

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



## **Bangladesh: Acts Of Enforced Disappearance Continue With Blatant Impunity Targeting Political Opponents and Dissidents**

Odhikar draws the attention of the United Nations Human Rights Council and its Special Procedures, to the persistent acts of enforced disappearances in Bangladesh. The incumbent government of Bangladesh is taking advantage of law enforcement agencies and security forces to use enforced disappearance as a tool, largely to quell political opposition and silence dissenting voices. Ever since the Awami League came to power in 2009, acts of enforced disappearance have become widespread, and such crimes continue with blatant impunity. Statistical evidence shows that the number of cases of enforced disappearance and extrajudicial killing spiralled before and after the two controversial and farcical parliamentary elections held under the Awami League government in 2014 and 2018. Most of the victims of enforced disappearance were political opposition activists and dissidents. There are fears that cases of enforced disappearance might increase again before the upcoming 12th Parliamentary elections, if elections are conducted under the incumbent (Awami League) government.

According to Odhikar documentation, a total of 21 persons were allegedly disappeared after being picked up by members of law enforcement agencies in 2022. All of them surfaced alive, either released or produced in courts after disappearance. Although there have been statements denying that these incidents can be categorized as ‘enforced disappearance’<sup>1</sup>, the manner in which these persons were picked up and the fact that their whereabouts remained unknown for a period of time, categorizes such acts as ‘enforced disappearances’ as per the UN definition articulated in Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance. Most of the people who disappeared in 2022 are opposition party leaders and dissident citizens.

In Bangladesh, recently short-term disappearances have been taking place and the law enforcers later showed the disappeared persons as arrested in criminal charges, including ‘terrorism’ under the Anti-Terrorism Act, 2009. It is to be noted that members of law enforcement agencies either kept persons disappeared for a short period of time and then released them or handed them over to the police station or produced them before the courts after pressure from national, international and UN bodies. The families of those who disappeared and were labelled ‘terrorists’, have denied that the victims were ‘Islamic militants’. For example, on 11 September 2022, Dr. Shakir Bin Wali was picked up by four men claiming to be members of the Criminal Investigation Department (CID) of the police, from his residence at Rampura in Dhaka. On 13 September, Dhaka Metropolitan Police’s Counter Terrorism and Transnational Crime (CTTC) unit showed him as arrested as a member of the banned organization ‘Ansar Al Islam’.<sup>2</sup> In another case, eight men claiming to be members of the Detective Branch (DB) of Police, on 19 September, picked up Dilowar Hossain, an employee of a private company, from his house in Basila Garden City at Mohammadpur in Dhaka.<sup>3</sup> On 28 September, after being disappeared for nine days, the DB Police brought Dilowar Hossain to court, showing him arrested as a ‘terrorist’ under the Anti-Terrorism Act.

The United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) urged the Bangladesh government to redouble efforts to provide additional information, including replying to its related general allegations transmitted after its 125th session, with a view to clarifying all outstanding cases, and to launch independent and impartial investigations into allegations of enforced disappearances perpetrated by the Rapid Action Battalion.<sup>4</sup> The government paid no heed to the calls made by the WGEID in relation to general allegations relating to obstacles to the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance; urgent appeals on various grounds, including the whereabouts of the disappeared persons, and their right to life and liberty. The WGEID stated in its annual report that detained persons’ rights, life and liberty are to be maintained; fair proceedings before an independent and impartial tribunal must be ensured; and prompt intervention addressing allegations of harassment of and threats to human rights defenders and relatives of the disappeared persons in Bangladesh to be made.<sup>5</sup>

The Bangladesh government continues to harass the families of the disappeared persons, including visiting the houses of the families of the disappeared and interrogating them. The law enforcers are putting pressure on the families of disappeared men, whose cases have been taken up by the WGEID, to sign statements denying that they were picked up by law enforcement authorities.<sup>6</sup> The police and RAB have pressurized the families of the disappeared victims to sign a statement in an attempt to exculpate the perpetrators, stating that the disappeared person was actually missing and the family members were hiding information. Police also threatened the disappeared victim-families to withdraw allegations of enforced disappearances.<sup>7</sup> Furthermore, in some cases the police took signatures on blank sheets of paper.<sup>8</sup>

On 14 March 2022, UN human rights experts called on Bangladesh to immediately stop ‘retaliatory actions’ against the families and relatives of the disappeared victims and human rights defenders.<sup>9</sup> The families of the victims of enforced disappearances and human rights activists have been persecuted, harassed and intimidated by security forces as a result of activism and cooperation with international human rights organizations along with the UN process. Apart from government harassment and intimidation, ruling party activists have been involved in harassment and threats to family members of the victims of enforced disappearance. It has been alleged that supporters of the ruling party published distorted information against the women and children of the families of the victims of enforced disappearances, including posting photoshopped pictures of women and children of the victims’ families on social media, maligning the characters of female members of the victims’ families.<sup>10</sup>

Odhikar believes that there should have an enabling environment where victim-families and human rights defenders can carry out their legitimate activities in a safe and conducive environment without any threat, pressure or fear of reprisals.

Odhikar urges the UN Human Rights Council (HRC) to use UN human rights mechanisms to end enforced disappearances in Bangladesh and bring the perpetrators to justice. The HRC should also obligate the Bangladesh authorities to conduct independent and impartial investigations into all allegations of enforced disappearances and ensure justice to victims and their families. The Bangladesh government must allow the WGEID to visit Bangladesh so that it can lead an independent international investigation into enforced disappearances in Bangladesh.

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1. The Daily Star, 4 February 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/not-enforced-disappearance-rather-self-hiding-home-minister-2954846>
  2. The Daily Star, 14 September 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/missing-doctor-shown-arrested-cttc-claims-has-link-ansar-al-islam-3119166>
  3. New Age, 26 September 2022; <https://www.newagebd.net/article/182079/youth-taken-by-db-goes-missing>
  4. A/HRC/51/31, Report of the Working Group on Enforced or Involuntary Disappearances
  5. The Daily Star, 18 September 2022; <https://www.thedailystar.net/news/bangladesh/news/enforced-disappearances-un-group-records-five-more-cases-3121711>
  6. New Age, 8 January 2022; <https://www.newagebd.net/article/159398/police-visit-houses-of-disappeared-people>
  7. Dhaka Opinion, 14 January 2022; <http://www.dhakaopinion.com/2022/01/police-threatens-disappeared-victims-families-to-withdraw-allegations.html>
  8. New Age, 15 January 2022; <https://www.newagebd.net/article/160035/enforced-disappearance-victims-families-allege-police-harassment>
  9. <https://www.ohchr.org/en/press-releases/2022/03/un-experts-urge-bangladesh-end-reprisals-against-human-rights-defenders-and>
  10. New Age, 11 September 2022; <https://www.newagebd.net/article/180757/al-maligns-female-family-members-of-disappearance-victims-mayer-daak>