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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.

[23 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Bangladesh: Stop extrajudicial killings and enforced disappearances, end impunity and bring perpetrators to justice

ODHIKAR – Coalition for Human Rights draws the special attention of the Human Rights Council and the Special Procedures, to the persistent acts of extrajudicial killings and enforced disappearances in Bangladesh. Such incidents continue to occur by law enforcement agencies in the country with impunity, despite repeated protests and notes of concern from various groups, organisations and the United Nations. In the aftermath of such killings, law enforcement agencies (LEA) and members of the security forces claim that they fired in ‘self-defense’ and the narrative of every extrajudicial killing is almost the same. Some are later killed in ‘gunfight’ after allegedly being taken from home, but law enforcement officials deny such allegations.¹

Although there was a sharp drop in the number of incidents of killings in ‘crossfire’, ‘gunfight’, and ‘shootout’ and enforced disappearances after the imposition of the United States of America sanctions on the Rapid Action Battalion (RAB), extrajudicial killings in the form of death due to torture and commissions of enforced disappearance continue to be perpetrated. On 7 January, the police arrested and tortured to death a tea vendor named Himanshu in Lalmonirhat District, for allegedly killing his wife.² On 9 February, a farmer named Wazir Mia was arrested from his home and tortured to death by police over allegations of stealing a cow in Sunamganj District. On 15 March, Milon Chakma, leader of the United People’s Democratic Front, was allegedly tortured to death in Khagrachhari District and a man named Mohammad Sayed Hossain died on 16 March. It is alleged he was tortured by police in Laxmipur for refusing to pay a bribe of BDT 200,000.⁴ Raju (35), an accused in a murder case, was shot dead in a ‘shootout’ with RAB members in Cumilla on 18 April and Kawser Ali Mondal (45) of Joypurhat died after a ‘shootout’ with RAB in Manikganj on 21 April.⁵ Such incidents of extrajudicial execution and the disappearance of Mohsin Gazi, a transport businessman⁶, Ashiqur Rahman, a fourth-year student of Dhaka University, and Arman Hossain, former Vice-President of South Keraniganj Thana unit Juba Dal of Dhaka district⁸, all prove that the United States of America Sanctions mean nothing to the current regime. For victim families, critics and HRDs this is cause for utmost concern.

Families of victims of extrajudicial killings and enforced disappearances have no access to an effective remedy as the police often refuse to record complaints and carry out investigations into such allegations. In most cases victim-families refrain from appealing to the courts due to fear of reprisals.

Bangladesh’s Foreign Minister publicly sought India’s support to get rid of the United States of America sanctions. Meanwhile, the United States of America Ambassador to Bangladesh Peter Haas recently said there is no scope for repeal of sanctions against RAB without concrete action and accountability.⁹

Bangladeshi law enforcement agencies, particularly the Rapid Action Battalion (RAB) and Detective Branch (DB) of the Police have reportedly been involved in the commission of the majority of cases of enforced disappearance in the country. Most of the victims of enforced disappearance were identified as leaders and activists of the opposition parties and dissidents.

Ahead of the 126th Session of the Working Group on Enforced or Involuntary Disappearances (WGEID), Bangladeshi Foreign Minister AK Abdul Momen told reporters on 5 February 2022, that a lot of the people listed by some UN bodies as ‘disappeared’ had actually drowned in the Mediterranean.¹⁰ Meanwhile, the Home Minister Asaduzzaman Khan said that the security forces in the country were not involved in acts of enforced disappearance, and that various incidents of hiding are being reported as disappearances, and no one becomes a victim of enforced disappearance in Bangladesh.¹¹

Since the United States of America sanctions on RAB in December 2021, Bangladeshi authorities have become more repressive toward human rights defenders (HRDs) and families of the victims of enforced disappearances. In recent months, reports have surfaced of intimidation, threats and harassment of victim-families by Police, RAB and National Security Intelligence. Furthermore, police also pressured the families to sign a statement

stating that the disappeared persons are actually ‘missing’ and that family members were hiding information. The RAB also threatened and harassed HRDs and their family members, accusing them of being involved in “anti-state activities” for supporting victim-families.

UN human rights experts have raised concern regarding the intimidation and harassment of families of the disappeared persons, HRD’s, and civil society actors in Bangladesh. They also called on Bangladesh to immediately put an end to reprisals against HRD’s and victim-families who were cooperating with international mechanisms.¹²

The incumbent Awami League government has been using members of law enforcement agencies and security forces to suppress dissenting voices and law enforcers are using enforced disappearance as a tool to curb any criticism against the government since it came to power in 2009.¹³ The WGEID has transmitted general allegations to the Government of Bangladesh on 4 May 2011, 9 March 2016, 22 February 2017 and 22 May 2019, to which no reply has been provided. The lack of responses from the government is tantamount to non-cooperation with the UN human rights mechanisms.

The government does not recognise the crime of enforced disappearance as the existing laws of the country is yet to criminalise this. Several UN member states recommended Bangladesh ratify the Convention. The government’s denial of cases of enforced disappearance, unwillingness to accede to the Convention, and the absence of a rule of law all contribute to a climate of impunity for Bangladeshi authorities responsible for this heinous crime.

Odhikar urges the UN Human Rights Council to:

- Pressurise the Bangladesh government by using UN human rights mechanisms, to end extrajudicial killings, enforced disappearances and other gross human rights violations.
- Strongly insist that the Bangladeshi authorities immediately allow the UN Special Procedures to visit the country and conduct impartial and thorough investigations into all allegations of extrajudicial killings and enforced disappearance.
- Take appropriate measures to ensure right to life and personal liberty; right to truth, justice, reparation and guarantees of non-recurrence to all persons in Bangladesh.

Odhikar urgently requests that the UN Human Rights Council and the Office of the High Commissioner for Human Rights (OHCHR) adopt a new mandate on Bangladesh to collect evidence of gross human rights violations.

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2. The Daily Star, 9 January 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/man-dies-police-custody-2935046>

4. BD Protidin.com, 17 March 2022; <https://www.bd-pratidin.com/last-page/2022/03/17/750591>

5. The Daily Star, 22 April 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/another-dead-shootout-rab-3009676>

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10. Prothom Alo, 5 February 2022; <https://en.prothomalo.com/bangladesh/many-people-listed-by-un-as-disappeared-have-actually-drowned-in-the-mediterranean-fm>

11. The Daily Star, 5 February 2022; <https://www.thedailystar.net/news/bangladesh/crime-justice/news/not-enforced-disappearance-rather-self-hiding-home-minister-2954846>

12. Available at: <https://www.ohchr.org/en/press-releases/2022/03/un-experts-urge-bangladesh-end-reprisals-against-human-rights-defenders-and>

13. New Age, 15 February 2022; <https://www.newagebd.net/article/162786/un-body-examines-cases>