

# HUMAN RIGHTS IN BANGLADESH: A MID-TERM ASSESSMENT OF IMPLEMENTATION DURING THE UPR 3<sup>RD</sup> CYCLE

2 December 2020

Joint Submission by the Solidarity Group for Bangladesh comprising of Anti-Death Penalty Asia Network (ADPAN), Asian Federation Against Involuntary Disappearances (AFAD), Asian Forum for Human Rights and Development (FORUM-ASIA), Asian Legal Resource Centre (ALRC), International Federation for Human Rights (FIDH), Odhikar, Robert F. Kennedy Human Rights, and World Organisation Against Torture (OMCT) to the Working Group on the Universal Periodic Review.



## Table of Contents

<i>Executive Summary</i> .....	2
<i>Introduction</i> .....	3
<i>Methodology</i> .....	3
<i>Overview of Bangladesh’s Position on the UPR Recommendations of its Third Cycle</i> .....	4
.....	4
<i>Recommendations Implementation Assessment Key</i> .....	4
<i>Overview of the Status of Implementation of Recommendations Monitored and Assessed by the Submitting Organisations</i> .....	4
<b>PART-I: ACCEPTED RECOMMENDATIONS</b> .....	5
Section One: Cooperation with the United Nations and its Mechanisms .....	5
Section Two: National Human Rights Institutions .....	6
Section Three: Right to Participation in Public Affairs and Right to Vote.....	7
Section Four: Prohibition of Extrajudicial, Summary or Arbitrary Executions, Torture and Enforced Disappearances .....	8
Section Five: Freedoms of Expression, Assembly and Association.....	10
Section Six: Protection of Human Rights Defenders and Journalists .....	13
Section Seven: Justice Administration and Fair Trial .....	14
Section Eight: Labour Rights .....	15
Section Nine: Violence against Women and Children .....	18
Section Ten: Minority Rights.....	20
Section Eleven: Rohingya Repatriation .....	21
<b>PART-II: RECOMMENDATIONS DEFERRED AND LATER ACCEPTED</b> .....	22
<b>PART-III: RECOMMENDATIONS DEFERRED AND NOW NOTED</b> .....	24
<i>Elimination of Child Marriage</i> .....	24
<i>Extrajudicial Killings, Enforced Disappearances and Torture</i> .....	25
<i>Ratification of Optional Protocols to ICCPR, ICESCR and CAT</i> .....	26
<i>Death Penalty</i> .....	27
<i>ILO Conventions</i> .....	29
<i>Refugee Convention and civil rights of Rohingya/refugees</i> .....	29
<i>Cooperation with UN Special Procedures and Treaty Bodies</i> .....	31
<i>National Human Rights Institution</i> .....	31
<i>Right to Freedom of Expression</i> .....	32
<i>Rights of Indigenous People</i> .....	33
<i>Way Forward</i> .....	34
<b>ABOUT THE SUBMITTING ORGANISATIONS</b> .....	35



## Executive Summary

The Universal Periodic Review (UPR) was created through the UN General Assembly on 15 March 2006 by resolution 60/252, which established the Human Rights Council (HRC). It is a process that involves a peer review of the human rights records of all UN member states. The UPR is one of the key elements of the HRC which reminds states of their responsibility to fully respect, protect, and fulfil all human rights and fundamental freedoms. The ultimate aim of this mechanism is to improve the human rights situation in all countries and address human rights violations wherever they occur.

The Solidarity Group for Bangladesh submits this report with the aim to provide a mid-term assessment of the status of implementation of UPR recommendations accepted and noted by Bangladesh in its third UPR. The report focuses on the recommendations that are relevant to the work of the submitting organisations. In this report, the Solidarity Group for Bangladesh seeks to provide a comprehensive assessment of not only the Bangladesh government's implementation of its third-cycle UPR recommendations, but also to assess its larger efforts to resolve and overcome the country's major political and human rights challenges.

Bangladesh was first reviewed in February 2009, when 42 recommendations were made, of which the government accepted 34. During the second UPR cycle in April 2013, 196 recommendations were made, of which the government accepted 171 and noted six. In its third UPR in May 2018, 251 recommendations were made, of which the government accepted 178 and noted 73. Many of the third cycle UPR recommendations are the continuation of the first and second UPR cycles.

Bangladesh has failed to make significant efforts to implement a large majority of the UPR recommendations it accepted. It has made no progress in implementing recommendations related to: the right to life; freedom of expression, association, and assembly; the prevention of torture and ill-treatment; enforced disappearances and extrajudicial killings; gender equality; and cooperation with UN mechanisms. Bangladesh has yet to produce an implementation action plan for the accepted UPR recommendations.

The aim of this report is to assess the status of implementation of UPR recommendations accepted and noted by the government during its third UPR. Of the 178 recommendations accepted by the government, the report assesses the 83 that are relevant to the work of the submitting organisations. The report found that the government failed to fully implement all these 83 recommendations it accepted: 30 of them were only partially implemented, while no progress was made towards the implementation of the other 53. Out of the 72 "noted" (i.e. not accepted) recommendations, the report assessed 57 recommendations and found that the government failed to take any steps to implement 55 of them, and only partially implemented the remaining two.

During its third UPR cycle, the government has been either unable, or unwilling, to implement key recommendations, including those concerning: institutional reform; torture, enforced disappearance and extrajudicial killings; rights to freedom of expression, assembly, association, and religion or belief. In 2018, Bangladesh was re-elected as a member of the HRC<sup>1</sup> for a fourth term. On 7 June 2018, the government of Bangladesh submitted human rights related pledges and commitments through a letter sent to the President of the UN General Assembly, before the election, as part of the Bangladesh's candidacy to the HRC.<sup>2</sup> However, the government has been involved in gross human rights violations, including enforced disappearances, extrajudicial killings, torture, and freedom of expression, and freedom of assembly and association by breaking those pledges and commitments. Instead, Bangladeshi authorities continue to arbitrarily arrest, disappear, torture, kill extra judicially and imprison journalists, human rights defenders, political activists, and individuals and draft and impose draconian laws as tools of suppression.

<sup>1</sup> UN Human Rights Council was formed in March 2006 and among the UN member states, 47 states are its members.

<sup>2</sup> A/73/90; [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/73/90](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/73/90)

The Solidarity Group for Bangladesh reminds the government of Bangladesh that, as a member of the HRC, it has the duty to protect, promote, and fulfil human rights; ensure the rights to life and personal liberty; and establish rule of law and inclusive democracy.

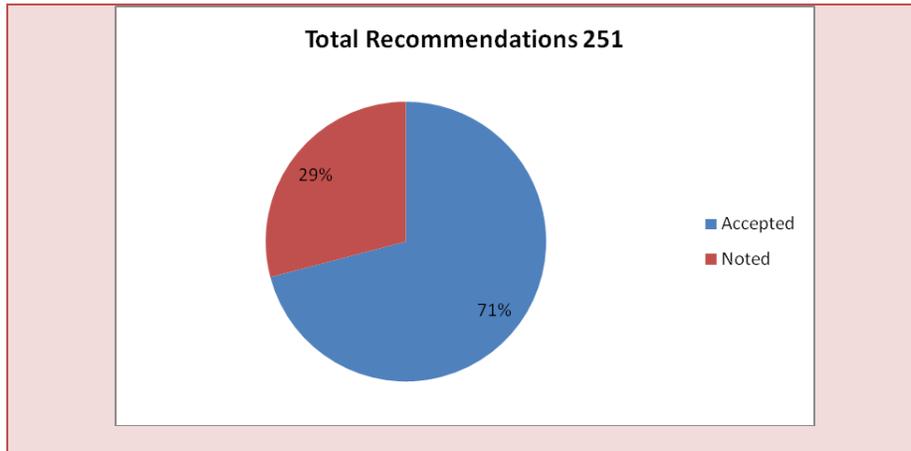
## Introduction

1. On 14 May 2018, Bangladesh appeared before the HRC for its third UPR cycle. The report of the UPR of Bangladesh was adopted by the HRC on 20 September 2018. The Working Group on the Universal Periodic Review has submitted its report on Bangladesh with views on conclusions and/or recommendations, voluntary pledges and replies presented by the State under review during the thirty-ninth session of the Human Rights Council, held between 10 and 28 September 2018.
2. During the third UPR of Bangladesh, UN member states made a total of 251 recommendations, of which the government of Bangladesh accepted 178 and noted 73. In the Report of the Working Group, Bangladesh supported 167 recommendations, noted 60, and left 24 recommendations pending. Out of the 24 recommendations left pending, 11 were accepted, and 13 noted.
3. This stakeholder's report is submitted by the Solidarity Group for Bangladesh, comprising of Anti-Death Penalty Asia Network (ADPAN), Asian Federation Against Involuntary Disappearances (AFAD), Asian Forum for Human Rights and Development (FORUM-ASIA), Asian Legal Resource Centre (ALRC), International Federation for Human Rights (FIDH), Odhikar, Robert F. Kennedy Human Rights, and World Organisation Against Torture (OMCT).
4. In this report, the civil society coalition highlights the developments to the normative and institutional human rights framework as well as the state of implementation of both accepted and noted recommendations made to Bangladesh during in May 2018. The report covers the period from January 2018 to September 2020.

## Methodology

1. In order to prepare this report, the Solidarity Group for Bangladesh collected relevant information and data through: field visits by local human rights defenders in Bangladesh; findings from human rights monitoring activities conducted by network members; interviews with victims of human rights violations and their families; first-hand evidence from victims of human rights abuses; and analysis of secondary sources, including media, judicial and public administration bodies.
2. In this report, the submitting organisations provide updates concerning the implementation of the UPR recommendations clustered into thematic areas. To prepare this report, the submitting organisations sought input from its members in their respective areas of expertise. It also organized briefing sessions to introduce the monitoring framework, the process of mid-term reporting, and sources of information.
3. The Solidarity Group for Bangladesh faced challenges in procuring data and information from relevant state agencies. Some endorsing organisations that have contributed to the report worked with vulnerable communities who were only able to speak on condition of anonymity.
4. The report serves as a partial CSO assessment of the progress made on the implementation of key recommendations that Bangladesh accepted as part of its third UPR. This report also reflects the worsening situation in many areas of human rights, including: the right to life and personal liberty; freedoms of expression, association, and peaceful assembly; and violence against women and children.

## Overview of Bangladesh's Position on the UPR Recommendations of its Third Cycle



*Bangladesh accepted 178 of 251 UPR recommendations put forward by United Nations Member States. However, Bangladesh has failed to take any significant steps to implement recommendations and made little progress in implementing accepted recommendations.*

## Recommendations Implementation Assessment Key

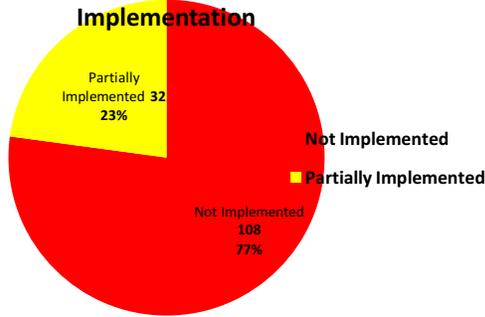
**Fully implemented** – steps taken to fully comply with the recommendation

**Partially implemented** – some actions taken to implement the recommendation

**Not implemented** – no actions taken towards implementing the recommendation

## Overview of the Status of Implementation of Recommendations Monitored and Assessed by the Submitting Organisations

### Status of UPR Recommendations



The status of implementation is measured by the number of recommendations assessed by the Solidarity group for Bangladesh, monitoring both the accepted and noted recommendations.

## PART-I: ACCEPTED RECOMMENDATIONS

### Section One: Cooperation with the United Nations and its Mechanisms

Recommendations accepted by Bangladesh	Status of implementation
147.1 Continue constructive cooperation with the United Nations human rights mechanisms (Tajikistan)	Partially implemented
147.2 Continue its cooperation with the United Nations and its mechanisms to protect and promote human rights (Kuwait)	Partially implemented
147.3 Continue to strengthen national mechanisms that strengthen the human rights situation (Sudan)	Not implemented
147.4 Incorporate provisions of international human rights instruments to which it is a party into its domestic legislation (Zimbabwe)	Not implemented
147.5 Make further efforts to strengthen existing national legislation to address discrepancies and to enact new legislation to implement international human rights instruments it is a party to (Bhutan)	Not implemented

147.6 Continue to bring its national legislation and policies fully in line with its international commitments (Barbados)	Not implemented
147.63 Work with civil society to develop a road map to implement Human Rights Council resolution 16/18 on combating religious intolerance (United Kingdom of Great Britain and Northern Ireland)	Partially implemented

Bangladesh has failed to fully cooperate with the United Nations and its human rights mechanisms, as the government has not granted access to the special procedures mandates who have requested visits.

The national human rights mechanisms are ineffective and lack independence from the executive branch, as the government has deliberately politicised and weakened state institutions.

## Section Two: National Human Rights Institutions

Recommendations accepted by Bangladesh	Status of implementation
147.15 Continue to strengthen human and financial resources of the National Human Rights Commission (Turkey)	Partially implemented
147.16 Continue to implement measures aimed at strengthening the National Human Rights Commission (Zimbabwe)	Partially implemented
147.17 Provide the National Human Rights Commission with the resources to fully implement its mission (France)	Not implemented
147.18 Provide adequate financial and technical resources to the National Human Rights Commission to enable it fulfil its mandate (Ghana)	Not implemented
147.19 Continue to strengthen the role of the National Human Rights Commission (Syrian Arab Republic)	Partially implemented
147.20 Provide further support to the National Human Rights Commission to enable it to fulfill its mandate in the best manner and in line with the Paris Principles (Qatar)	Not implemented

The government controls the process of selection and appointment of the members of the National Human Rights Commission (NHRC).<sup>3</sup> The latest appointments in September 2019 were made through a selection process that lacked transparency and had restricted civil society participation. There is no space for civil society participation in the selection committee.<sup>4</sup> On 22 September 2019, at the conclusion of the NHRC's

<sup>3</sup>The NHRC is, by law, considered a statutory independent body but the President appoints the Chairperson based on the recommendation of a Selection Committee and, as per the NHRC Act 2009, this Selection Committee consists of seven members including the Speaker of the Parliament, the Law Minister, the Home Minister, the Chairman of the Law Commission, the Cabinet Secretary and two members of Parliament, one from the Treasury and the other from the Opposition (however, in the present scenario, the loyal opposition is also part of the Government), who are mostly government officers. National Human Rights Commission Act, 2009, art. 7, [http://www.nhrc.portal.gov.bd/sites/default/files/files/nhrc.portal.gov.bd/law/de62d323\\_fe91\\_45f0\\_9513\\_a0d36ab77fdf/NHRC Act 2009\\_1\\_.pdf](http://www.nhrc.portal.gov.bd/sites/default/files/files/nhrc.portal.gov.bd/law/de62d323_fe91_45f0_9513_a0d36ab77fdf/NHRC Act 2009_1_.pdf).

<sup>4</sup>GANHRI Sub-Committee on Accreditation, <https://www.nhri.ohchr.org/EN/AboutUs/GANHRIAccreditation/Pages/default.aspx>.

term under Chairperson Kazi Reazul Huq, the Law Ministry appointed five new members to the NHRC, including former senior secretary Nasima Begum as Chairman, and former secretary Kamal Uddin Ahmed as permanent member.<sup>5</sup> The new NHRC members are subservient former government officials who remain silent on human rights violations and have turned the NHRC into a toothless institution. On 24 June 2020, a bench of the High Court Division of the Supreme Court, while passing a judgment on a Writ Petition filed in 2013, commented: “The National Human Rights Commission has shown extreme incompetence in fulfilling its responsibilities to prevent human rights violations, and the Commission is sleeping with eyes wide open.”<sup>6</sup>

The NHRC has not demonstrated any intention to investigate directly alleged acts of torture and ill-treatment reported to have been committed by state security forces. As per Section 12 of the National Human Rights Commission Act 2009, the NHRC is entrusted with a comprehensive mandate that includes: conducting investigation or inquiry by receiving petitions or exercising *suo moto* power; inspection of prisons, correctional centres, and other places of confinement; making recommendations, reviewing laws, and examining new legislation to assess their compliance with international standards and norms. However, the NHRC continues to fail to exercise its existing mandate to the fullest extent.

The NHRC faces a scarcity of resources, including with regard to staffing, infrastructure, and logistical support. The very small allocation from the state and the restrictions on direct funding from donors as per the NHRC Act 2009 are a hindrance for the effective functioning of the NHRC. The NHRC itself has claimed that it has not been given sufficient financial and human resources to allow it to fulfil its mandate impartially and independently.

It is noteworthy that the Commission’s budget has increased in the last three years. In 2015-2016, the budget allocated to the NHRC was around 40 million taka, in 2018-19 the budget was above 60 million taka; amounting to a 50% increase.<sup>7</sup> The government is also considering expansion of manpower of the NHRC by creating an additional 93 posts and making available more resources for logistical support. However, the way the Commission’s budget is allocated continues to restrict its autonomy, as it does not fall within the purview of the Parliament.

Section 25 of the NHRC Act 2009 requires the government to allocate a specific amount of money for the NHRC each fiscal year. However, the budget of the Commission is not provided through a separate budget line item. The NHRC’s annual expenses are not included in the national budget, but are directly granted from the government, which is a serious flaw and in direct defiance of General Observation 1.10, which specifies that funding should be set out in a separate line item in the national budget.<sup>8</sup> The Commission has no authority to determine its annual expenses, but must work within the funds allocated to it, which fall short of its requirements.

## Section Three: Right to Participation in Public Affairs and Right to Vote

<sup>5</sup> Dhaka Tribune, *NHRC gets new chairman, members*, 22 September 2019; available at: <https://www.dhakatribune.com/bangladesh/dhaka/2019/09/22/nhrc-gets-new-chairman>

<sup>6</sup> National Human Rights Commission Is Sleeping with Eyes Open: High Court, *The Business Standard* (24 June 2020), <https://tbsnews.net/bangladesh/court/national-human-rights-commission-sleeping-eyes-open-high-court-97513#.XvMuoz33YM.facebook>.

<sup>7</sup> ANNI Report, 2019, Available at: <https://www.forum-asia.org/uploads/wp/2019/10/3.0-Online-ANNI-Report-2019.pdf>

<sup>8</sup> General Observations of the SCA, 2013, Section 1.10, [https://www.nhri.ohchr.org/EN/AboutUs/Governance/Documents/ICC\\_SCA\\_GeneralObservations.pdf](https://www.nhri.ohchr.org/EN/AboutUs/Governance/Documents/ICC_SCA_GeneralObservations.pdf).

Recommendations accepted by Bangladesh	Status of implementation
147.79 Ensure a free, fair and inclusive general election, with full participation of all parties, and increase efforts to strengthen democracy (Japan)	Not implemented

The electoral system of Bangladesh has been deeply flawed since 2014. The independence of the Election Commission under the incumbent government has long been questioned and has been credibly accused of favouring the ruling party and consistently contributing to undermining electoral democracy in the country. The crisis of public confidence in the Election Commission continues due to its active complicity in overseeing elections that do not meet relevant international standards.<sup>9</sup> Although Bangladesh has ratified the International Covenant on Civil and Political Rights (ICCPR)<sup>10</sup>, the Article 25 of the Covenant was violated in December 2018, when the government failed to ensure a genuine, inclusive and participatory general election. The Election Commission abdicated its legal power to prevent the spree of trumped-up criminal cases against and arbitrary mass detentions of pro-opposition supporters in the lead up to the polls.<sup>11</sup> Voters across the country were prevented from casting their votes and numerous incidents of fraud and irregularities were reported.<sup>12</sup> Civil society groups found instances of ballot stuffing during the night before the election in 47 out of 50 constituencies surveyed.<sup>13</sup> Chief Election Commissioner (CEC) KM Nurul Huda rejected the allegations and the opposition's demand for re-election. Fraud and irregularities were replicated in the local government elections held between March and June 2019<sup>14</sup>, and in February 2020.<sup>15</sup>

## Section Four: Prohibition of Extrajudicial, Summary or Arbitrary Executions, Torture and Enforced Disappearances

Recommendations accepted by Bangladesh	Status of implementation
147.8 Promptly implement the recommendations accepted in the second cycle of the universal periodic review, on extrajudicial executions, and enforced disappearances, and against torture (France)	Not implemented
148.12 Enhance efforts to prevent cases of torture and enforced disappearance and to prosecute perpetrators (Italy)	Not implemented

Deleted: .

<sup>11</sup> Voice of America, Bangladesh Police Accused of Harassments With Fake Cases; 13 March 2019; available at: <https://www.voanews.com/south-central-asia/bangladesh-police-accused-harassment-fake-cases>

<sup>12</sup> Time, 'They Threaten Everyone.' Sheikh Hasina's Landslide Win in Bangladesh Marred by Voter Suppression, 31 December 2018; available at: <https://time.com/5490744/bangladesh-elections-sheikh-hasina-rigging-allegations/>; BBC, *Bangladesh elections: Deadly clashes mar vote*, 30 December 2018; available at <https://www.bbc.com/news/world-asia-46603113>. Also see: BBC Bangla, 31 December 2018, available at: <https://www.bbc.com/bengali/news-46720707>

<sup>13</sup> Daily Star, Polls anomalies in 47 of 50 seats, 16 January 2019; available at: <https://www.thedailystar.net/bangladesh-national-election-2018/bangladesh-election-2018-irregularities-47-out-50-seats-tib-1687840>

<sup>14</sup> Odhikar, Annual Human Rights Report 2019, pg. 10-12, [http://odhikar.org/wp-content/uploads/2020/02/Annual-HR-Report-2019\\_Eng.pdf](http://odhikar.org/wp-content/uploads/2020/02/Annual-HR-Report-2019_Eng.pdf)

<sup>15</sup> Odhikar, Three-month human rights monitoring report (January – March 2020), pg. 25-27; [http://odhikar.org/wp-content/uploads/2020/05/Odhikar\\_Three-Month\\_HRR\\_January-March\\_2020\\_Eng.pdf](http://odhikar.org/wp-content/uploads/2020/05/Odhikar_Three-Month_HRR_January-March_2020_Eng.pdf)

147.54 Promptly and thoroughly investigate all allegations of extrajudicial execution or enforced disappearance and bring those responsible to justice (Switzerland)	Not implemented
147.80 Ensure effective protection of the lives and security of human rights defenders and journalists against human rights violations, including enforced disappearance, torture and extrajudicial killings (Republic of Korea)	Not implemented

The government of Bangladesh has not taken any steps to implement the recommendations accepted in the second UPR cycle on extrajudicial killings, enforced disappearances, and torture.

Extrajudicial killings increased since the start of a nationwide “war on drugs” campaign that began on 15 May 2018. In most cases, authorities declared that the victims of extrajudicial killings had been killed in “crossfire” or “gunfights” after being taken from their places of residence. After analysing the statements from law enforcement agencies and the cases related to the incidents of “gunfight,” it was found that the description of each incident, as stated by law enforcement, was almost identical.<sup>16</sup> **According to Odhikar data, from January 2018 to September 2020, at least 1,070 people were subjected to extra-judicial killings by members of various law enforcement agencies and security forces.**

There are numerous allegations of torture and deaths due to torture in custody against members of law enforcement agencies. **According to data gathered by Odhikar, from January 2018 to September 2020, at least 26 persons were tortured to death in custody by members of various law enforcement agencies.** However, the actual number of persons tortured or tortured to death is higher than that reported, as incidents are often unreported and victims do not speak out for fear of reprisals.

Acts of enforced disappearance in Bangladesh have become an institutionalized practice of repression and such crimes are taking place with the complete acquiescence by the government. There is a consistent pattern of authorities using enforced disappearances to silence political dissidents. Enforced disappearances were committed even during the COVID-19 pandemic. **According to data gathered by Odhikar, from January 2018 to September 2020, a total of 155 persons were subjected to enforced disappearance. Among them, the bodies of 26 victims were recovered, 90 resurfaced alive and/or were handed over to police or were produced in courts with criminal charges after several days or months of disappearance, and the fate or whereabouts of 39 disappeared persons remain unknown.** The victims of enforced disappearance were mainly identified as dissidents and opposition leaders and activists. The government has not taken any significant measures to prevent cases of torture and enforced disappearance and to prosecute perpetrators. As a result, such cases continue to occur.

*On 6 June 2020, a 33-year-old businessman named Mehedi Morshed Palash was picked up by men claiming to be members of the Rapid Action Battalion (RAB) near the Kanchpur Bridge in Narayanganj, on his way back home with his wife. On 5 June, the couple left for their home in Sirajganj in a rented microbus with others. After reaching the Dhaka-bound lane on Kanchpur Bridge in Narayanganj at around 3:00am on 6 June, four men in plainclothes, claiming to be members of the RAB, stopped their microbus. All of them had firearms in their hands. They took Palash out and put him in a SUV (Dhaka Metro D 13-7095), which was parked further away. After the incident, the family contacted Kanchpur Highway Police Outpost, Sonargaon Police Station, Bandar Police Station, Siddhirganj Police Station, RAB-10, RAB-11, and the Office of the Superintendent of Police in Narayanganj. However, Palash was not found. On 18 June, a General Diary numbered 604 was lodged with Narayanganj Sadar Police Station in regard to this incident. Three weeks after his disappearance, Mehedi Morshed Palash was shown as arrested in a sabotage case on 24 June, and handed over to Dakshinkhan Police Station in Dhaka by RAB-1.<sup>17</sup>*

<sup>16</sup> Odhikar, Annual Human Rights Report, 2019, pg. 15, [http://odhikar.org/wp-content/uploads/2020/02/Annual-HR-Report-2019\\_Eng.pdf](http://odhikar.org/wp-content/uploads/2020/02/Annual-HR-Report-2019_Eng.pdf)

<sup>17</sup> Report sent by local human rights defender associated with Odhikar from Sirajganj.

Ayub Ali, a Bangladesh Nationalist Party (BNP) leader and former Councillor of Setabganj Municipality under Dinajpur District, was killed after disappearing. According to Ayub's family, he was picked up by two policemen from his home in Rail Colony Para at around 11:30pm on 12 February 2020 when he was watching TV. He was taken to Bochaganj Police Station. Later that night, his daughter alleged he was put in a microbus and transported elsewhere. The next day, the family searched for Ayub Ali in different places, including the Detective Branch (DB) office. The DB police denied arresting Ayub Ali. On 17 February, the family learned that Ayub Ali's body had been found.<sup>18</sup>

Allegations of torture and ill-treatment in prison have continued to be reported despite the enactment of the Torture and Custodial Death (Prevention) Act 2013. The law remains in force on paper only and the victims and/or their families faced harassment and threats from the police after filing cases under this Act. In many instances, they were forced to withdraw their cases out of fear. Between 2013 and 2019, a mere 18 cases were filed under the Act. In 14 of them, the police submitted a Final Report citing 'factual errors'.<sup>19</sup> One of the other four cases was filed against police for torturing and killing a young man at Pallabi Police Station in 2014.<sup>20</sup> On 9 September 2020, a Dhaka court sentenced three police officers to life imprisonment and fine them 100,000 taka each for the killing. The court also sentenced two police informers to seven years imprisonment and fined them 20,000 taka each.<sup>21</sup>

## Section Five: Freedoms of Expression, Assembly and Association

Recommendations accepted by Bangladesh	Status of implementation
147.44 Redouble efforts and commitments in upholding human rights and fundamental freedoms (Nigeria);	Partially implemented
147.65 Take effective measures to ensure that the press can work free from the oppression by instances of censorship, threats, physical assaults and killings (Slovakia)	Not implemented
147.66 Take prompt and effective measures to ensure that freedom of assembly and expression extends in practice — both online and offline — to all people, media, civil society and political parties, throughout the upcoming election campaign and beyond (Canada)	Not implemented
147.67 Protect freedom of expression in media, politics and religion, and work with civil society to address concerns regarding section 57 of the Information and Communication Technology Act (United Kingdom of Great Britain and Northern Ireland)	Partially implemented

<sup>18</sup> Daily Star, 19 February 2020; <https://www.thedailystar.net/backpage/news/drug-dealer-killed-during-gunfight-1869877>

<sup>19</sup> Prothom Alo, 10 September 2020; <https://epaper.prothomalo.com/?pagedate=2020-9-10&edcode=71&subcode=71&mod=1&pgnum=1&type=a>

<sup>20</sup> On the evening of 08 February 2014, police informer Sumon abused women at wedding programme of Mohammad Billal, a resident of the Irani camp at B Block, Section 11 of Pallabi. Sumon had an argument with Ishtiaq Hossain Jony and his brother Imtiaz who were there at that time. After receiving Sumon's call, the police came and took Ishtiaq and Imtiaz to the police station and tortured the two brothers. Ishtiaq Hossain Jony succumbed to his injuries at Dhaka Medical College Hospital due to police torture. Imtiaz filed a case in the Dhaka Metropolitan Sessions Judge's Court on 07 August 2014 under the Torture and Death in Custody (Prevention) Act, 2013. The court directed a judicial inquiry into the case. Following the judicial investigation on 17 February 2015, five were accused and five were recommended for release.

<sup>21</sup> Daily Star, 09 September 2020; <https://www.thedailystar.net/city/news/custodial-death-jonny-3-policemen-get-life-term-2-get-7-years-jail-1958473>

147.68 Review all existing and proposed legislation relating to freedom of expression, both online and offline, to ensure that it fully complies with the relevant international standards (Ireland)	Not implemented
147.69 Take effective measures to ensure freedom of expression and end all assaults on journalists and human rights defenders, as well as ensure that the proposed Digital Security Act is in line with international standards (Estonia)	Not implemented
147.70 Guarantee freedom of expression in the Digital Security Act (France)	Not implemented
147.71 Ensure democratic space for all political actors, including the implementation of domestic laws, without restrictions on the exercise of the rights to freedom of expression and of peaceful assembly (Switzerland)	Not implemented
147.73 Safeguard freedoms of political expression and association, without reprisals, censorship, intimidation or restrictive legal action, and that Bangladesh safeguard the independence of media (New Zealand)	Not implemented
147.74 Continue efforts to protect freedom of expression and freedom of religion or belief for all citizens and residents, and to support civil society participation (Poland)	Not implemented
147.89 Investigate all cases of murder and violence against journalists and bloggers and bring the perpetrators to justice (Slovakia)	Not implemented

The government has not taken any effective measures to ensure that the media and journalists can work free from oppression caused by instances of censorship, threats, physical assaults, and killings. The government pressures the media through intimidation, attacks, and criminal cases to disrupt objective journalism. Many media have been forced to practice self-censorship and many journalists or media activists have faced threats, physical assaults, and criminal charges for performing their professional duty. Almost all electronic media and most of the print media are owned by individuals who are loyal to the ruling party, and the only state TV channel, BTV, is fully controlled by the government. In 2019, the government granted licences for 11 new private TV channels. The owners of these private TV channels are reported to be backed by the government. The government is also interfering in the functioning of a small number of media that are still trying to work independently.

The government has failed to investigate cases of murder and violence against journalists and bloggers and bring the perpetrators to justice. There have been regular reports of newspaper offices being vandalized, journalists attacked, and death threats made to journalists by ruling party members and activists. The authorities have not conducted credible investigations into these incidents.

On 12 December 2019, ruling party members attacked the office of *The Daily Sangram*, a pro-opposition newspaper while its editor *Abul Asad* (78), after having been assaulted by the attackers, was detained in connection with cases filed against him under the *Digital Security Act-2018*.<sup>22</sup> On 23 September, a High Court Bench granted him bail.<sup>23</sup> The authorities halted his release while the Attorney General's Office got the Supreme Court's Chamber Judge's Bench to stay the High Court's bail order the following week.<sup>24</sup>

<sup>22</sup> Al Jazeera, *Bangladesh editor arrested after report on executed Jamaat leader*, 14 December 2019; available at: <https://www.aljazeera.com/news/2019/12/14/bangladesh-editor-arrested-after-report-on-executed-jamaat-leader/>

<sup>23</sup> United News of Bangladesh, *Digital Security Act: Daily Sangram editor gets HC bail*, 23 September 2020; available at: <http://unb.com.bd/category/Bangladesh/digital-security-act-daily-sangram-editor-gets-hc-bail/57877>

<sup>24</sup> Daily Star, *SC stays Sangram editor's bail*, 30 September 2020; available at: <https://www.thedailystar.net/city/news/sc-stays-sangram-editors-bail-1969861>

The rights to freedoms of opinion and expression and freedom of peaceful assembly are severely curtailed by the government through the enforcement of repressive laws.

On 19 September 2018, the National Parliament passed the Digital Security Act (DSA) 2018. The Act came into effect on 8 October 2018 despite widespread criticism from journalists, human rights defenders, and civil society organisations.<sup>25</sup> In addition, the contents of Section 57 of the widely criticised Information and Communication Technology Act has been divided, expanded, and included in Sections 25, 28, 29, and 31 of the DSA. Due to this and some other legal provisions, the DSA is even more repressive than the ICT Act, contrary to Article 39 (2) of the Constitution, and a clear violation of the right to freedom of opinion and expression. During the reporting period, citizens of various walks of life, journalists, human rights defenders, academics, dissidents, and opposition party members and activists have been arrested under the ICT and the DSA over any kind of criticism against high-ranking individuals of the ruling party or their family members.

**Between October 2018 and September 2020, Odhikar recorded a total of 168 persons arrested under the DSA.** It has become a trend to file multiple cases under the ICT and the DSA in different areas of the country by the ruling party supporters against dissidents and opposition political party leaders and activists.<sup>26</sup>

*On 19 July 2020, police arrested three teachers of Farakkabad Degree College under the DSA on charges of allegedly spreading propaganda on Facebook against several Awami League leaders.*<sup>27</sup>

*On 10 September 2020, the National University of Bangladesh fired one of its Assistant Professor of the Department of Geography, A K M Wahiduzzaman, for an alleged Facebook post for which two cyber crimes cases had been registered against him in 2013. Wahiduzzaman, an outspoken critique of the government and a pro-democracy activist, was suspended from 7 November 2013 until his permanent removal from service on 10 September 2020 without being paid overdue salaries and other service benefits from the university.<sup>28</sup> He lives in exile due to threats on his life.*

The right to freedom of assembly of the opposition political parties and dissidents continues to be curtailed. The government has routinely obstructed and attacked rallies of opposition political parties and organisations holding rallies with various demands to the government. The government has made it mandatory to get permission from the police for meetings, rallies or processions. While members of the Awami League party and their allies face no difficulties in obtaining police permission for holding meetings and rallies, the opposition political parties, dissenters, and other protesting organisations have been routinely denied police permission and their protest meetings and rallies have been stopped due to attacks by law enforcement agencies and members and activists of the Awami League-backed Chhatra League and Jubo League.

*On 28 October 2019, Awami League activists attacked the rally organised by the Communist Party of Bangladesh (CPB) at Madarganj in Jamalpur District. At least 10 CPB leaders, including its central committee adviser Manjurul Ahsan were injured during this attack. Leaders and activists of CPB rallied at Shantinagar on 29 November 2019 in*

<sup>25</sup> Al Jazeera, *Bangladesh editors protest 'chilling' Digital Security Act*, 16 October 2018, available at:

<https://www.aljazeera.com/news/2018/10/16/bangladesh-editors-protest-chilling-digital-security-act/?gb=true>

<sup>26</sup> Asian Human Rights Commission, *BANGLADESH: Freedom is met with rigorous governmental control and violent attacks by people having impunity*, 7 September 2020; available at: <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-018-2020/>

<sup>27</sup> New Age, *ATN News journalist arrested for harassing female colleague*, 20 July 2020; available at:

<https://www.newagebd.net/article/111627/atn-news-journalist-arrested-for-harassing-female-colleague>

<sup>28</sup> Asian Human Rights Commission, *BANGLADESH: Termination of University Teacher Exposes Institutional Collapse*, 6 October 2020; available at: <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-020-2020/>

Dhaka to protest the attack at the CPB rally in Jamalpur. Chhatra League activists attacked the rally and Shantinagar and CPB Secretary Monjur Moin was injured in the attack.<sup>29</sup>

On 4 September 2020, authorities banned a photo exhibition protesting ‘Crossfire’ organised by Drik Gallery in Dhaka on its founding anniversary. When the organisers went to the venue, they saw that large number of police and government supporters holding various placards gathered there. Organisers then move the exhibit to a different venue and, as soon as the event started, government supporters appeared and attempted to disrupt the event, chanting pro-government slogans, trying to snatch banners, and tearing up the photographs. They also threatened the organisers. One of the female participants from Drik Gallery alleged that the government supporters physically assaulted her. Drik was forced to shorten the programme and leave.<sup>30</sup>

The government has not taken any initiative to review the existing and proposed legislation relating to freedom of expression. On 31 August 2020, the government enacted a new law on online portals, which imposes new registration requirements for operating online news portals in Bangladesh.<sup>31</sup>

## Section Six: Protection of Human Rights Defenders and Journalists

Recommendations accepted by Bangladesh	Status of implementation
147.75 Publicly commit to ensuring that journalists, bloggers, human rights defenders and civil society organizations are able to carry out their activities without fear of surveillance, intimidation, harassment, arrest, prosecution or retribution (Austria)	Partially implemented
147.76 Guarantee the security of human rights defenders (France)	Not implemented
147.77 Protect human rights defenders and journalists from harassment by combating impunity and ensuring the prompt and impartial investigation of all violations against human rights defenders (Netherlands)	Not implemented
147.78 Ensure that human rights defenders, journalists and civil society have a safe and enabling environment and can operate freely without fear of reprisals (Norway)	Not implemented
147.80 Ensure effective protection of the lives and security of human rights defenders and journalists against human rights violations, including enforced disappearance, torture and extrajudicial killings (Republic of Korea)	Not implemented
147.86 Ensure that investigations into cases of killings, abduction attempts, physical attacks and threats against human rights defenders are prompt, effective and impartial (Ireland)	Not implemented

Civic space in Bangladesh has continued to shrink to the extent that not only journalists and bloggers, but also civil society actors and ordinary citizens, refrain from voicing criticism of the government and the

<sup>29</sup> News Today24.com, 29 November 2019; <http://newstoday24.net/index.php/politics/683-2019-11-28-18-03-44>

<sup>30</sup> Odhikar, Three-month human rights monitoring report on Bangladesh (July-September 2020), available at: [http://odhikar.org/wp-content/uploads/2020/10/Odhikar\\_Three-month-HRR\\_July-September-2020\\_English.pdf](http://odhikar.org/wp-content/uploads/2020/10/Odhikar_Three-month-HRR_July-September-2020_English.pdf)

<sup>31</sup> Asian Human Rights Commission, 7 September 2020, *BANGLADESH: Freedom is met with rigorous governmental control and violent attacks by people having impunity*, available at: <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-018-2020/>

ruling party in fear of reprisals. The government has failed to ensure a safe and enabling environment for human rights defenders, journalists, and civil society to work freely. This fear is compounded by the enactment and enforcement of repressive laws, and brutal attacks on journalists, bloggers, and human rights defenders by state and non-state actors. Such acts of violence continued to occur during the COVID-19 pandemic.

Journalists have been attacked, assaulted, threatened, and sued while performing their professional duty and the government has failed to ensure prompt, effective, and impartial investigations into cases of killings, disappearance, physical attacks, and threats against human rights defenders. **According to Odhikar documentation, between January 2018 and September 2020, 173 journalists were injured, 54 were assaulted, 23 were attacked, 35 were threatened, 13 were arrested and 100 cases were filed against them.** According to the World Press Freedom Index 2019, Bangladesh has fallen four ranks from the previous year. Journalists have also become victims of enforced disappearances and torture for writing and posting against the government's mismanagement of different issues, including COVID-19.

*Shafiqul Islam Kajol, a Bangladeshi photojournalist and newspaper editor, disappeared on 10 March 2020, a day after defamation charges were filed against him under the DSA by an influential ruling party lawmaker. An international campaign by human rights defenders commenced and, months after his disappearance, the Border Guard Bangladesh (BGB) claimed that they had detained Kajol while he was entering Bangladesh from India on 2 May 2020. Kajol was produced in the Jashore court on 3 May, showing him as arrested in a case under the Passport Act 1920, and under Section 54 of the Code of Criminal Procedure.<sup>32</sup> Kajol remains arbitrarily detained, and the police have failed to complete the investigation of cases fabricated against him within 15 days, as prescribed under Regulation 261 of the Police Regulations of 1943.<sup>33</sup>*

None of the cases of past killings of bloggers and human rights defenders for expressing their free opinions were impartially investigated, prosecuted, and tried during the reporting period.

Persecution and harassment of human rights defenders and members of civil society organisations has continued, despite the government's commitment to ensure protection of human rights defenders and civil society organisations. Furthermore, the government continued to withhold its approval for foreign funding to NGOs working in areas the NGO Affairs Bureau (NGOAB) deemed "sensitive", such as human rights, labour rights, indigenous rights, or humanitarian assistance to Rohingya refugees.<sup>34</sup>

*The government crackdown on the human rights organisation Odhikar, which began in 2013, continues.<sup>35</sup> The NGOAB under the Prime Minister's Office has not renewed Odhikar's registration since 2014. In order to halt all of Odhikar's human rights activities, the NGOAB has stopped fund clearance for all of the organisation's projects for the last six years and completely barred approval of any new project. Furthermore, human rights defenders associated with Odhikar have been subjected to various forms of harassment, including surveillance, due to their public positions on human rights violations. The case filed under the ICT Act against the Secretary and Director of Odhikar is still pending.*

## Section Seven: Justice Administration and Fair Trial

<sup>32</sup> Odhikar, *Three-Month Human Rights Monitoring Report on Bangladesh, Reporting Period April – June 2020*, 6 July 2020; available at: [http://odhikar.org/wp-content/uploads/2020/07/Odhikar\\_Three-month-HRR\\_April-June-2020\\_Eng.pdf](http://odhikar.org/wp-content/uploads/2020/07/Odhikar_Three-month-HRR_April-June-2020_Eng.pdf).

<sup>33</sup> Asian Legal Resource Centre, *BANGLADESH: Arbitrary Detention used as a complementary tool for the unelected government and a coercive law-enforcement system*, 11 September 2020, available at: <http://alrc.asia/bangladesh-arbitrary-detention-used-as-a-complementary-tool-for-the-unelected-government-and-a-coercive-law-enforcement-system/>

<sup>34</sup> US Department of State, *Bangladesh 2019 Human Rights Report*, February 2020; available at: <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/bangladesh/>

<sup>35</sup> Odhikar in collaboration with the Asian Legal Resource Centre (ALRC), Asian Federation Against Involuntary Disappearances (AFAD), Asian Forum for Human Rights and Development (FORUM-ASIA), FIDH - International Federation for Human Rights, Robert F. Kennedy Human Rights, and the World Organisation Against Torture (OMCT) submitted a joint alternative report to the Committee and cooperated with the Committee in the context of its consideration of the State party's initial report.

Recommendations accepted by Bangladesh	Status of implementation
147.82 Continue taking further steps for the strengthening of the judicial system (Tajikistan)	Partially implemented
147.83 Ensure procedures of the International Crimes Tribunal meet fair trial standards in accordance with article 14 of the International Covenant on Civil and Political Rights (Greece)	Not implemented
147.84 Consider measures to accelerate trial process with a view to reducing pending cases and the number of pretrial detainees as well as safeguarding their basic rights (Malaysia)	Not implemented
147.85 Continue efforts to improve and speed up the processing of cases in the courts (Benin)	Partially implemented
147.87 Strengthen the National Legal Aid Services with the necessary financial, human and technical resources to enable effective representation of those in need (Guyana)	Partially implemented
147.88 Continue its policy to improve the judicial system, the law enforcement bodies and to reduce levels of corruption and poverty (Russian Federation)	Not implemented

The Awami League-backed government has maintained considerable influence over the judiciary since it assumed power in 2009, resulting in a judicial system that lacks independence and impartiality. The legislature and the executive branch have immense powers to influence the judicial system, as the ruling party generally elects the President, who appoints the judges of the Supreme Court, in consultation with the Prime Minister and sometimes with the Chief Justice.

Judicial proceedings in criminal cases generally fail to meet fair trial standards enshrined in Article 14 of the International Covenant on Civil and Political Rights. Victims have no access to justice due to a prolonged and prevailing culture of impunity, corruption, and lack of implementation of laws.<sup>36</sup> In most cases, the family members of the victims of human rights abuses cannot file a Writ Petition in the Supreme Court, due to, among other reasons, poor financial conditions, and threats from the perpetrators on the family members, poor investigation and/or due to constant fear of reprisals.

Backlog of cases and delayed trial proceedings have completely stalled the judicial process. As of 30 June 2019, 1,467 cases that involved appeals of petitioners who had been sentenced to death in the Sessions Courts, were pending in the High Court Division and 237 cases were pending in the Appellate Division of the Supreme Court for final appeal.<sup>37</sup>

## Section Eight: Labour Rights

Recommendations accepted by Bangladesh	Status of implementation
--	--------------------------

<sup>36</sup> <https://freedomhouse.org/country/bangladesh/freedom-world/2020>

<sup>37</sup> Prothom Alo, 12 July 2019; <https://www.prothomalo.com/bangladesh/article/1603790/>

147.109 Amend the Bangladesh Labour Act and Export Processing Zone Labour Act, in consultation with workers and employers, to ensure the provisions on freedom of association conform to international labour standards (United States of America)	Partially implemented
147.110 Adopt further measures to guarantee workers' rights, also in line with the "Sustainability Compact" (Italy)	Partially implemented
147.111 Continue efforts to strengthen labour inspection authorities to conduct assessments of the safety of workplaces (Jordan)	Partially implemented
147.112 Take the necessary steps to hold companies accountable for practices with a negative impact on workers' health, well-being and safety (Ecuador)	Partially implemented
147.113 Improve the working conditions of women by monitoring and punishing lawbreakers among employers (State of Palestine)	Not implemented
147.114 Take effective measures to protect workers' rights, including by reducing the existing gender wage gap and improving working conditions (Botswana)	Partially implemented
147.115 Continue to implement national measures to address the wage gap between the two sexes (State of Palestine)	Partially implemented
147.116 Reduce the wage gap between the two sexes and ensure women's access to the labour market (Iraq)	Not implemented
147.117 Continue efforts to significantly strengthen measures combating unsafe and unhealthy working conditions, in accordance with the International Covenant on Economic, Social and Cultural Rights and relevant ILO conventions (New Zealand)	Not implemented
147.118 Strengthen existing follow-up mechanisms for the protection of women workers against all forms of exploitation, particularly those working in the informal sectors, and require businesses to answer for practices that are harmful to the health, well-being and safety of women workers (Côte d'Ivoire)	Not implemented
147.119 Strengthen efforts to protect female workers from exploitation (Guyana)	Not implemented
147.120 Strengthen existing monitoring mechanisms to protect female workers from all forms of exploitation, particularly those working in the informal sector (Ghana)	Not implemented
147.121 Strengthen the existing national monitoring mechanisms aimed at protection of women workers from all kinds of discrimination, in particular those working in informal sector (Serbia)	Not implemented

In response to observations by the International Labour Organisation (ILO), the government amended the Bangladesh Labour (Amendment) Act (BLA) to further reduce discrepancies between Bangladesh labour standards and international law.<sup>38</sup> The new Act came into effect on 14 November 2018. Although the ILO welcomed the government's initiative to review the BLA, the Committee of Experts at the International

<sup>38</sup> New Age, *New labour law with fresh facilities for workers gets cabinet nod*, 3 September 2018; available at: <http://www.newagebd.net/article/49745/new-labour-law-with-fresh-facilities-for-workers-gets-cabinet-nod>

Labour Conference observed that the Act did not address some of its long-standing concerns.<sup>39</sup> This included, for instance, the requirements for forming trade unions. ILO Conventions state that the right to freedom of association cannot be denied based on certain percentages of worker representation.

The government has taken a move to amend the BLA to address the concerns raised by the European Union over specific labour issues, including the right to freedom of association and the right to collective bargaining.<sup>40</sup> However, no significant progress has been made except for the forming of a tripartite committee. The committee was formed on 11 October 2020, but no meetings were held, as the committee still needed to include representatives from the Department of Factory Inspection and the Department of Labour.

Despite some improvements after the collapse of Rana Plaza in 2013, workers continue to face systematic denial of their rights, particularly in the areas of payment of wages, overtime benefits, and safe working conditions, resulting in recurring workplace accidents, injuries and violence. One of the biggest concerns with regard to the ready-made garment (RMG) sector is the lack of adherence to safety standards and unhealthy working conditions. Workers in both formal and in informal sectors face multidimensional challenges and their rights are often violated by their employers. For example, workers in Bangladesh's construction sector work in hazardous conditions with very little or no protection from human and labour rights violations. According to the Bangladesh Institute of Labor Studies (BILS), 161 and 143 construction workers died in 2018 and 2019 respectively.<sup>41</sup> **According to Odhikar data, from January 2018 to September 2020, seven garment workers were killed, 807 were injured, 34 workers were detained, 84,011 workers were laid off, and criminal cases were filed against 1,070 workers in the RMG sector.**

Healthcare for workers is a source of serious concern. The lack of adequate healthcare is compounded by a scarcity of safe drinking water, poor ventilation and sanitation facilities, and poorly maintained fire-fighting equipment and fire escapes. All this is in contravention of Sections 57, 58, and 59 of the BLA.<sup>42</sup>

Since late 2018, the current minimum wage for RMG sector workers has been set at BDT 8,000 (USD 94.22), which was formulated by the government without being adjusted for inflation or the increase in the living cost, including the price of daily essential commodities.<sup>43</sup>

Due to a combination of insufficient legal protection, poor implementation of existing legal protections, a lack of legal documents (such as work contracts) on record, and weak or non-existent trade unions, workers in the RMG sector are often unlawfully laid off without cause or prior notice. Many workers were arrested for participating in protests against widespread lay-off of workers in the apparel sector during the COVID-19 pandemic. The national Labour Court, which is expected to resolve the violation of worker's rights, has largely remained ineffective. It takes months, even years to resolve a complaint.

<sup>39</sup> Daily Star, *Govt to rewrite labour law amid ILO pressure*, 5 August 2018; available at: <https://www.thedailystar.net/business/govt-rewrite-labour-law-amid-ilo-pressure-1616152>

<sup>40</sup> The EU raised nine issues: amending the BLA, labour rules and Export Promotion Zones Law in line with ILO Conventions; establishing an action plan to eliminate child labour by 2025; combating violence against workers; increasing success rate of trade union registration application; eliminating backlog of cases at labour courts; filling the vacant posts of labour inspectors; ensuring proper work of remediation coordination cell; and ratifying ILO Conventions 29 and 138; New Age, *Bangladesh to amend Labour Act again to address EU concerns*, 24 October 2020; <https://www.newagebd.net/article/119871/bangladesh-to-amend-labour-act-again-to-address-eu-concerns>

<sup>41</sup> Bangladesh Institute of Labour Studies (BILS). [www.bilsbd.org](http://www.bilsbd.org)

<sup>42</sup> FIDH and Odhikar, Women at work, *Systematic violations of labor rights in the construction and garment sectors in Bangladesh*, June 2020, <https://www.fidh.org/IMG/pdf/bangladesh753ang.pdf>

<sup>43</sup> Independent Bangladesh, *Commodity prices keep rising*, 7 December 2019; available at:

<http://www.theindependentbd.com/post/226828>; Daily Star, *Living in Dhaka: People spent 9pc more on rice*, 13 January 2019; available at: <https://www.thedailystar.net/business/living-cost-in-dhaka-rose-6-per-cent-in-2018-1686520>; Financial Express, *High cost of living inflicts the commoners*, 20 January 2020; available at: <https://thefinancialexpress.com.bd/views/high-cost-of-living-inflicts-the-commoners-1579536608>

The existing domestic legal provisions are largely ignored by both the authorities and employers and a lack of systemic labour inspections, coupled with widespread impunity within the judicial system, mean that there is often no recourse for workers whose rights are being violated on a regular basis.

Women workers in Bangladesh remain poorly paid, face severe labour rights violations, and often do not enjoy their legal rights. Maternity leave is rarely provided, overtime is compulsory, and excessively long working hours create an additional burden on their daily lives. Women workers have often been forced to complete overtime work until 10:00 pm and during emergency shipments, they often need to continue work throughout the night. In most cases, less overtime hours of work are recorded than actual hours worked, according to workers interviewed by Odhikar.

Women workers in formal and informal sectors continued to be subjected to various forms of gender discrimination. On paper, a gender wage gap does not exist in many sectors, but in practice it exists. Women workers in tea gardens are currently demanding better wages. Women in the apparel sector do not have access to higher tier/grade positions. With the automation in this sector and lack of training for women to adapt to the changes, women workers are at a competitive disadvantage. Women in brick-kiln work and construction work continue to experience gender-based wage discrimination.

Women workers face gender-based violence (GBV) and harassment, such as ill treatment and verbal and sexual abuse in workplaces and factories. Sexual harassment of women in the industrial sector has not been addressed. In the apparel sector, health safety measures do not meet the global standards. Another GBV within factories is sexual exploitation, with workers reporting that they are pressured or threatened by factory managers/supervisors into fulfilling sexual demands and that these are widespread practices. Workers also noted the absence of a GBV prevention committee in the RMG sector, which could monitor these incidents and provide support to victims of GBV.

The government has not taken any steps to strengthen existing monitoring mechanisms to protect female workers from all forms of exploitation, discrimination, and violence, in particular those working in informal sector. There is no formal mechanism to monitor the rights of the women in informal sector. The sufferings of domestic workers during the COVID-19 pandemic are illustrative of the fact. While the construction sector is a dangerous place for both men and women, the latter, an increasing number of whom are now being employed in the sector, face particular challenges. Most women working in the construction sector are unskilled and they break bricks and stones, do casting, carry construction materials for distribution, and clean construction sites, among other activities. With the nature of these jobs still considered as informal, these workers largely fall outside the regulatory framework and lack legal and administrative protections regarding their most basic rights to fair wages, health, and safety.

## Section Nine: Violence against Women and Children

Recommendations accepted by Bangladesh	Status of implementation
147.141 Continue to prevent violence against women, in accordance with the National Action Plan (2013–2025), with regular monitoring (Sri Lanka)	Partially implemented
147.142 Combat violence against women and children and take action for their rights (France)	Not implemented
147.143 Continue efforts to combat discrimination and violence against women (Tunisia)	Not implemented

147.144 Intensify its efforts towards combating violence against women (Georgia)	Not implemented
147.145 Strengthen existing monitoring mechanisms to protect women and children from all forms of violence and exploitation (Nepal)	Not implemented
147.146 Continue to tackle sexual violence against women to ensure protection of women's rights (Lao People's Democratic Republic);	Partially implemented
147.147 Take concrete measures to prevent and to protect women from domestic violence, ensure effective access to legal recourse and hold perpetrators to account (Norway)	Not implemented
147.148. Ensure sufficient resources are allocated to fully implement all major components of the National Action Plan to Prevent Violence against Women and Children (Singapore)	Partially implemented
147.149 Ensure the registration of children in order to protect them from abuses, exploitation, abandonment and human rights violations (Holy See)	Partially implemented
147.150 Take strong measures to eradicate child labour, and violence and crimes against children (Chile)	Not implemented
147.48 Amend the Child Marriage Restraint Act to maintain the legal minimum age at 18 years (Republic of Korea)	Not implemented
147.25 Further accelerate the process of adoption of the anti-discrimination legislation (Georgia)	Not implemented

Violence against women and children in Bangladesh remains widespread and has continued to rise amid the COVID-19 pandemic. There is no prosecution of the incidents of violence, due to poor implementation of laws, police harassment, an ineffective criminal justice system, lack of protection of victims and witnesses, political influence, and impunity for the perpetrators.

Bangladesh enacted a Domestic Violence Prevention Act in 2010. However, the government has not taken any concrete measures to prevent and to protect women from domestic violence. Such abuse against women is routine and forms of gender-based discrimination are widely prevalent. Rape, dowry demands, and related violence and sexual harassment have continued at an alarming rate. Women's freedoms of movement and association, as guaranteed in the Constitution and in international human rights law, are being violated on a daily basis, as they face sexual harassment, insecurity, and social barriers. Women and children have been deprived of access to legal recourse and perpetrators could not be brought to justice.

Rape has become rampant. **According to Odhikar, from January 2018 to September 2020, 2,634 women and girls were raped, 455 women and girls were sexually harassed, 366 women were subjected to dowry-related violence, and 63 women and children became victims of acid violence.** In many cases, victims of rape were prevented from being taken to the hospital for treatment, witnesses in rape cases were attacked, and ruling party activists "settled" incidents of rape through mediation.

According to the statistics of the Bangladesh Supreme Court, as of December 2019, about 166,000 rape cases were pending in 95 tribunals created across the country under the Prevention of Women and Children

Repression Act of 2000 (Amended in 2003).<sup>44</sup> Of these cases, trials for about 40,000 cases had been running for more than five years. In many cases, the lawyers of the accused, in association with the staff of the tribunal, prevented witnesses from appearing in court. Lawyers of the plaintiff were also known to form secret deals with the lawyers of the accused.<sup>45</sup> As a result, rape victims have been denied justice – even by their own lawyers.

The government has failed to create an enabling environment for women and children and to ensure a legal framework based on child rights and aimed at protecting these rights. According to a World Vision report, the government has taken some legal steps to establish pathways for children and communities to report abuses. To enable community level reporting, Child Affairs Desks were established at police stations under the Children Act of 2013. However, the government has not set up child-friendly reporting mechanisms outside of police stations and inside spaces normally frequented by children, including community centres, school, health clinics, and alternative care institutions. Such reporting mechanisms could expand help to children in circumstances where a visit to a police station is not possible.<sup>46</sup>

Bangladesh has one of the highest rates of child marriages in the world. In 2017, Parliament passed the Child Marriage Restraint Act, which continues to legalise this practice. The Act added a provision that allows marriage of underage girls (and boys) in undefined “special circumstances.” Under Section 19 of the Act, if any marriage takes place in line with the directives of a court and consent of the parents or guardians and is in the “best interest” of an underage female, such marriage will not be considered an offence. No age limit is specified in the law for marriages under such “special circumstances.” Furthermore, under the current criminal law, if a man has sexual intercourse with his wife, it will only amount to rape if the wife is below the age of 14.

The government is yet to enact a draft Elimination of Discrimination Act, whose adoption was recommended by the Law Commission of Bangladesh in 2014. The draft law is still under review by the Law Ministry. The government is not prepared to lift the reservation to Articles 2 and 16 (1) (c) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

## Section Ten: Minority Rights

Recommendations accepted by Bangladesh	Status of implementation
147.155 Continue implementing the legal, policy and administrative measures to protect the rights of ethnic minorities (South Africa)	Partially implemented
147.156 Ensure the effective investigation and sanctioning of all cases of violence against religious minorities (Austria)	Not implemented
147.157 Guarantee the protection and rights of persons belonging to minorities (France)	Not implemented

<sup>44</sup> Odhikar, *Three-month Human Rights Monitoring Report on Bangladesh, Reporting Period: January – March 2020*, 33 (1 May 2020); available at: [http://odhikar.org/wp-content/uploads/2020/05/Odhikar\\_Three-Month\\_HRR\\_January-March\\_2020\\_Eng.pdf](http://odhikar.org/wp-content/uploads/2020/05/Odhikar_Three-Month_HRR_January-March_2020_Eng.pdf).

<sup>45</sup> Jugantor, *Hasib bin Shahid, Concerns over Rape Trials under Existing Law*, 14 March 2020; available at: <https://www.jugantor.com/todays-paper/news/288780>.

<sup>46</sup> World Vision, *Bangladesh: Policy Progress to End Violence against Children*, 2019; available at: <https://www.wvi.org/sites/default/files/2019-11/Bangladesh%20Report.pdf>

The government has failed to protect citizens belonging to religious, ethnic, and linguistic minority groups and has consistently failed to ensure effective investigations into incidents of attacks and violence directed against minority communities. Violence against ethnic, religious, and linguistic minority people and attacks on places of worship and homes are common. Furthermore, sectarian violence driven by political conflict – a problem particularly for religious minorities – continues to take place, with perpetrators enjoying apparent impunity. Such incidents could not be stopped, due to the politicisation of these occurrences and the lack of prosecution. Several instances of violence against minority groups committed by the state actors, including police and other law enforcement agencies, have been reported. Regrettably, the rate of prosecution and punishment of perpetrators of all acts of violence committed by the police and state actors against members of minority groups is almost non-existent as the authorities are unwilling or unable to take action due to the involvement of the ruling party members in such acts.

*During the reporting period, no impartial investigation or action was taken by the authorities over the killing of three members of the Santal community during a clash between Santals and Rangpur Sugar Mill's workers and employees, backed by activists of Awami League-backed Chhatra League and Jubo League and the police, in November 2016 in Gobindganj under Gaibandha District. During the clash, Santal houses were also set on fire. On 28 July 2019, the Police Bureau of Investigation (PBI) submitted a charge sheet to the court on the incident. Although a former Member of Parliament with the Awami League and members of police had been actively involved in the incident, their names were not included in the charge sheet.<sup>47</sup>*

*In the early morning of 24 March 2019, a mob led by local Awami League leader Hossain Mosharraf, attacked the houses of the ethnic minority Pahan community with sharp weapons and sticks and set the homes on fire in Dhamurhat Upazila under Naogaon District. As a result, at least 37 landless families, mostly from the indigenous Pahan community, became homeless.<sup>48</sup>*

## Section Eleven: Rohingya Repatriation

Recommendations accepted by Bangladesh	Status of implementation
147.164 Continue efforts to host the forcibly displaced Myanmar nationals until they voluntarily return to their homeland in safety, security and dignity (Yemen)	Partially implemented
147.165 Continue to pursue strong efforts bilaterally as well as internationally and with help and assistance from the international community, for the sustainable resolution of the Rohingya crisis (Azerbaijan)	Partially implemented
147.166 Continue to work with international partners and Myanmar to find a sustainable solution that enables those displaced to return home voluntarily, safely and with dignity (New Zealand)	Partially implemented
147.167 Continue to hold constructive dialogue with Myanmar and make efforts to implement the bilateral agreement, aiming at steady and rapid repatriation of refugees (Japan)	Not implemented

<sup>47</sup> It is to be noted that a judicial inquiry report filed to the High Court Division on 9 March 2017, also showed evidence of the involvement of three policemen in the burning of Santal's house. Prothom Alo, 29 July 2019; <https://www.prothomalo.com/bangladesh/article/1606642>, New Age, 29 July 2019; <http://www.newagebd.net/article/79948> and New Age, 29 July 2019; <http://www.newagebd.net/article/79948>

<sup>48</sup> Daily Star, 27 March 2019; <https://www.thedailystar.net/backpage/news/goons-evict-37-landless-families-1720927>

Due to frustration among Rohingya over the lack of progress in the negotiations for their safe, voluntary, and dignified repatriation to Myanmar, Rohingya refugees have attempted to leave for third countries by boat. In April 2020, more than 300 Rohingya, including 33 children, in a stranded boat, were rescued and sent to the remote and flood-prone island of Bhasanchar. At that time, Bangladesh authorities said that the rescued refugees had been temporarily kept in quarantine at Bhasanchar to prevent the spread of COVID-19 in the camps in Cox's Bazar. However, after more than six months, they had not been taken back to Cox's Bazar and, despite promises, the government did not provide UN officials with access to these Rohingya.<sup>49</sup>

On 18 May 2020, UN Secretary General Antonio Guterres called for the safe transfer of Rohingya refugees from Bhasanchar to Cox's Bazar, but the Bangladesh government did not respond.<sup>50</sup> The families of the Rohingya in Bhasanchar said that they were being held there like prisoners, without food and health care, and drinking water was insufficient.<sup>51</sup> There were allegations that some of the women Rohingya refugees had been raped and sexually harassed.<sup>52</sup> Some Rohingya refugees reported they had been beaten by Bangladeshi authorities in Bhasanchar.<sup>53</sup> Rohingya refugees in Cox's Bazar said that they were told they would have to go to Bhasanchar if they wanted to see their family members there.<sup>54</sup>

## PART-II: RECOMMENDATIONS DEFERRED AND LATER ACCEPTED

The following recommendations were deferred by the government and later accepted without any comment after being examined.<sup>55</sup>

Recommendations deferred and now accepted without comments	Status of implementation
<i>148.2 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Madagascar)</i>	<b>Not implemented</b>
<i>148.3 Enforce constitutional provisions safeguarding freedom of expression, including by amending section 57 of the Information and Communication Technology Act and relevant provisions of the draft Digital Security Act (Australia)</i>	<b>Partially implemented</b>
<i>148.13 Review and amend the laws that restrict freedom of expression, such as section 57 of the 2006 Information and Communication Technology Act (Mexico)</i>	<b>Partially implemented</b>

<sup>49</sup> Odhikar, Three-month human rights monitoring report (July-September 2020), [http://odhikar.org/wp-content/uploads/2020/10/Odhikar\\_Three-month-HRR\\_July-September-2020\\_English.pdf](http://odhikar.org/wp-content/uploads/2020/10/Odhikar_Three-month-HRR_July-September-2020_English.pdf)

<sup>50</sup> Al-Jazeera, *UN's Guterres asks Bangladesh to move Rohingya to refugee camps*, 18 May 2020; available at: <https://www.aljazeera.com/news/2020/5/18/uns-guterres-asks-bangladesh-to-move-rohingya-to-refugee-camps>

<sup>51</sup> HRW report, 9 July 2020; <https://www.hrw.org/news/2020/07/09/bangladesh-move-rohingya-dangerous-silt-island>

<sup>52</sup> Guardian, 22 September 2020; <https://www.theguardian.com/world/2020/sep/22/rohingya-refugees-allege-sexual-assault-on-bangladeshi-island>

<sup>53</sup> Guardian, 22 September 2020; <https://www.theguardian.com/world/2020/sep/22/rohingya-refugees-allege-sexual-assault-on-bangladeshi-island>

<sup>54</sup> HRW report, 9 July 2020; <https://www.hrw.org/news/2020/07/09/bangladesh-move-rohingya-dangerous-silt-island>

<sup>55</sup> The recommendation 148.2 by Madagascar was initially 'noted' and was reflected so in the draft report of the working group. However, immediately before the adoption of the working group's draft report, the Bangladesh delegation decided to 'defer' the recommendation. Bangladesh has now considered the recommendation as accepted.

148.14 Review and redraft the proposed Digital Security Act to ensure online freedom of expression (Norway)	Not implemented
148.15 Redraft the Digital Security Act in line with international norms and standards for freedom of expression (Sweden);	Not implemented
148.19 Continue increasing efforts to combat all types of violence against women and girls, and eradicate discriminatory practices and measures against them, guaranteeing the full exercise of their rights, including those related to sexual and reproductive health (Uruguay)	Not implemented
148.22 Continue improving Rohingya refugees' conditions and investigating allegations of abuses and human rights violations against them in accordance with international standards (Holy See)	Not implemented

The government of Bangladesh has not ratified the Optional Protocol to the Convention on the Rights of the Child.

The government has yet to enforce the constitutional provisions safeguarding freedom of expression. While it has repealed Section 57 of the Information and Communication Technology (ICT) Act 2006, it has incorporated and expanded such provision in the Digital Security Act (DSA) 2018. Despite accepted recommendations, the government has neither reviewed nor redrafted the DSA to ensure freedom of expression in line with international norms and standards. The DSA has been widely imposed against journalists, human rights defenders, academics and any individuals who are critical of the government and/or high-ranking members of the ruling party.

The government has failed to take appropriate measures to improve the conditions of Rohingya refugees and investigate allegations of abuses and human rights violations against them in accordance with international standards. In October 2020, violent conflicts resulted in the murder of eight Rohingya in the largest Rohingya camps. Seven Rohingya were killed in three consecutive days from 4 to 6 October 2020 in fights among themselves. Nine Rohingya criminals were also detained with firearms. Since January 2019, law enforcement agencies have committed extrajudicial killings of at least 102 Rohingya, including two Rohingya women.

The following recommendations were deferred by the government and later accepted with comments.

Recommendations deferred and now accepted with comments	Status of implementation
148.4 Ensure legal and constitutional protection of indigenous and religious minorities, and facilitate the reporting of violations of their rights (Estonia)	Partially implemented
148.6 Continue its efforts in strengthening the capacity of its national human rights institution, namely the National Human Rights Commission of Bangladesh, and of the newly established Ombudsman (Indonesia)	Partially implemented
148.12 Enhance efforts to prevent cases of torture and enforced disappearance and to prosecute perpetrators (Italy)	Not implemented

Referring to the Constitution, the government argued that it does not designate or recognize any particular minority group or community of people in the country as “indigenous peoples.” However, the Constitution recognizes various ethnic groups living within the country and designates them as ‘ethnic minorities’. Article 23A of the Constitution provides that the State shall undertake responsibility to protect and develop the unique local culture and tradition of tribal and ethnic communities. The government has enacted the Ethnic Minority Communities Cultural Institutions Act, 2010 to preserve and promote the culture, heritage,

language, religious practices, and traditional lifestyle of all ethnic communities living in the hill districts and plain lands.

Recommendation 148.6 refers to a ‘newly established ombudsman’, which is not factually correct. The establishment of an Ombudsman has been a long-standing demand from various quarters, including civil society organizations.

Taking advantage of the legal system of Bangladesh that does not recognise the term, ‘enforced disappearance’ Bangladeshi authorities are using enforced disappearances to silence dissenting voices and calling them abductions or kidnappings. ‘Abductions’ and ‘kidnappings’ are defined in the criminal justice system of Bangladesh and are normally committed by non-state actors. However, ‘enforced disappearances’ are committed by state actors, including law enforcement officials.

## PART-III: RECOMMENDATIONS DEFERRED AND NOW NOTED

The following recommendations were deferred by the government and later noted with comments after being examined.

Recommendations noted by Bangladesh	Status of implementation
148.1 Ratify the main international human rights instruments (Zambia)	Partially implemented
148.21 Raise the minimum age for criminal responsibility for juvenile offenders in line with recommendations by the Committee on the Rights of the Child (Austria)	Not implemented

Bangladesh has become a state party to eight out of nine core human rights instruments. The government believes ratification of additional human rights instruments would require consistent national efforts.

The minimum age of criminal responsibility in Bangladesh is not per international standard.

## Elimination of Child Marriage

The following recommendations were made for the elimination of child, early and forced marriages, including amendment of the Child Marriage Restraint Act 2017 to remove the exception for child marriage under “special circumstances”.

Recommendations noted by Bangladesh	Status of implementation
148.7 Amend the Marriage Act and maintain a minimum legal age of marriage at 18 without exceptions (Zambia)	Not implemented

148.8 Eliminate child, early and forced marriage, including by reforming the Child Marriage Restraint Act to remove the exception for child marriage in “special cases”, as this term is open to abuse (Canada)	Not implemented
148.9 Eliminate early marriages and ensure education on sexual and reproductive health and rights for adolescents (Estonia)	Not implemented
148.10 Step up the efforts to prevent child, early and forced marriages, particularly in rural areas and slums, and to amend the Child Marriage Restraint Act by introducing a minimum legal age of marriage of 18 without any exceptions (Slovenia)	Not implemented
148.11 Take action against child, early and forced marriages with or between children by reformulating the Child Marriage Restraint Act of 2017 to clarify the gaps in the legislation and to prevent misuse of the “special circumstances” clause (Sweden)	Not implemented
149.34 Review the special provision of the Child Marriage Restraint Act 2017 and implement legislation that effectively criminalizes all forms of gender-based violence (Germany)	Not implemented

Child marriage is widespread in Bangladesh. According to a UNICEF report, 52% of girls in Bangladesh are married off by the age of 18, and 18% are married off by the age of 15.<sup>56</sup> One of the biggest problems of eliminating child, early and forced marriage is the non-implementation of the existing laws. The Child Marriage Restraint Act 2017 – has made things worse as the provision ‘special circumstances’ have not been defined anywhere yet, nor is there a specified minimum age.

## Extrajudicial Killings, Enforced Disappearances and Torture

The government did not accept any recommendations about the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. The recommendations 148.16, 148.17 (deferred and now noted) 149.5, 149.6, 149.52 (noted in May 2018) were noted, as the Bangladeshi authority does not agree to the proposition that “extra-judicial killings” or “enforced disappearances” occur frequently in Bangladesh. Referring to the country’s legal system, the government does not recognise any term, such as, “enforced/ forced disappearance.”

Recommendations noted by Bangladesh	Status of implementation
148.16 Thoroughly investigate extrajudicial killings, abductions and forced disappearances taking place within law enforcement agencies, while also ensuring that the perpetrators are brought to justice (Sweden)	Not implemented
148.17 Investigate all allegations of human rights violations by the police and security forces and take legal steps so that those responsible for enforced disappearances, custodial torture and extrajudicial killings are held accountable (Norway)	Not implemented

<sup>56</sup> Available at: [https://www.unicef.org/publications/files/UNICEF\\_SOWC\\_2016.pdf](https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf)

149.5 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Japan) (Bosnia and Herzegovina) (Iraq) (Senegal) (Togo) (Ukraine); Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Peru)	Not implemented
149.6 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance without reservations before the next universal periodic review (Greece)	Not implemented
149.52 Strengthen measures to prevent, investigate, and hold security forces accountable for human rights violations and abuses, including providing an update on investigations into the alleged disappearances of Mir Ahmed Bin Quasem and Amaan Azmi (United States of America)	Not implemented

The government has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance, stating that the term “enforced disappearance” is not in the legal framework of Bangladesh, but “abduction” or “kidnapping” are defined in the criminal laws of the country. The government has not taken any measures to incorporate “enforced disappearance” as a criminal offence and to incorporate the serious nature of unacknowledged detention carried out by, or with the complicity or acquiescence of, state officials in any legislation.

The government has also failed to conduct thorough investigation of any of the cases of extrajudicial killings, enforced disappearances, and custodial torture committed by law enforcement agencies. None of the allegations of extrajudicial killings, enforced disappearance, torture, and death in custody have been promptly and thoroughly investigated by an independent body.<sup>57</sup>

The government did not provide any update on investigations into the alleged disappearances of Mir Ahmed Bin Quasem and Abdullahil Amaan Al Azmi despite the concern raised by the UN Working Group on Enforced and Involuntary Disappearances and the UN Committee Against Torture.<sup>58</sup>

## Ratification of Optional Protocols to ICCPR, ICESCR and CAT

The government did not accept all 10 recommendations about the ratification of the Optional Protocols to ICCPR, ICESCR, and CAT.

Recommendations noted by Bangladesh	Status of implementation
149.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain)	Not implemented
149.2 Accede to the First Optional Protocol to the International Covenant on Civil and Political Rights (Iceland)	Not implemented

<sup>57</sup> Asian Legal Resource Centre, *BANGLADESH: Seized State Power and Institutional Collapse Key Behind Continued Enforced Disappearances*, Written Statement to the 42nd Regular Session of the UN Human Rights Council, 29 August 2019, <http://alrc.asia/bangladesh-seised-state-power-and-institutional-collapse-key-behind-continued-enforced-disappearances/>.

<sup>58</sup> United Nations Committee Against Torture, *Concluding Observations on the Initial Report of Bangladesh*, 29 August 2019, available at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsqgRP%2BqMxsHC87ICAd8ka3DUphWZxnSYrsZb%2BjutT8cwUmdlCizTGdyUVFhyA3LMfy86GCE%2BvjgX1E8Z61aCE24rf03z5%2FQYIO95H7EP7rO>

149.3 Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay)	Not implemented
149.4 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro) (Iceland) (Togo) (Spain)	Not implemented
149.7 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Bosnia and Herzegovina) (Ukraine)	Not implemented
149.8 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark)	Not implemented
149.9 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Poland)	Not implemented
149.10 Consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment at the earliest convenience (Ghana)	Not implemented
149.11 Take steps to accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sri Lanka)	Not implemented
149.21 Enhance its fight against impunity and torture including by ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and establishing a national preventive mechanism accordingly (Czechia)	Not implemented

The government has not made any commitment to ratify/accede to: 1) the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; 2) the Second Optional Protocol to the International Covenant on Civil and Political Rights; 3) the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT).

## Death Penalty

The government did not accept all nine recommendations regarding the abolition of death penalty.

Recommendations noted by Bangladesh	Status of implementation
149.36 Abolition of the death penalty (Benin) (Portugal) (Czechia)	Not implemented
149.37 Adopt the legislation abolishing the death penalty and establish a moratorium on all pending executions (Slovakia)	Not implemented
149.38 Reduce the number of crimes to which the death penalty applies, as a step towards eventual abolition of the death penalty (Australia)	Not implemented
149.39 Enact a moratorium on the use of the death penalty, with a view to abolishing it (Holy See)	Not implemented
149.40 Introduce a moratorium as a first step towards final abolition of the death penalty (Austria)	Not implemented

149.41 Establish a moratorium on executions as a first step towards the abolition of the death penalty (Belgium)	Not implemented
149.42 Establish a moratorium on the death penalty, as a first step towards complete abolition of this practice (Italy); / Take steps towards the full abolition of the death penalty (New Zealand); / Consider the imposition of a moratorium on the death penalty (Poland)	Not implemented
149.43 Establish a moratorium on the death penalty with a view to its abolition (Chile)	Not implemented
149.44 Continue the process of edging out the death penalty with a view to totally abolishing it (Namibia)	Not implemented

The provision of the death penalty remains in various criminal laws in Bangladesh. The government has made no commitment to abolish, defer, or put a moratorium on the death penalty. Rather, the government has amended existing legislation and promulgating new laws that introduced new capital offences. For example, on 12 October 2020, the Cabinet approved an amendment to the Women and Children Repression Prevention Act to introduce the death penalty for individuals found guilty of rape,<sup>59</sup> which the Parliament passed on 17 November 2020 ensuring the death penalty as the highest punishment for rape.<sup>60</sup> This move came after a series of large nationwide street protests in response to an increase in cases of rape and lack of justice for the victims.

Every year a large number of defendants are sentenced to death by the lower courts. **According to data gathered by Odhikar between January 2018 and September 2020, a total of 777 persons were sentenced to death. During this period, three persons were executed.**

*On 25 June 2000, a Khulna court sentenced a man named Zahid Sheikh to death for killing his wife and one-and-a-half-year-old daughter. Zahid Sheikh was detained on death row for 20 years. However, on 25 August 2020, the Appellate Division of the Supreme Court ordered Zahid Sheikh to be acquitted due to insufficient evidence. On 31 August 2020, Zahid Sheikh was released from Khulna District Jail. It was reported that when the case was filed against Zahid Sheikh, the investigating officer demanded a bribe of 50,000 take from his family. Zahid had been convicted in the case because he did not pay the money and a charge sheet was filed in the court accusing him as the perpetrator.<sup>61</sup>*

*On 3 July 2019, a court in Pabna, sentenced nine people to death in connection with the incident of bombing and shooting on a train carrying current Prime Minister Sheikh Hasina, in Ishwardi under Pabna District in 1994. All those awarded the death penalty were leaders and activists of the opposition BNP and its affiliated organisations Jubo Dal and Chhatra Dal.<sup>62</sup>*

*On 6 April 2020, Captain (Retd.) Abdul Majed, who had been sentenced to death in connection with the murder of former President Sheikh Mujibur Rahman and his family members, was arrested from Gabtoli area of Dhaka. On 8*

<sup>59</sup> Dhaka Tribune, *Bangladesh clears death penalty for rape*, 12 October 2020; <https://www.dhakatribune.com/bangladesh/government-affairs/2020/10/12/cabinet-approves-inclusion-of-death-penalty-in-rape-law>; Al Jazeera, *Bangladesh approves death penalty for rape cases after protests*, 12 October 2020; <https://www.aljazeera.com/news/2020/10/12/bangladesh-approves-death-penalty-for-rape-cases>

<sup>60</sup> Daily Star, *Death penalty for rape: Amended women and children repression prevention Bill passed*, 17 November 2020; <https://www.thedailystar.net/country/news/death-penalty-rape-amended-women-and-children-repression-prevention-bill-passed-1996573>

<sup>61</sup> Odhikar, *Three month Human Rights Monitoring Report on Bangladesh, July -September 2020* pg-29; [http://odhikar.org/wp-content/uploads/2020/10/Odhikar\\_Three-month-HRR\\_July-September-2020\\_English.pdf](http://odhikar.org/wp-content/uploads/2020/10/Odhikar_Three-month-HRR_July-September-2020_English.pdf)

<sup>62</sup> Jugantor, 4 July 2019; <https://www.jugantor.com/todays-paper/first-page/194999>

April, a Dhaka court ordered the issuance of a death warrant for Abdul Majed. On the same day, he appealed to the President for mercy. On 11 April, Majed's execution was carried out by hanging at the Dhaka Central Jail, after the President rejected his request for clemency.<sup>63</sup>

## ILO Conventions

Recommendations noted by Bangladesh	Status of implementation
149.12 Ratify the ILO Minimum Age Convention, 1973 (No. 138), the Indigenous and Tribal Peoples Convention, 1989 (No. 169), and the Domestic Workers Convention, 2011 (No. 189) for the protection of the rights of all migrant workers and the members of their families (Madagascar)	Not implemented
149.13 Ratify the ILO Minimum Age Convention, 1973 (No. 138) and Occupational Cancer Convention, 1974 (No. 139) for the elimination of child labour (Spain)	Not implemented

The government has not made a commitment to the ratification of a number of important ILO Conventions.

The issues of labour rights, decent environment in workplace, elimination of child labour, and the rights of the domestic workers have not achieved any progress in these areas as child labour still exist in the country. The government has failed to create a decent environment in the workplace and most workers, particularly in the informal sector and child labourers, have been working under hazardous conditions.

## Refugee Convention and civil rights of Rohingya/refugees

The government has noted all eight recommendations relating to the ratification of the Refugee Convention and the respect of rights of Rohingya refugees.<sup>64</sup>

Recommendations noted by Bangladesh	Status of implementation
148.23 Step up efforts to guarantee the rights of refugees, with full respect of the principle of non-refoulement (Mexico);	Not implemented
148.24 Strengthen those measures that have been taken to ensure that all children and young persons among the refugees have effective access to the right to education, and guarantee the registration of all refugee children born in Bangladesh regardless of race, religion, national origin or the citizenship of their parents, particularly children of Bangladeshi and Rohingya couples (Argentina).	Partially implemented
149.14 Accede to the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees in order to better assist and protect these persons in distress (Côte d'Ivoire)	Not implemented

<sup>63</sup>Daily Star, *Bangabandhu's Killer Majed Hanged*, 12 Apr. 2020; available at: <https://www.thedailystar.net/country/news/bangabandhus-killer-majed-be-hanged-tonight-ig-prisons-1891942>

<sup>64</sup>Recommendations no. 148.23, 148.24 (deferred and further noted) and 149.14, 149.15, 149.16, 149.17, 149.51, 149.60 (noted in May 2018)

149.15 Consider becoming a party to the Convention relating to the Status of Refugees, of 1951 (Georgia)	Not implemented
149.16 Become a party to the Convention relating to the Status of Refugees, of 1951 (New Zealand)	Not implemented
149.17 Ratify the Convention relating to the Status of Refugees, of 1951, and ensure the short and long-term conditions for the dignified, safe and voluntary return of displaced persons to their place of origin (Switzerland)	Not implemented
149.51 Ensure that all refugee and stateless women and girls have effective access to justice without being threatened with arrest, by amending the 1946 Foreigners Act (Iceland)	Not implemented
149.60 Ensure access to justice to refugees and stateless individuals, in particular women and girls, including those belonging to ethnic minorities (Brazil)	Not implemented

The government has made no commitment to accede to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol and the 1961 Convention on the Reduction of Statelessness. As a result, Bangladesh does not adhere to the core principles of the international protection regime, including the principle of *non-refoulement*. The principle of *non-refoulement* with respect to all Rohingya refugees in Bangladesh has often been violated by Bangladeshi security forces. Rohingya have continued to attempt to cross the border into Bangladesh in the wake of continued crackdown by Myanmar's security forces in Rakhine State.<sup>65</sup> However, on several occasions, the Border Guard Bangladesh (BGB) opened fire to stop the entry of Rohingya refugees from Myanmar and pushed them back.

*On 12 April 2020, at around 5:30 am, a group of 50 Rohingya tried to cross into Bangladesh through Tumburu border near pillar no. 32 and 33. BGB members fired blanks to disperse them.*<sup>66</sup>

*On 15 April 2020, more than 390 Rohingya refugees were rescued from a ship adrift in the Bay of Bengal. The survivors, who departed Bangladesh, spent nearly two months at sea.*

The government of Bangladesh said it would not allow the disembarkation of Rohingya arriving on ships. On 22 April 2020, Bangladesh Foreign Minister Abdul Momen told the media: "I am opposed to allowing these Rohingya into the country because Bangladesh is always being asked to take care of the responsibility of other countries. [...] We can no longer allow [in] any Rohingya."<sup>67</sup>

There is no law that regulates the administration of refugee affairs in Bangladesh or guarantees the rights of refugees. The government has failed to ensure the right to education for all children and young persons among the refugees or guarantee the registration of all refugee children born in Bangladesh regardless of race, religion, national origin or the citizenship of their parents, particularly children of mixed Bangladeshi and Rohingya couples. The government continued to deny formal education for Rohingya children in Bangladesh. The government does not provide any education in the camps and bars UN humanitarian agencies and NGOs, funded by international donors, from providing Rohingya children with any formal, accredited education.<sup>68</sup> Informal education is being provided to Rohingya children and youth with the help of the UN and International NGOs.

<sup>65</sup> Prothom Alo, *The Myanmar Government Has Issued a Directive to Comply with the Genocide Charter*, 9 April 2020; available at: <https://www.prothomalo.com/bangladesh/article/1649814/>.

<sup>66</sup> Daily Star, *BGB Fires Blanks to Stop Rohingya Refugees at Bandarban Border*, 13 April 2020; available at: <https://www.thedailystar.net/country/news/bgb-fires-blanks-stop-rohingya-refugees-bandarban-border-1892461>.

<sup>67</sup> Fortify Rights, *Bangladesh: Prevent Push-Backs of Rohingya Refugees, Investigate and Prosecute Human Trafficking*, 30 April 2020; available at: <https://www.fortifyrights.org/bgd-inv-2020-04-30/>.

<sup>68</sup> Human Rights Watch, *Are We Not Human*, 3 December 2019; available at: <https://www.hrw.org/report/2019/12/03/are-we-not-human/denial-education-rohingya-refugee-children-bangladesh>

## Cooperation with UN Special Procedures and Treaty Bodies

Recommendations noted by Bangladesh	Status of implementation
149.18 Remove the reservations to article 2 and article 16 (1) (c) of the Convention on the Elimination of All Forms of Discrimination against Women (Latvia);	Not implemented
149.19 Issue and implement a standing invitation to all special procedures (Czechia)	Not implemented
149.20 Respond positively to pending visit requests by special procedure mandate holders of the Human Rights Council and consider extending a standing invitation to all mandate holders (Latvia)	Not implemented

The issue of withdrawal of existing reservation on Article 2 and Article 16.1(c) of CEDAW is still under consideration. The government emphasises that changing legislation, particularly with regard to personal laws, required agreement across the board by religious leaders. After reviewing the merit of the reservation, in 2013, the Law Commission recommended the government withdraw its reservation from Article 2 and Article 16.1(c) of CEDAW.<sup>69</sup> However, the government has not taken into consideration the Law Commission's recommendation.

The government has failed to issue a standing invitation to all UN special procedures. Although a few Special Rapporteurs have visited Bangladesh in recent years, several requests are still pending. The government did not respond to requests for a country visit made by: the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the situation of human rights defenders.

The government has not demonstrated any intention of working out mutually convenient dates for the visit of Special Procedures mandate holders.

## National Human Rights Institution

Recommendations noted by Bangladesh	Status of implementation
-------------------------------------	--------------------------

<sup>69</sup> Daily Star, CEDAW at a dead end in Bangladesh?, 8 March 2019; available at: <https://www.thedailystar.net/star-weekend/news/cedaw-dead-end-bangladesh-1711840>

148.5 Fully comply with the Paris Principles and increase the institutional capacity and financial and human resources of the National Human Rights Commission (Chile)	Not implemented
149.22 Provide human, technical and financial resources to the National Human Rights Commission so it can fulfil its mandate and grant it a new mandate to investigate human rights violations (Honduras)	Not implemented
149.23 Expand the mandate of the National Human Rights Commission to investigate all human rights violations, including those involving State security actors, and provide it with adequate resources, in order to fulfil its mandate (Namibia)	Not implemented

The National Human Rights Commission (NHRC) of Bangladesh does not comply with the Paris Principles<sup>70</sup> and the government has failed to adequately increase the institutional capacity and financial and human resources of the NHRC. In March 2018, during Bangladesh’s review by the UN Committee on Economic, Social and Cultural Rights, the Committee expressed concern about: the Commission’s lack of independence; its limited mandate to work on economic, social, and cultural rights; its lack of adequate freedom, especially in addressing financial matters; its human resource shortage.<sup>71</sup> Regrettably, such concerns have not been addressed.

## Right to Freedom of Expression

Recommendations noted by Bangladesh	Status of implementation
149.45 Decriminalize defamation and include it in the Civil Code in accordance with international standards, and take steps to create an independent broadcast licensing authority (Estonia)	Not Implemented
149.46 Revise media laws, in consultation with civil society, to decriminalize “defamation” and “hurting religious sentiment”, and limit proposed extended jail terms for these offences (United States of America)	Not Implemented
149.47 Expand its democratic space online and offline in which opposition politicians, journalists, human rights defenders and other civil society members can operate freely and without fear for their lives, and to this end revise section 57 of the Information and Communication Technology Act and amend the Foreign Donation Regulations Act (Czechia)	Not Implemented

<sup>70</sup> The Paris Principles set out six main criteria that national human rights institutions are required to meet: mandate and competence based on universal human rights norms and standards; autonomy from government; independence guaranteed by statute or Constitution; pluralism; adequate resources; and adequate powers of investigation. ‘GANHRI Sub-Committee on Accreditation’, GANHRI, available at <https://www.nhri.ohchr.org/EN/AboutUs/GANHRIAccreditation/Pages/default.aspx>.

<sup>71</sup> Committee on Economic, Social and Cultural Rights (CESCR), Concluding observations, E/C.12/BGD/CO/1, 18 April 2018, Section C, available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=E/C.12/BGD/CO/1&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E/C.12/BGD/CO/1&Lang=En)

149.48 Ensure that human rights activists and journalists can exercise their rights without fear, intimidation and harassment by redrafting the planned Digital Security Act, and repealing or amending all laws that violate the rights to freedom of expression, association and peaceful assembly, including the provisions of the Penal Code related to defamation and sedition, the Information and Communication Technology Act (in particular section 57), and the Foreign Donations (Voluntary Activities) Regulation Act, in line with international human rights law (Germany)	Not Implemented
149.49 Repeal the Information and Communication Technology Act (2006), as amended in 2013, or modify the Information and Communication Technology Act to bring it in line with international law and standards (Greece)	Not Implemented
149.50 Repeal all laws and policies that restrict the activities and rights of its citizens and civil society organizations, including the Information and Communication Technology Act of 2006 and the Foreign Donations Regulation Act of 2016 (Netherlands)	Not Implemented

The government has not shown any interest in decriminalizing defamation in accordance with international standards, and taking steps to create an independent broadcast licensing authority.

## Rights of Indigenous People

Recommendations noted by Bangladesh	Status of implementation
149.57 Comprehensively review the legislation in order to recognize gender equality and the protection of indigenous people and ethnic minorities (Honduras)	Not implemented
149.58 Strengthen policies and measures to protect indigenous peoples (Islamic Republic of Iran)	Not implemented
149.59 Step up efforts in order for indigenous peoples, especially the Jumma and the Dalit, to fully enjoy their human rights (Peru)	Not implemented

There are over 54 recognised indigenous peoples in Bangladesh who live in various regions across the country and speak at least 35 languages. Indigenous people in Bangladesh continue to face violence and discrimination in many facets of their lives, including attacks on their physical safety (especially indigenous women), disregard for their ownership and cultural connection to land and resources, infringement upon the safety and sanctity of their homes, and barriers to equal access to healthcare, fair and safe employment, political participation, and education.<sup>72</sup> Rights of the people belonging to ethnic minorities are not ensured and are violated by the state and non-state actors.

In 2016, the Bangladesh Indigenous Peoples Forum (BIPF) urged the government to enact the Bangladesh Indigenous Peoples Rights Act, which is being drafted by the Parliamentary Caucus on Indigenous Peoples and formulated by the NHRC aiming to ensure economic, social, and cultural rights of indigenous people.<sup>73</sup>

<sup>72</sup> Alternative Report submitted to the Human Rights committee by Cultural Survival on Violations of Indigenous Peoples' Rights in Bangladesh. 119<sup>th</sup> session, 2017 (Int\_CCPR\_CSS\_BGD\_26640)

<sup>73</sup> Daily Star, Rights of indigenous peoples in Bangladesh, 9 August 2016; available at: <https://www.thedailystar.net/law-our-rights/rights-indigenous-peoples-bangladesh-1266478>

## Way Forward

The **Solidarity Group for Bangladesh** call upon the government of Bangladeshi to:

- i. Take steps to conduct genuine, participatory, and inclusive national elections allowing the citizens to exercise their right to vote under a trustworthy neutral and interim government.
- ii. Takes steps to transform to ensure the criminal justice systems function independently so that the victims of human rights abuses get access to justice and 'justice' of its kind is afforded.
- iii. Accede to the International Convention for the Protection of All Persons from Enforced Disappearances, criminalise enforced disappearance through the enactment of a national law, and hold perpetrators of this serious crime accountable.
- iv. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, remove its reservation to the Convention, and recognise the competence of the Committee against Torture to receive and consider individual complaints of torture or other breaches of obligations under the Convention.
- v. Ensure law enforcement agencies operate in compliance with relevant international standards, including the Basic Principles on the use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials.
- vi. Establish an independent commission tasked with thoroughly and impartially investigating all allegations of enforced disappearance, extrajudicial killings, torture, and other grave human rights violations; and ensure the perpetrators are held accountable.
- vii. Ensure access to justice to victims and disadvantaged groups, in order to curb impunity for enforced disappearances, extrajudicial killings, and torture, and to prevent their recurrence.
- viii. End the use of torture and ill-treatment and bring perpetrators to justice in accordance with international standards of fair trial.
- ix. Repeal all repressive laws, including the Special Powers Act 1974, the Information and Communication Technology Act 2006 (amended 2009 & 2013), the Anti-Terrorism Act 2009 (Amended in 2012), the Foreign Donation (Voluntary Activities) Regulation Act 2016, and the Digital Security Act 2018.
- x. Take legislative, administrative, and judicial measures to administer justice to the victims of violence and discrimination against women and repeal Section 19 of the Child Marriage Restraint Act 2017.
- xi. Protect the rights of members of religious, ethnic, and linguistic minorities and ensure their security and their fundamental rights.
- xii. Adopt administrative, judicial, and legislative measures in order to protect rights of the people in disadvantaged situation, notably those living in poverty.
- xiii. Ensure all factories are equipped with adequate infrastructure and relevant facilities and protect the rights of workers in compliance with international standards, including ILO Conventions.
- xiv. Ensure adequate compensation to the victims of serious human rights abuses.
- xv. Ensure the effective implementation of laws to stop violence against women and children and hold offenders accountable. Conduct mass awareness programmes in the print and electronic media, in order to eliminate violence against women.
- xvi. Take steps to provide urgent support and humanitarian aid directly to Rohingya refugees in Bangladesh and to guarantee all fundamental freedoms to the Rohingya refugees and their children, and stop criminalising Rohingya refugees.

- xvii. Ensure the safety and security of Bangladeshi citizens residing along the areas along the border with India.
- xviii. Fulfil Bangladesh's voluntary pledges and obligations under international human rights mechanisms and instruments.
- xix. Grant full access to the country to UN Special Procedures' mandate holders, and positively cooperate with the UN Treaty Bodies.

## ABOUT THE SUBMITTING ORGANISATIONS

### **Anti-Death Penalty Asia Network (ADPAN)**

The Anti-Death Penalty Asia Network (ADPAN) is a regional network of organizations and individuals committed to working towards abolition of the death penalty in the Asia Pacific. ADPAN was founded in Hong Kong on the World Day against the Death Penalty in 2006.

Contact: Ms. Sara Kowal | [contact\\_adpan@protonmail.com](mailto:contact_adpan@protonmail.com) | <https://adpan.org/>  
Phone: +613433126926

### **Asian Federation Against Involuntary Disappearances (AFAD)**

AFAD is a federation of human rights organisations working directly on the issue of involuntary disappearances in Asia. Envisioning a world without desaparecidos, AFAD was founded on June 4, 1998 in Manila, Philippines. AFAD was the recipient of the 2016 Asia Democracy and Human Rights Award conferred by the Taiwan Foundation for Democracy.

Contact: Ms. Nilda Sevilla | [nildalsevilla@gmail.com](mailto:nildalsevilla@gmail.com) | [www.afad-online.org](http://www.afad-online.org)  
Rooms 310-311 Philippine Social Science Center Bldg. Commonwealth Ave., Diliman, Quezon City, Philippines | Phone: +63 2 456 6434 | Fax: +63 2 454 6759

### **Asian Forum for Human Rights and Development (FORUM-ASIA)**

FORUM-ASIA is a leading membership-based human rights organization in Asia. It is a network of 58 human rights organizations from 19 Asian countries. It addresses key areas of human rights violations that include freedoms of expression, assembly and association, human rights defenders, and democratization. Human rights advocacy at national, regional and international levels, including the UN Human Rights Council, is a central FORUM-ASIA's focus.

Contact: Ms. Shamini Darshni Kaliemuthu | [info@forum-asia.org](mailto:info@forum-asia.org) | Website: [www.forum-asia.org](http://www.forum-asia.org)  
S.P.D Building 3rd Floor, 79/2 Krungthoburi Road, Khlong Ton Sai, Khlong San, Bangkok, 10600 Thailand; Tel: +66 (0)2 1082643-45; Fax: +66 (0) 2 1082646

### **Asian Legal Resource Centre (ALRC)**

ALRC works towards the radical rethinking and fundamental redesigning of justice institutions in Asia, to ensure relief and redress for victims of human rights violations, as per Common Article 2 of the International Conventions. Sister organisation to the Asian Human Rights Commission, the ALRC is based in Hong Kong & holds general consultative status with the Economic & Social Council of the United Nations.

Contact: Mr. Md. Ashrafuzzaman | [zaman@ahrc.asia](mailto:zaman@ahrc.asia) | [www.alrc.asia](http://www.alrc.asia)  
Ground Floor, 52 Princess Margaret Road, Ho Man Tin, Kowloon, Hong Kong, China | Phone: +852 26986339



35



### **FIDH - International Federation for Human Rights**

FIDH is a non-governmental federation of human rights organizations around the world. Founded in 1922, FIDH is the oldest international human rights organization in the world, and today brings together 192 member organizations from 117 countries. Its core mandate is to promote respect for all the rights set out in the UDHR.

Contact: [asia@fidh.org](mailto:asia@fidh.org) | [www.fidh.org](http://www.fidh.org)

Headquarters: 17 Passage de la Main d'Or 75011, Paris, France | Phone: +33 1 43 55 25 18

### **Odhikar**

Odhikar meaning 'rights' in Bangla is a registered human rights organisation based in Dhaka, Bangladesh established on October 10, 1994 by a group of human rights defenders, to monitor human rights violations and create wider awareness. It holds special consultative status with the ECOSOC of the United Nations.

Contact: Mr. Adilur Rahman Khan | [odhikar.bd@gmail.com](mailto:odhikar.bd@gmail.com) | [www.odhikar.org](http://www.odhikar.org)

House No. 35 (3rd Floor), Road No. 117, Gulshan, Dhaka 1212, Bangladesh | Phone: +88 01711405188

### **Robert F. Kennedy Human Rights**

Robert F. Kennedy Human Rights is a non-governmental organization based in Washington, D.C. Founded in 1968 as a living memorial, it strives to achieve Robert F. Kennedy's vision of a more just and peaceful world. Robert F. Kennedy Human Rights' core programs focus on the power of the individual and providing sustained advocacy, litigation, and capacity-building support to grassroots leaders to advance social justice movements around the globe.

Contact: Ms. Angelita Baeyens | [legal@rfkhumanrights.org](mailto:legal@rfkhumanrights.org) | [www.rfkhumanrights.org](http://www.rfkhumanrights.org)

1300 19th Street, NW, Suite 750, Washington, D.C., 20003, USA | Phone: +1.202.463.7575

### **World Organisation Against Torture (OMCT)**

OMCT is the main coalition of international non-governmental organisations (NGOs) fighting against torture, summary executions, arbitrary detention, enforced disappearances and for the protection of human rights defenders.

Contact: Ms. Stella Anastasia | [sa@omct.org](mailto:sa@omct.org) | [www.omct.org](http://www.omct.org)

P.O. Box 21, 8, rue du Vieux-Billard, CH-1211 Geneva 8, Switzerland | Phone: +41 22 809 4939

**END OF THE REPORT**



36

