

## Statement on the UPR Pre-session on Bangladesh

Odhikar

30 August 2023, Geneva

Excellencies, I am delivering this statement on behalf of Odhikar, a Bangladeshi human rights organisation, which is facing persecution and harassment by the government for documenting and reporting human rights violations, and engaging with the United Nations human rights mechanisms.

This statement is based on the consultations carried out by Odhikar with its network of human rights defenders, like-minded CSOs and international networks. We are not aware of any government led consultations.

The submission focuses on gross violations of human rights, in particular enforced disappearances, extrajudicial killings and torture.

### ISSUE 1: ENFORCED DISAPPEARANCES

During the third cycle of the UPR, more than 15 countries made recommendations on enforced disappearances regarding a thorough investigation all the allegations of enforced disappearances, and to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

#### New Developments:

Acts of enforced disappearance in Bangladesh have become an institutionalised practice of repression. Such crimes continue to occur with complete impunity. **According to Odhikar, a total of 223 persons were subjected to enforced disappearance from 2018 to June 2023.** Most of the victims are political activists of the opposition and dissidents.

**Examples:** An ethnic community [leader](#) disappeared on the way to Dhaka from Kanchpur in Narayanganj District on 9 April 2019. He has been vocal against abuses committed by the security forces in the Chittagong Hill Tracts region. His [whereabouts](#) still remain unknown.

On 6 November 2021, a [fish trader](#) from Mymensingh, was forcibly picked up in a microbus by a group of plain-clothed members of the Rapid Action Battalion (RAB). The last location of his phone, as was seen with iCloud, was next to the RAB-1 office in Uttara, Dhaka. His whereabouts remained unknown until he was [released](#) on 29 August 2022 after being disappeared for nine months.

In recent times, [‘short-term’ disappearances](#) have been taking place where the law enforcement officers later show the disappeared persons as arrested on [criminal charges](#), including under the Anti-Terrorism Act, 2009.

#### Recommendations:

Odhikar recommends that the Bangladesh government:

- a. Establishes an independent inquiry commission to investigate all cases of enforced disappearance, hold perpetrators accountable and ensure justice to the victims and their families;
- b. Accedes to the International Convention for the Protection of All Persons from Enforced Disappearances;
- c. Allows the UN Working Group on Enforced or Involuntary Disappearances (WGEID) to officially visit Bangladesh.

## **ISSUE2: EXTRAJUDICIAL KILLINGS**

During the third UPR cycle, five countries made recommendations to strengthen measures to prevent extrajudicial killings, and to conduct prompt and thorough investigations into all the allegations of extrajudicial killings and bring those responsible to justice.

### **New Developments:**

Extrajudicial killings continue to take place in the country in various forms. This has increased since the government embarked on a nationwide “war on drugs” in May 2018. **Between 2018 and June 2023, Odhikar documented 1,228 cases of extrajudicial killings by security forces.**

**Examples:** A [retired Army Officer](#) was killed by the police at the Shamlapur checkpoint on Marine Drive Road in Teknaf under Cox’s Bazar District on 31 July 2020. On 5 August 2020, his sister filed a case accusing nine policemen, including ex-Officer-in-Charge (OC) Pradeep Kumar Das, at Cox’s Bazar Court. It is to be noted that a [total of 205 people](#) were extrajudicially killed by Pradeep Kumar Das while he was the OC of Teknaf Police Station. Pradeep has been tried only for Sinha’s murder, as this was a highly sensitive case that sparked tension between the army and police.

Law enforcement agencies have regularly tried to cover up such killings by falsely describing them as deaths due to ‘gunfights’, ‘crossfire’, or ‘shootouts’. However, the United States’ sanctions on RAB in December 2021 caused the cases of extrajudicial killings to [decrease](#), which indicates that extrajudicial killings do exist in Bangladesh, despite being continuously denied by the government.

### **Recommendations:**

Odhikar recommends that the Bangladesh government:

- a. Conducts independent and impartial investigations into all the allegations of extrajudicial killings and bring the perpetrators to justice;
- b. Issues an invitation to the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions for a country visit.

## **ISSUE 3: TORTURE AND DEATH IN CUSTODY**

During the third UPR cycle, more than 10 countries made recommendations in relation to prohibiting torture and cruel, inhuman or degrading treatment; and to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

### **New Developments:**

Torture and other forms of degrading treatment have become institutionalised practices in Bangladesh, despite the enactment of the Torture and Custodial Death (Prevention) Act, 2013.

Members of law enforcement agencies continue to use torture and ill treatment, taking advantage of Bangladesh’s entrenched [culture of impunity](#) maintained by successive governments. [Deaths in custody](#) as a result of torture by law enforcement agencies have continued to occur. Custodial deaths due to torture have been regularly labeled as ‘suicide’ or ‘unnatural death’.

**Examples:** A [journalist](#) was allegedly blindfolded, tortured, and electrocuted in the custody of the Detective Branch of Police on 23 January 2023, after being arrested by the police in Satkhira District. The case of a [yarn trader](#) from Gazipur, who died due to torture in police custody on 18 January 2023, not only shed light on custodial torture leading to the death of the victim, but also revealed how the police fabricate stories to cover up their misdeeds.

### **Recommendations:**

Odhikar recommends that the Bangladesh government:

- a. Immediately puts an end to torture and impunity; ensures the security of torture victims and their families; and takes punitive action against the perpetrators;

- b. Ratifies the [OPCAT](#), and recognises the competence of the Committee against Torture to receive and consider individual complaints of torture;
- c. Issues an invitation to the Special Rapporteur on Torture to visit Bangladesh.