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WATCH

## “No Right to Live”

“Kneecapping” and Maiming of Detainees  
by Bangladesh Security Forces





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**“Kneecapping” and Maiming of Detainees by Bangladesh  
Security Forces**

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Printed in the United States of America

ISBN: 978-1-6231-34075

Cover design by Rafael Jimenez

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# Map of Bangladesh







## Summary

On the morning of February 28, 2013, the opposition Jamaat-e-Islami party called a strike to protest the death penalty handed down against its leader, Delwar Hossain Sayedee, who had been convicted by Bangladesh's International Crimes Tribunal (ICT). One of the protests took place near Dhaka's International Islamic University. Fazal, an 18-year-old law student who resided in a nearby student dorm in the Kutubbagh area, said he did not participate in the protest but had just left his dorm to go to breakfast when he heard gunshots and saw people running. Fazal, who asked Human Rights Watch to use a pseudonym to limit the chances of police retribution, said he saw police beating three men, and that as he moved away a man grabbed him by his shirt collar from behind. Fazal said he was beaten and then brought to the Sher-e-Bangla Police Station.

A television crew happened to film the arrest, showing that he was healthy when taken into custody. Fazal said there were several other detainees at the police station, all with gunshot injuries. He heard the police sub-inspector (SI) ask about him:

I was sitting on the floor with the others. The SI said, "He has not been shot. Bring him out." They grabbed me by my collar and pulled me to the back of the police station. It was an area where they bathe. In fact, it was early in the morning, and there were some policemen there, a little further away, brushing their teeth or shaving. Then the policemen started loading their rifles in front of me. I asked, "What is my fault?" I begged them to spare me. They said, "Keep quiet. Stand with your eyes shut. We are going to shoot. If you talk too much we will shoot you in the chest." One of the men said, "Give us five lakh taka [US\$6,300]. We will let you go." I heard five lakhs and kept quiet. I knew my family couldn't give five lakhs. They started hitting me with rifles. The SI who was supposed to shoot me said, "Blindfold him." They tied my eyes. I knew they were shooting me. I heard the sound. Then I woke up I found myself in the verandah, bleeding. I realized I had been shot.

Fazal was shot just below his knee and his leg had to be amputated.

Anis, a 45-year-old bookseller who also did not want us to reveal his identity, was picked up by the police near the same protest. He said he lost his leg after the police shot him that same day at the Sher-e-Bangla Nagar Police Station.

Police have claimed that Fazal and Anis are among 11 people arrested from the area after hundreds of protesters attacked police and bystanders. The police said they had to fire 47 blank rounds in self-defense to control the situation, and they deny that anyone was deliberately shot in custody. However, hospital records from the National Institute of Traumatology and Orthopaedic Rehabilitation show that both men were brought to the emergency unit with gunshot injuries to their left legs.

Mahbub Kabir, a marketing officer at the pro-Jamaat daily newspaper *Naya Diganta*, said he was stopped by police on March 18, 2013, on his way to work. He said that after checking his employee identification, a senior officer of Mirpur Police Station shot him in his right leg. The shooting was witnessed by other journalists who said that Mahbub Kabir had not resisted arrest or attacked the police. The police later took him to a government orthopedic hospital and filed two cases against him for rioting and vandalism, although Mahbub Kabir said that the only thing recovered from his person was an inhaler he carries for his asthma. Mahbub Kabir said that the officer also threatened him, warning: “I have shot in your leg. If you speak out, then next time I will shoot in your eyes.”

Akram (pseudonym), a 32-year-old farmer, said that a police officer deliberately shot him in the leg after a raid in Chittagong. The officer, while denying the allegation, told a Bangladesh human rights organization that a dangerous criminal like Akram had “no right to live.” Admitting that he shot another criminal suspect in Chittagong a few months later during an alleged armed exchange, he also acknowledged the culture of extrajudicial killings in Bangladesh, saying: “[The suspect] is still alive because he was arrested by the police. If the RAB [Rapid Action Battalion] or any other law enforcement agencies caught him, he would have been dead.”

This report documents a spate of alleged “kneecappings”—deliberate shootings of detainees, typically in the lower leg—and other unlawful shootings by Bangladeshi security forces since 2013. Several opposition party supporters, including members of the Bangladesh Nationalist Party (BNP) and Chhatra Shibir, the student wing of Jamaat-e-Islami, said that police in Bangladesh deliberately shot them after detaining them, then

falsely claimed that they were shot in self-defense or during violent protests. Other people we spoke with said they were shot in public while attending or passing by anti-government demonstrations.

Most of the people interviewed for this report were unwilling to be identified, fearing legal retribution, as almost all are facing criminal cases. Others feared arbitrary arrest, disappearance, torture, or extrajudicial killing—abuses that are all too common in Bangladesh, particularly against opposition party members. Many admitted that their family members had paid bribes to obtain bail, prevent additional human rights abuses in custody, or ensure medical treatment.

While Human Rights Watch is not in a position to definitively conclude in every case that police claims that the victims were shot in self-defense or in crossfire during violent protests are false, the victims' accounts presented here alleging that police shot them when they posed no threat are detailed and compelling. All of the cases warrant rigorous, independent investigation and, as appropriate, criminal prosecution of the responsible police officers and commanders. To date, no such investigations, let alone prosecutions, have taken place. Only in the case of Mohammad Afzal Hossain, a correspondent with a privately owned news channel in Bangladesh, NTV, who was shot in the leg while covering local elections on March 31, 2016, did the police admit to wrongful shooting and suspend a policeman, though they insisted his weapon had discharged by accident.

Most of the victims we interviewed said they have suffered permanent injuries or disabilities. Common injuries from kneecappings include damage to kneecaps, soft tissue, blood vessels, muscles, and nerves. A number had limbs amputated. Many said that they were denied proper medical treatment for their injuries and instead were jailed. For example, one 24-year-old Jamaat supporter said that security forces shot him in March 2013 and then brought him to a government orthopedic hospital, where he was charged with vandalism and illegal use of explosives. He said that the medical staff did not want to attend to him and the doctors were very hostile: "They scolded me about my politics. I waited for two hours before they gave me first aid."

One 22-year-old said he spent eight months in jail after he was shot in September 2013. His tibia was shattered and he could not move. He was under the care of the jail's medical staff,

but he had to pay other inmates to help him: “I was completely helpless. I could not sit up because of the pain. People had to feed me—the other inmates. But I had to pay them.”

One doctor admitted that he handled several cases where the police used shotguns to shoot at legs:

Now the police have changed their methods. Such as, if they twist my hand like this, then no one will be able to understand whether it happened accidentally or intentionally.... In some cases, bullets pierce through the body, so there is no evidence found. In some cases, the bullet breaks into many parts. We call them pellets. These pellets remain inside the body. I saw a number of patients come here with such kind of injuries. These pellets are not harmful until they move into the vein. If this happens, then that part of the body may have to be amputated.

Human Rights Watch has long documented abuses by security forces under both Awami League and BNP governments, as well as the interim military-backed caretaker government. These include torture, enforced disappearances, arbitrary arrests, and unlawful destruction of private property. They also include extrajudicial executions, widely referred to as “crossfire” killings in Bangladesh because security forces falsely claim that that the individual was killed during an armed exchange of fire.

Security forces have made similar claims to explain most of the alleged kneecappings documented in this report. For instance, Selim (pseudonym), 18, alleges he was interrogated, beaten, and tortured, and then taken out by security forces and shot in his left leg. His leg has been amputated. His father believes Selim was punished because he had an altercation with local supporters of the ruling Awami League party. However, the police have claimed that Selim is a militant member of Chhatra Shibir. Police said that after his arrest, upon interrogation Selim agreed to show them where weapons were stored in a mango orchard. The police claimed that Selim’s associates attacked them during the search, so they then opened fire in self-defense and Selim was shot when he attempted to escape.

Most of the cases documented here appear to have been politically motivated. The practice of custodial shootings appears to have increased significantly following street clashes in February 2013, when the ICT sentenced Sayedee to death for war crimes during Bangladesh's 1971 "liberation war" with Pakistan. Jamaat supporters took to the streets after the sentencing and were responsible for many deaths and injuries. Security forces responded fiercely, targeting both protesters and bystanders. The Supreme Court later overturned the death penalty and Sayedee was sentenced to life in prison.

Violence broke out again in the months preceding the January 2014 general elections. The main opposition party, the Bangladesh Nationalist Party (BNP), decided to boycott the polls, demanding that as in the past they be held under the supervision of a caretaker government. Supporters of the BNP and Jamaat-e-Islami used petrol bombs and targeted the public to enforce strikes and economic blockades. Hundreds were killed and injured in the violence.

The ruling Awami League won the election largely unopposed, and Sheikh Hasina Wazed continued as prime minister. However, violent protests by the BNP, Jamaat, and others, which were met with security force violence and government repression, peaked around the anniversary of the election in January 2015, once again leading to death and injuries. Human Rights Watch has previously documented violent attacks by opposition supporters, particularly the use of Molotov cocktails on public transportation which killed ordinary commuters and caused severe burn injuries. In response, the government cracked down on opposition members, naming hundreds of them as suspects in violent attacks.

Activists say they believe Bangladesh authorities adopted the practice of kneecapping to punish and dissuade people from participating in street protests, many of which have resulted in extreme violence by protesters and security forces alike. Security officials claim that protesters have been shot to prevent them from engaging in violent attacks on the public or their property, or in self-defense.

Human Rights Watch recognizes that security officials are often under enormous pressure to prevent violence in demonstrations. However, they still have the responsibility to act within domestic and international law. Bangladesh is a state party to several central international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment. Bangladesh is thus obliged to ensure that no one is subjected to torture, and that in the adjudication of a criminal charge, everyone is entitled to a fair and public hearing by a tribunal established by law, and presumed innocent until proven guilty.

Under international human rights law, Bangladesh is also obliged to thoroughly and promptly investigate serious violations of human rights, prosecute those implicated by the evidence and, if their guilt is established following a fair trial, impose proportionate penalties. Implied in this is that all victims shall have the opportunity to assert their rights and receive a fair and effective remedy, that those responsible shall stand trial, and that the victims themselves can obtain reparations.

The Bangladesh government should ensure an immediate, independent investigation into allegations of arbitrary or abusive use of force and firearms by law enforcement officials and criminally prosecute those found responsible. Superior officers should be held responsible if they knew or should have known that personnel under their command resorted to the unlawful use of force and firearms but did not take all measures in their power to prevent, suppress, or report such use.

The Bangladesh government should publicly order the security forces to abide by the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. The Basic Principles state that security forces' "intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life." The Basic Principles further provide that "in cases of death and serious injury or other grave consequences, a detailed report shall be sent promptly to the competent authorities." The authorities should investigate the use of firearms that resulted in these injuries to limbs leading to temporary or permanent disabilities. The findings of the investigation should be made public and result in appropriate disciplinary action or prosecution.

## Methodology

This report draws on over 50 interviews conducted between April 2015 and June 2016 with victims, family members of victims, witnesses, medical officers, and police.

All interviews were conducted in Bengali. We informed interviewees how the information gathered would be used and that they could decline the interview or terminate it at any point. No payments were made to interviewees.

The names of all but two victims have been replaced with pseudonyms, as indicated in relevant citations. In two cases that became public, both concerning members of the media, we have used their real names.

Human Rights Watch discovered incidents of “kneecapping” in the course of gathering testimony on human rights abuses by both opposition supporters and government forces during violent political protests. We contacted organizations and individuals in Bangladesh to see if they had documented these cases as well. Some had already documented cases and shared their findings with us, provided us with contact information, and helped arrange interviews. Since most of the victims faced criminal charges and some had already been threatened with extrajudicial execution if they spoke about being targeted for deliberate shootings by security forces, many victims previously had been unwilling to speak publicly about their cases and they are reported for the first time here. Many of the victims are members of the Jamaat-e-Islami student wing. They are in hiding and still do not wish to be identified for fear of retribution.

While it was difficult to corroborate victim accounts, testimonies gathered from various parts of the country from individuals not connected to each other suggest a worrying pattern of security force abuses that should be investigated, prosecuted, and stopped. A Bangladesh human rights group assisted Human Rights Watch in documenting cases including interviews with witnesses, police officials, and doctors. The government crackdown on civil society organizations is so severe that none of the groups that assisted us in this project are willing to be named. Afzal Hossain, a human rights defender associated with Bangladesh group Odhikar, became the victim of such a shooting himself.

# I. Background: Security Forces Abuse and Lack of Accountability

Bangladesh is facing serious security challenges. Some are aimed at security forces, but most target members of the public.

Over 50 people including writers, editors, bloggers, members of minority religious groups, and gay rights activists have been killed since 2013, often through attacks with machetes in public places. Many of these killings were subsequently claimed by the Islamic State, also known as ISIS, and by Ansar al-Islam, a Bangladeshi militant group linked to Al-Qaeda, but their involvement has not been established. The government denies the presence of both groups in the country.<sup>1</sup>

The killings of bloggers and others who allegedly do not conform to Islamist principles began in 2013 and, following a brief respite in 2014, resumed in 2015. The government initially asked those targeted to censor their writing or curtail their activities. But following the high profile murders of two gay rights activists on April 25, 2016, and of the wife of a senior police officer responsible for counterterrorism operations on June 5, the government announced a new crackdown on extremists to bring an end to these killings. Police arbitrarily detained over 14,000 people during one week in June 2016 without credible evidence of criminal activities.<sup>2</sup>

On July 1, 2016, armed gunmen attacked the Holey Artisan Bakery café in Dhaka, killing more than 20 people and holding others inside hostage. Security forces stormed the café on the morning of July 2, killing several of the gunmen and securing the safety of the

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<sup>1</sup> “Bangladesh students protest after blogger hacked to death,” *BBC News*, April 7, 2016, <http://www.bbc.com/news/world-asia-35987345> (accessed June 22, 2016); “Bangladesh: Killer of Blogger Blow to Free Speech,” Human Rights Watch news release, May 12, 2015, <https://www.hrw.org/news/2015/05/12/bangladesh-killing-blogger-blow-free-speech>; “Bangladesh: Investigate LGBT Murders,” Human Rights Watch news release, April 26, 2016, <https://www.hrw.org/news/2016/04/26/bangladesh-investigate-lgbt-murders>.

<sup>2</sup> Mainul Islam Khan and Shashank Bengali, “Bangladesh crackdown: more than 14,000 arrests, yet machete attacks continue,” *Los Angeles Times*, June 16, 2016, <http://www.latimes.com/world/asia/la-fg-bangladesh-crackdown-20160616-snap-story.html> (accessed June 22, 2016).



remaining 13 hostages.<sup>3</sup> Although ISIS claimed the attack, authorities in Bangladesh suspect domestic groups and have launched a crackdown.<sup>4</sup> Human rights activists allege that many are being illegally detained. These include two men, Hasanat Karim and Tahmid Khan, who were held hostage in the July 1 attack but then detained illegally for questioning by authorities for nearly a month before they were produced in court.

Apart from these recent threats by extremist groups, political protests in Bangladesh are also often violent. Strikes and blockades called for by the opposition in 2013 and 2014 caused significant hardship, affecting essential supplies in cities, making it impossible to get farm produce to markets, and shutting down businesses, schools, and universities. Violent attacks by some protesters caused large numbers of deaths and injuries.

Authorities in Bangladesh have the responsibility to maintain public order. However, since February 2013, after a series of violent protests by supporters of opposition parties, security forces including both police and members of the Rapid Action Battalion have been accused of serious human rights violations during operations to counter these protests.<sup>5</sup>

Human Rights Watch has previously documented numerous cases of extrajudicial killings, where individuals were killed after detention, by the Rapid Action Battalion (RAB), a counterterror unit in Bangladesh made up of seconded police officers and soldiers.<sup>6</sup> Despite promises of accountability by a series of governments—including the last one led by the BNP, which created RAB in 2004; the subsequent military-backed caretaker regime; and the current government of the Awami League, in power since 2009—RAB continues to operate as a death squad with impunity. Although RAB is officially led by a senior police officer, in practice RAB is run by the military as the police are treated as subservient to the

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<sup>3</sup> Saad Hammadi, Rosie Scammell, and Alan Yuhas, “Dhaka cafe attack ends with 20 hostages among dead,” *Guardian*, July 3, 2016, <https://www.theguardian.com/world/2016/jul/01/dhaka-bangladesh-restaurant-attack-hostages> (accessed July 20, 2016).

<sup>4</sup> “Bangladesh still denies ISIS role in Dhaka hostage horror,” *CBS News*, July 3, 2016, <http://www.cbsnews.com/news/bangladesh-isis-dhaka-bombing-evidence-denial/> (accessed July 20, 2016).

<sup>5</sup> Human Rights Watch, *Blood on the Streets: The Use of Excessive Force During Bangladesh Protests*, August 2013, <https://www.hrw.org/report/2013/08/01/blood-streets/use-excessive-force-during-bangladesh-protests>; *Democracy in the Crossfire: Opposition Violence and Government Abuses in the 2014 Pre- and Post- Election Period in Bangladesh*, April 2014, <https://www.hrw.org/report/2014/04/29/democracy-crossfire/opposition-violence-and-government-abuses-2014-pre-and-post>.

<sup>6</sup> Human Rights Watch, *Judge, Jury, and Executioner: Torture and Extrajudicial Killings by Bangladesh’s Elite Security Force*, December 2006, <https://www.hrw.org/report/2006/12/13/judge-jury-and-executioner/torture-and-extrajudicial-killings-bangladeshs-elite>; “*Crossfire*”: *Continued Human Rights Abuses by Bangladesh’s Rapid Action Battalion*, May 2011, <https://www.hrw.org/report/2011/05/10/crossfire/continued-human-rights-abuses-bangladeshs-rapid-action-battalion>.

army. Human Rights Watch has called upon the government to disband RAB and replace it with a rights respecting civilian force.<sup>7</sup>

With the military deployed in civilian law enforcement duties through RAB but without proper training or civilian accountability and oversight, abusive methods have now percolated through the policing system.<sup>8</sup> In recent years, the police, particularly members of the Detective Branch, have been accused of serious violations including torture, killings, and enforced disappearances.<sup>9</sup>

## Protests Linked to the International Crimes Tribunal

The International Crimes Tribunal (ICT), a specially constituted court set up to prosecute those responsible for atrocities committed during the country's 1971 war of independence, was established by the Awami League government after it came to power in 2009. The ICT has handed down many judgments, most of them including the death penalty. Six men have already been hanged.

The allegation of war crimes is a controversial subject in Bangladesh. When Abdul Quader Mollah, assistant secretary general of the Jamaat-e-Islami party, was sentenced to life in prison on February 5, 2013, he flashed a "V" for victory sign to an assembled crowd and the media. Outraged that he appeared unrepentant and fearful that a future BNP government would release him, many segments of the public protested, calling for Mollah to be hanged. Protests, initially centered in the Shahbagh neighborhood of Dhaka, sprang up with hundreds of thousands of people attending, and soon became a flash point for existing tensions between various political factions in Bangladesh.

On February 28, 2013, the ICT convicted the vice president of the Jamaat party, Delwar Hossain Sayedee, of war crimes and sentenced him to death. Immediately following this decision, protests broke out in Dhaka and districts around the country organized by both supporters and opponents of the verdicts. These demonstrations resulted in dozens of

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<sup>7</sup> "Bangladesh: Disband Death Squad," Human Rights Watch news release, July 20, 2014, <https://www.hrw.org/news/2014/07/20/bangladesh-disband-death-squad>.

<sup>8</sup> US State Department, Bureau of Democracy, Human Rights, and Labor, "Country Reports on Human Rights Practices – 2015: Bangladesh," <http://www.state.gov/documents/organization/253171.pdf> (accessed July 22, 2016).

<sup>9</sup> Human Rights Watch, *World Report 2016*, Bangladesh chapter, <https://www.hrw.org/world-report/2016/country-chapters/bangladesh>.

deaths of protesters, bystanders, and police officers. Sayedee's sentence was eventually reduced to life in prison, but the violent protests resulted in a security force crackdown on Jamaat and its student wing.<sup>10</sup>

## Election-Related Political Violence

The January 2014 parliamentary elections in Bangladesh were the most violent in the country's history.<sup>11</sup> Months of political violence before and after the elections left at least hundreds dead and many more injured across the country.

The BNP and other opposition parties staged blockades and demonstrations beginning in October 2013.<sup>12</sup> Their chief demand was the reinstatement of the neutral caretaker government system to oversee elections, which the Awami League had previously supported but then abolished after taking power. Tensions were further heightened after Jamaat-e-Islami, the country's largest religious party and former coalition partner of the BNP, was disqualified from participating in the 2014 polls after the Supreme Court and the Election Commission ruled that its charter violated the constitution.<sup>13</sup>

BNP and Jamaat supporters attacked and killed people who refused to honor blockades, as well as security forces and members of the Awami League. The minority Hindu community, long the target of Islamist extremist groups and others, was also singled out for attacks. During the vote itself on January 5, opposition activists targeted election officials and attacked schools and other buildings serving as polling places.<sup>14</sup>

The government deployed police, RAB, and the Border Guard Bangladesh (BGB), who together operated as "joint forces." Members of these units individually or in joint operations carried out extrajudicial executions, enforced disappearances, arbitrary arrests,

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<sup>10</sup> Human Rights Watch, *Blood on the Streets*.

<sup>11</sup> "Bangladesh ruling party wins country's 'most violent' election," *South China Morning Post*, January 6, 2014, <http://www.scmp.com/news/asia/article/1399058/bangladesh-ruling-party-wins-countrys-most-violent-election> (accessed July 1, 2016).

<sup>12</sup> See, for example, Gordon Fairclough and Syed Zain Al-Mahmood, "Political Violence, Boycotts Imperil Bangladesh Election," *Wall Street Journal*, December 5, 2013, <http://www.wsj.com/articles/SB10001424052702303722104579240064275790426> (accessed July 22, 2016).

<sup>13</sup> "Bangladesh high court restricts Islamist party Jamaat," *BBC News*, August 1, 2013, <http://www.bbc.co.uk/news/world-asia-23531826> (accessed July 3, 2016).

<sup>14</sup> Human Rights Watch, *Democracy in the Crossfire*.

and the unlawful destruction of private property. These abuses continued long after election day. As a result of the opposition boycott, more than half of Bangladesh's parliamentary seats were uncontested and the Awami League won nearly 80 percent of the seats, leaving the country effectively without a parliamentary opposition.<sup>15</sup>

In the run-up to the anniversary of the election in 2015, the BNP once again called for a blockade.<sup>16</sup> Numerous commuters were killed or injured as some members of the BNP violently enforced the blockade. Security forces were responsible for serious abuses, including arbitrary arrests, torture, enforced disappearances, and killings.<sup>17</sup>

State abuses took a more sinister turn on March 10, 2015, when BNP spokesperson Salahuddin Ahmed was abducted from a friend's apartment where he had been in hiding. Witnesses said the abductors identified themselves as members of the Detective Branch, while other witnesses reported RAB vehicles in the area. In May, Ahmed was found in India and charged by Indian authorities with illegal entry.<sup>18</sup> He sought protection from the United Nations refugee agency (UNHCR), saying he had been abducted by unknown gunmen and feared for his life if returned to Bangladesh.<sup>19</sup>

Several other BNP supporters remain disappeared.<sup>20</sup> For example, 19 BNP supporters were picked up by security forces in front of witnesses in a two week period from November 28 to December 11, 2013, during election-related protests. None of them have been returned.<sup>21</sup>

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<sup>15</sup> Ibid.

<sup>16</sup> "Bangladesh opposition leader Zia calls for blockade," *BBC News*, January 5, 2015, <http://www.bbc.co.uk/news/world-asia-30678474> (accessed June 22, 2016).

<sup>17</sup> Human Rights Watch, *Democracy in the Crossfire*.

<sup>18</sup> Monideepa Banerjee, "Missing Bangladesh Opposition Leader Arrested in Shillong," *NDTV*, May 13, 2015, <http://www.ndtv.com/india-news/missing-bangladesh-opposition-leader-arrested-in-shillong-762549> (accessed June 23, 2016).

<sup>19</sup> In November 2010, Shukho Ranjan Bali, a defense witness at the ICT, was abducted from the gates of the war crimes courthouse in Dhaka. He was later found in a jail in India when he met pro bono immigration lawyers. Bali said that he had been abducted by the Bangladeshi police from the entrance to the ICT courthouse, detained in Bangladesh, then forced by Bangladeshi security forces across the border into India, where he claims he was detained by India's Border Security Force (BSF) before being held in Kolkata's Dum Dum jail. See "India: Protect Bangladesh War Crimes Trial Witness," Human Rights Watch news release, May 16, 2013, <https://www.hrw.org/news/2013/05/16/india-protect-bangladesh-war-crimes-trial-witness>.

<sup>20</sup> Muktadir Rashid and David Bergman, "Opposition Activists Main Target," *NewsBangladesh.com*, August 30, 2015, <http://www.newsbangladesh.com/english/details/6367> (accessed April 2, 2016).

<sup>21</sup> See "Bangladesh Politico" for a series of articles on these disappearances, "19 opposition activists disappeared in Dhaka, over 2 weeks," December 6, 2014, <http://bangladeshpolitico.blogspot.co.uk/2014/12/19-opposition-activists-disappeared-in.html> (accessed June 1, 2016).

In 2012, BNP leader Elias Ali went missing, and the authorities have failed to determine his fate.

Human Rights Watch and other groups have documented numerous enforced disappearances in Bangladesh, largely by members of the security forces, since at least 2007. In May 2014, Bangladesh authorities ordered investigations of members of the Rapid Action Battalion (RAB) for their role in the abduction and apparent contract killing of seven people in Narayanganj, but only because of intense media scrutiny. RAB officials had earlier denied their role, but were exposed after the corpses, drowned in a lake, accidentally floated up.

Ain o Salish Kendra, a Dhaka-based nongovernment organization, recorded 55 cases of enforced disappearances in 2015.<sup>22</sup> In 2016, the group has reported 25 cases as of May.<sup>23</sup>

The opposition Jamaat-e-Islami party claims its activists have been arrested and tortured by the police, including the Detective Branch, and said several members have been killed by security forces since 2013.

The government has failed to conduct serious investigations into allegations of violations by security forces in any of the incidents described above, even in cases where family members identified the perpetrators to be members of RAB or police.

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<sup>22</sup> Ain o Salish Kendra, “Enforced Disappearance: January-December 2015,” January 7, 2016, <http://www.askbd.org/ask/2016/01/07/enforced-disappearance-january-december-2015/> (accessed June 1, 2016).

<sup>23</sup> Ain o Salish Kendra, “Enforced Disappearance: January-April 2016,” May 8, 2016, <http://www.askbd.org/ask/2016/05/08/enforced-disappearance-january-april-2016/> (accessed June 1, 2016).

## II. Deliberate Shooting and Maiming of Detainees

Activists say they believe Bangladesh authorities adopted the practice of deliberate shooting to maim people after detention in order to dissuade them from participating in street protests and as punishment. Security officials say that protesters were shot to prevent them from engaging in violent attacks on the public or their property, or that they were forced to open fire in self-defense when they were outnumbered and at risk.<sup>24</sup>

Many of the victims admit to being members of the opposition BNP or Jamaat-e-Islami parties, or one of their student wings. In some cases, they also admit to joining political protests while denying that they engaged in violent attacks. Even if they had engaged in violence or other criminal acts, of course, it would not justify security forces shooting them while in detention or when they otherwise did not pose a threat.

### Case of Kamal

Kamal, 20, said he set out in Dhaka to buy some medicine the morning of January 28, 2013, when he was arrested. He said he did not realize there was a demonstration outside, but when he reached the main street there was a large deployment of security forces who assumed he was part of the protest.<sup>25</sup>

The police caught me and brought me to a police station. Eleven policemen started beating me with a rod. They were verbally abusing me, but did not ask any questions. Then they shot me in the elbow. And they also shot at my shoulder. Then a Detective Branch officer shoved his finger in my eye. My spectacles broke and glass went into my left eye. My eye was bleeding.... Some of the men were in uniform. Others were in civilian clothes. I had no opportunity to speak. I was only screaming.<sup>26</sup>

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<sup>24</sup> “Shot while in police custody,” *Bangladesh Chronicle/UNB Connect*, March 1, 2014, <http://bangladeshchronicle.net/2014/03/shot-while-in-police-custody/> (accessed June 22, 2016).

<sup>25</sup> Anis Ahmed, “Scores hurt as Islamists take to Bangladesh streets over tribunal,” Reuters, January 28, 2013, <http://www.reuters.com/article/us-bangladesh-islamists-idUSBRE9oRo7Y20130128> (accessed July 2, 2016).

<sup>26</sup> Interview with Kamal (pseudonym, details withheld), April 18, 2015.

Kamal said that when he tried to cover his eyes with his hands to protect them, one of the policemen twisted his fingers and broke them. He said he fell unconscious and then after he revived was transported to Detective Branch headquarters. He was interrogated again. After some time, the torture stopped.

Kamal later discovered that the police had called his father. After his father bribed a senior official, the police took him to the hospital: “They must have seen my injuries and got frightened. Once they had the money from my father, they became nicer. Late at night, they took me to hospital. Then the doctors plastered me from finger joint to shoulder joint.”<sup>27</sup> Kamal was jailed for three months and then released on bail. He is still facing charges of vandalism, possession of illegal explosives, obstructing police from performing their duties, and attacking police officials. He said all the charges have been fabricated.

## Case of Shafiq

Shafiq said he joined the Jamaat youth wing, the Chhatra Shibir, when he was 16, but has never taken part in any violent attacks. On February 12, 2013, Shafiq was a 24-year-old student at Dhaka University. He said he took part in a peaceful demonstration along with about 30 to 35 other protesters.<sup>28</sup>

The police started firing indiscriminately. We all ran. I saw a man in civilian clothes. He grabbed me by the hand, pulled out his revolver and shot me point blank in my ankle. He left me lying there and went ahead. Meanwhile, other uniformed police arrived. They started hitting me. Then the police put me into a police van. They just tossed me in like a sack. There were two people already in the van. One had been shot in the arm. He was Hindu, and just a bystander. The other had been shot in the stomach.<sup>29</sup>

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<sup>27</sup> Ibid.

<sup>28</sup> “Clashes over war crime trials hit Bangladesh capital,” Agence France-Presse, February 12, 2013, <http://www.dawn.com/news/785537/clashes-over-war-crime-trials-hit-bangladesh-capital> (accessed November 6, 2015).

<sup>29</sup> Interview with Shafiq (pseudonym, details withheld), June 9, 2015.

The police brought Shafiq to an orthopedic hospital, where he said the doctors were very hostile: “They scolded me about my politics. I waited for two hours before they gave me first aid. They tied my leg up with a splint and bandage.”<sup>30</sup>

Shafiq said he was brought to a police station from the hospital, where he was left lying in a corridor. Finally his brother arrived and met with the police. “Meanwhile, the police had checked and discovered that I was not involved in any crime. But they told my brother, ‘Now that we have shot him, we will have to file a case. Otherwise it will be a problem for us.’”<sup>31</sup>

Shafiq was sent to the jail hospital where he remained for three months. His family had to bribe jail doctors to ensure he received treatment and painkillers. He is still facing charges.

## Case of Mohammad

Mohammad, 20, said that he left college early on February 18, 2013, to watch a football match on television. While he was on a bus there was a loud explosion. The bus stopped and he got off along with the other passengers, but was then stopped and detained. He said:

A man came up and started hitting me. I said I have my college ID card. I offered to show it but he did not listen. I later realized he was a policeman, though he was not in uniform. He took me to the police station. I had a backpack, and the man had confiscated it. At the police station he said that bag had cocktail bombs. The police beat me up. When I could no longer stand they left me lying on the floor. I heard them talking on the phone. They were asking, “Sir, should we crossfire?”<sup>32</sup> I was terrified. Then they picked me up and blindfolded me. They tied my arms behind my back. I kept asking, “Where are you taking me?” I begged, “Please don’t crossfire. I am only a student.” Two people held me so I was standing. Then I was shot from behind. I became unconscious. When I woke up it was two days later, and I was in hospital and I had been shot in the leg. My father was there. He

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> As noted above, the term “crossfire”—both as a noun and verb—has come to refer to extrajudicial executions in Bangladesh, with security forces falsely claiming that a defenseless victim deliberately shot by security forces was instead killed during an exchange of fire. As indicated here, the term is at times even used by security forces themselves to refer to such deliberate shootings.



had already spoken to the police. My father said to me, “There is nothing to do. It has happened. The police realize they shot you wrongly.”<sup>33</sup>

His family had to bribe hospital officials, he said: “At the hospital, they did not want to treat people that were victims of police shooting. I was shot at noon, but the doctors only took me in at night, after my parents paid them.”<sup>34</sup>

The police filed criminal charges against him and he was transferred to the jail hospital two days after he was shot. There he met others who had similar gunshot injuries: “There were 15 to 20 of us. All of us had been shot. One of them had the leg amputated.”<sup>35</sup> He was released on bail but is still facing charges.

## Case of Fazal

Fazal, an 18-year-old law student at Dhaka’s International Islamic University, was living in a privately-run student dorm in Panthapath in February 2013. On February 28, after the Jamaat party called a strike to protest the death penalty against their leader Sayedee, the woman who cooked for the students did not turn up. At about 7 a.m. Fazal decided to walk to a college canteen nearby for breakfast. A little way from his residence, in the Kutubbagh area, he said he saw protesters at a demonstration.<sup>36</sup> Suddenly bullets were fired and people began to run, so he ran as well. He said he saw police beating three men so he quickly moved away, but a man came and grabbed him by his shirt collar from behind. Fazal said he was beaten and then brought to the Sher-e-Bangla Police Station:

I was walking on the footpath. I didn’t know but there had been an incident earlier. I saw police beating three men. So I crossed the street. But two men came in civilian clothes and grabbed me. One of the men put his pistol against my head, and then my stomach. I asked, “What is wrong? What I have done?” The policemen asked me to shut up, and dragged me to where the other men were being beaten. There I was also beaten.<sup>37</sup>

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<sup>33</sup> Interview with Mohammad (pseudonym, details withheld), June 9, 2015.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> “Terror Unleashed,” *Daily Star*, March 1, 2013, <http://www.thedailystar.net/news-detail-270917> (accessed July 12, 2016).

<sup>37</sup> Interview with Fazal (pseudonym, details withheld), April 18, 2015.

A television crew happened to film the arrest, showing that Fazal was healthy when taken into custody.<sup>38</sup> Fazal said there were several other detainees at the police station, all with gunshot injuries. He heard the sub-inspector (SI) ask about him:

I was sitting on the floor with the others. The SI said, “He has not been shot. Bring him out.” They grabbed me by collar and pulled me to the back of the police station. It was an area where they bathe. In fact, it was early in the morning, and there were some policemen there, a little further away, brushing their teeth or shaving. Then the policemen started loading their rifles in front of me. I asked, “What is my fault?” I begged them to spare me. They said, “Keep quiet. Stand with your eyes shut. We are going to shoot. If you talk too much we will shoot you in the chest.” One of the men said, “Give us five lakh taka [US\$6,300]. We will let you go.” I heard five lakhs and kept quiet. I knew my family couldn’t give five lakhs. They started hitting me with rifles. The SI who was supposed to shoot me said, “Blindfold him.” They tied my eyes. I knew they were shooting me. I heard the sound. Then I woke up I found myself in the verandah, bleeding. I realized I had been shot.<sup>39</sup>

Fazal thinks he was unconscious for a while, but when he recovered he found that his leg was numb and he could not move it. He probed with his fingers and discovered he had been shot in the back of his leg, below the knee. He said he was lying there for about 20 minutes before he heard voices discussing that he should be taken to hospital:

About 20 minutes later I heard a voice, “He is not dead. Take him to hospital.” Two people dragged and put me in a police van. They took me to an orthopedic hospital.... The doctors said they can’t save the leg. After 13 days, my leg was amputated from above the knee. I now don’t have one leg.<sup>40</sup>

While Fazal was in the hospital, the police filed three cases against him, accusing him of obstructing the police in performing their duty, burning vehicles, and violating the Arms

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<sup>38</sup> “Bangladesh Verdict Sparks Deadly Protests,” Al Jazeera, February 28, 2013, <https://www.youtube.com/watch?v=SdkMl17zlqk> (accessed June 24, 2015).

<sup>39</sup> Interview with Fazal, April 18, 2015.

<sup>40</sup> Ibid.

Act, 1878. He was in the hospital for two months and then produced in court. After his bail plea was denied, Fazal was sent to jail.

Even when he was in jail, Fazal said his family had to pay: “My leg was infected. I could not stay in the crowded conditions. So they put me in a jail hospital. But we had to pay 20,000 taka [US\$250].” After his release he went to a private hospital. But he said the police have called him several times and threatened him: “They say, ‘Don’t do anything untoward.’”<sup>41</sup> The police have said that more than 150 protesters launched a violent attack the day Fazal was shot, throwing sticks and stones at police officers. The police say they fired 47 rounds of blank shots. They later arrested some of the injured protesters and sent them to a hospital.

According to hospital records, Fazal was brought to the emergency unit of the National Institute of Traumatology and Orthopaedic Rehabilitation on February 28, 2013, at about 7:50 a.m. by officers from the Sher-e-Bangla Nagar Police Station. He had gunshot injuries to his left leg.<sup>42</sup>

Fazal and several others are still facing charges for these protests. Fazal was eventually released on bail and is under private medical care. He still has to appear in court for hearings.

## Case of Anis

Anis, 45, said he runs a bookstore in Dhaka. He lives in Panthapath and said that he goes for a walk every day after morning prayers at the mosque. On February 28, 2013, as he was heading out for his walk after prayers, he saw protesters throwing sticks and stones at the police. Soon after, he heard gunshots. He decided that he should head back home, but was detained by the police:

The police brought me to Sher-e-Bangla Nagar Police Station. They confiscated my mobile phone and wallet. One policeman questioned me and said that I was a member of the Jamaat-e-Islami. I denied this. I also told the police to check video recordings from various television news journalists to confirm that I was not part of the demonstration. But they

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<sup>41</sup> Ibid.

<sup>42</sup> Hospital records, February 28, 2013, copy on file with Human Rights Watch.

would not listen. At around 7 p.m. a policeman put me into handcuffs and brought me out and made me stand. He then went behind me and shot me in my left leg. I must have fallen unconscious, because the next thing is that I found myself lying on a bed at National Institute of Traumatology and Orthopaedic Rehabilitation. Four days later, my left leg was amputated.<sup>43</sup>

Anis later discovered that the police had filed several cases against him including charges for rioting, obstructing a public servant from performing their duty, and attempted murder.<sup>44</sup> On March 30, 2013, after a month in the hospital, he was moved to jail. He is now out on bail. Anis denies the charges against him and says that the police shot him in custody.

## Case of Mahbub Kabir

Mahbub Kabir, who worked in the marketing department of the pro-Jamaat daily *Naya Diganta*, said that on March 18, 2013, he left for work early in an auto-rickshaw to avoid roadblocks created by an opposition strike. When he got near the Mirpur Stadium in Dhaka he ran into a demonstration. He said that after the police dispersed the protesters they pulled him out of the auto-rickshaw and shot him:

An officer at Mirpur Police Station shot me in my right leg. I lay injured on the road for half an hour. Then a few policemen dragged me into a microbus and brought me to hospital.<sup>45</sup>

Police filed two cases against Mahbub Kabir, under the Special Powers Act and for possession of explosives. Several newspapers reported the incident. Officer-in-charge Salahuddin interrogated him,<sup>46</sup> asking him to identify Jamaat leaders. According to Mahbub Kabir, the officer threatened him, saying, “I have shot in your leg. If you speak out, then next time I will shoot in your eyes.”<sup>47</sup>

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<sup>43</sup> Interview with Anis (pseudonym, details withheld), March 15, 2015.

<sup>44</sup> First Information Report, February 28, 2013, copy on file with Human Rights Watch.

<sup>45</sup> Telephone interview with Mahbub Kabir, June 23, 2016.

<sup>46</sup> Officer-in-charge Salahuddin Ahmed was later transferred from Mirpur to Banani and was killed during security operations against the gunmen at the café in Gulshan in July 2016.

<sup>47</sup> Phone interview with Mahbub Kabir, June 23, 2016.

Mahbub Kabir was treated at the national orthopedic hospital for three months and then spent another three months in Dhaka Central Jail. He is still receiving treatment. He cannot walk and has had to quit his job. His criminal case is ongoing.

## Case of Farid

Farid said he joined a demonstration on April 17, 2013, to protest the trials of Jamaat leaders at the ICT ahead of the verdict against Jamaat leader Ghulam Azam.<sup>48</sup> Four protestors, including Farid, were arrested. Farid said:

Police caught four of us and brought us to the police station. They beat us up. Then a senior officer arrived. He said, “Why didn’t you bring them dead?” Then he ordered that we be shot. The police took all four of us and lined us up in a row in the police station courtyard. One of them put his pistol on my knee. Then he shot me.<sup>49</sup>

Farid said he fell unconscious and the next thing he recalls is that he was at the orthopedic hospital. After the doctors cleaned and bandaged his injuries, Farid was produced before a magistrate who sent him to the jail hospital, where he remained for two months. He said: “The magistrate did not ask any questions, did not even look at hospital record of my injuries. Surely the doctors would have written that my injuries looked like I was shot at close range?”<sup>50</sup> Farid was released on bail but still faces charges.

## Case of Akram

Akram, 32, runs a farm and poultry feed business in Dakkhin Kanchana village in Chittagong district. He is a supporter of Jamaat. He said he got into a business dispute with local Awami League supporters when they refused to pay for poultry feed that they had purchased from him. In addition, he had a land dispute with a powerful local Awami League youth leader.

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<sup>48</sup> “Ghulam Azam Verdict Any Day,” *Daily Star*, April 17, 2013, <http://www.thedailystar.net/news/ghulam-azam-verdict-any-day> (accessed July 1, 2016).

<sup>49</sup> Interview with Farid (pseudonym, details withheld), June 9, 2016.

<sup>50</sup> *Ibid.*

Akram said that following his disputes with Awami League supporters, they falsely accused him of participating in the violent February 28 protest that took place after the ICT found Sayedee guilty. He said that on June 19, 2013, at about 4 a.m. a team of 20-25 policemen arrested him and seven of his workers:

After I was falsely accused, I was scared. I stopped going to my poultry feed shop and often stayed at the farm instead of my house. On the night of June 19, 2013, we woke up when police banged on the door. As soon as I answered, two policemen grabbed me and dragged me out of the farmhouse. I was handcuffed. The police also started beating my workers. At that time, [the Awami League supporters with whom he had a dispute] were also present.

After beating me for a few minutes, the police tied me to a tree. Then [a police officer] shot me above the knee in my left leg. On hearing the shot, the workers were frightened and tried to escape. While two managed to get away, the rest were caught and arrested. The police searched the farm and damaged equipment. They collected choppers, axes, spades, and other things which were used at the farm. I was taken to the Satkania Police Station. I was kept there for two hours before they brought me to hospital.<sup>51</sup>

While his leg was not amputated, Akram is permanently disabled.

One of the laborers who escaped during the raid said he saw the police tie Akram to a tree before he was shot in the leg.<sup>52</sup> While Akram was in the hospital, the police filed complaints against him under the Arms Act, mentioning the axes and spades recovered from the farm. He is also accused of obstructing police in their duties. Akram said the police had demanded bribes from his family.

A police officer said that Akram is a criminal and had “no right to live,” noting that local residents held a procession to celebrate his arrest. He said that the police had recovered guns and other weapons in the raid. The officer claimed that several policemen were

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<sup>51</sup> Interview with Akram (pseudonym), Chittagong Central Jail, December 8, 2015.

<sup>52</sup> Interview with laborer (details withheld), December 3, 2015.

injured during an exchange of fire when Akram was being arrested, and that Akram had shot himself in his own leg.<sup>53</sup>

## Case of Ali

In September 2013, Ali was a 22-year-old student living in a private student dorm, sharing quarters with four others in a multi-story building. On September 21 at about 5 p.m., he was alone in the room when seven or eight policemen and three RAB officials arrived. Although the RAB officials were in civilian clothes, they identified themselves as RAB. The police were in uniform. He saw that the officer-in-charge (OC) was wearing a badge identifying him. The security forces handcuffed him and then asked for information about Chhatra Shibir activists. He said he was slapped and verbally abused, and that the officers were angry when he was not able to give them any leads:

They said, “We have information that there are Shibir people staying here.” They searched the room and confiscated books and papers. I gave the numbers for my roommates, but none of them were reachable. The police were angry when they couldn’t find any of them. They were not satisfied with the information I gave. One policeman said, “We will shoot you.” Another man, I think he was a constable said, “No need to shoot.” Even the RAB people said, “Don’t shoot. It will cause problems.” But OC said, “We are the police. Nothing happens if we shoot.” Then they shot me on my right leg, just below the knee.<sup>54</sup>

The security forces then carried Ali downstairs and admitted him to a government orthopedic hospital. He was charged with vandalism and illegal use of explosives. He said: “I was considered a criminal so the doctors did not want to attend to me. I did not receive proper treatment. The doctors said they had no orders to take care of me. Doctors are supposed to take an oath, but they really ill-treated me.”<sup>55</sup>

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<sup>53</sup> Interview with police officer, Chittagong SP office, November 20, 2015.

<sup>54</sup> Interview with Ali (pseudonym, details withheld), April 18, 2015.

<sup>55</sup> Ibid.

Ali said that after 10 days he was shifted to a jail, where he spent eight months and three days. He was repeatedly denied bail, and his condition worsened. His tibia was shattered and he could not move. He was under the care of the jail's medical staff.

I was completely helpless. I could not sit up because of the pain. People had to feed me—the other inmates. But I had to pay them.<sup>56</sup>

After eight months he was finally released and able to get to a private hospital, where he had surgery. But his leg has still not recovered. It was bleeding through the bandages when he met with Human Rights Watch, one-and-a-half years after the initial injury. The only son of a single mother, his family is facing financial difficulties. He is still facing charges. Ali said:

My education is ruined. I have not been able to take my exams. I still don't know if my leg will be saved. My leg still bleeds. I am in a lot of pain. There was no information against me. But they say, "You are Shibir." So I am in constant fear. I am in hiding. They have confiscated all my academic papers. They refuse to return them. I want to continue my studies. We can have different opinions, but that should not mean that they destroy our lives. I am just a student.<sup>57</sup>

## Case of Dulal

Dulal, a 37-year-old farmer from Pahartoli-Alinagar village in Chittagong, said that he is a supporter of Jamaat but does not attend any of their political programs. He said that he had a land dispute with a neighbor, an Awami League supporter, who used his political connections to get Dulal named as an accused in violence linked to the Sayedee verdict protests on February 28, 2013. As a result, Dulal said, police starting hunting for him and he went into hiding. On October 9, 2013, the police located him in one of his farm sheds. He described:

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<sup>56</sup> Ibid.

<sup>57</sup> Ibid.



Early in the morning, I heard someone kicking a tin shed near my farmhouse. When I opened the door, I saw that there were 30 to 35 police surrounding the house. Manik and his associates were with the police. Immediately after I opened the door, the policemen handcuffed me. They took me to a field outside. While two policemen beat me with sticks, some others entered the house and vandalized it. After about 20 to 25 minutes, the policemen took me to their pickup van. That operation was led by a reserve force officer. Inside the pickup van, I heard a policeman talking on a mobile phone. They were talking about money transactions. After that, the police took me to a nearby plantation. Two policemen held me while [the leader] shot me above the knee.<sup>58</sup>

Dulal said that the police then took him to the Satkania Police Station. He was detained for three hours, writhing in pain, until the police finally took him to the hospital. Eleven days later, on October 21, his right leg was amputated at the knee because he had gangrene.

He remained in the hospital for a few weeks and was then produced in court on November 17 before being transferred to jail.

A police sub-inspector said that Dulal was arrested because he is a criminal with 32 cases against him, and not because of his political affiliation. Admitting to the culture of extrajudicial killings in Bangladesh, he said, “He is still alive because he was arrested by the police. If the RAB or any other law enforcement agencies caught him, he would have been dead.”<sup>59</sup>

The police claimed to have recovered a number of illegal weapons. The sub-inspector said that Dulal and his associates started firing at the police when they went to arrest him. He said he shot and injured Dulal during the armed exchange, and that two police officers were injured by Dulal and his associates.

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<sup>58</sup> Interview with Dulal (pseudonym), Chittagong Judge Court, November 17, 2015.

<sup>59</sup> Interview with police officer, Chittagong SP office, November 20, 2015.

## Case of Shamim

Shamim, 25, said he was arrested when participating in a procession after the opposition called for a blockade on December 7, 2013.<sup>60</sup> He said:

Three or four policemen caught me and started beating me. They asked my name and what I was doing. Then the OC arrived and ordered, “Shoot him.” One of the policemen shot me in the leg. I was in great pain. They had also beaten me on the head. There was blood everywhere. The OC said, “Let him die. I will not take him to hospital.” But something must have changed, because I next found myself at the intensive care unit in hospital. I was there for 24 hours. The doctors needed to do some neurosurgery because of my head injuries [from the beatings]. The police asked for five lakhs from my family, saying they would not oppose bail. But they took the money and still I got no bail. I spent six months in jail.<sup>61</sup>

## Case of Salauddin

A 22-year-old student of Islamic studies in Dhaka, Salauddin said he went to submit an assignment to his college on the morning of December 9, 2013. He saw a group of people protesting and some police deployment, but walked past them.<sup>62</sup> Suddenly he fell down:

I was walking. The police just walked up and shot me from behind. They hit my leg. I fell down. Then they beat me. They hit me on the head, and I guess I became unconscious. Others later told me that they kept beating me even after. I was bleeding all over the road. They left me lying unconscious on the road for two hours. Later, they took me into hospital. I woke up in hospital.<sup>63</sup>

Doctors initially thought they might have to amputate Salauddin’s leg. His family lives far from Dhaka and could only arrive two days later. When they arrived, the police refused to

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<sup>60</sup> Syed Zahirul Abedin, “Opposition Blockade Enters 2<sup>nd</sup> Day,” *Risingbd.com*, December 8, 2013, [http://www.risingbd.com/english/Oppositions\\_blockade\\_enters\\_2nd\\_day/10335](http://www.risingbd.com/english/Oppositions_blockade_enters_2nd_day/10335) (accessed June 22, 2016).

<sup>61</sup> Interview with Shamim (pseudonym, details withheld), June 9, 2015.

<sup>62</sup> “Blockade extended till 6am, Friday,” *Daily Star*, December 9, 2013, <http://www.thedailystar.net/blockade-extended-till-6am-friday-1860> (accessed June 12, 2016).

<sup>63</sup> Interview with Salauddin (pseudonym, details withheld), April 18, 2015.

let them see him. Salauddin said the police asked his father to pay a large bribe to avoid charges. Since his father could not afford to pay, Salauddin was jailed after 13 days in the hospital and is still facing trial for using explosives and being involved in a fire bombing. While he was in jail, his family had to pay to ensure he had access to clean bandages and painkillers. There were many like him in jail, he said: “In the jail hospital, I saw a lot of injured people. Most of them had been shot in the leg.”<sup>64</sup>

## Case of Rahim

Rahim, 31, is a resident of Hogladanga village in Jessore District. He is a supporter of the opposition BNP. He was named as an accused in a violent brawl with Awami League supporters in his village. On February 21, 2014, at about 7 a.m., he went to Hogladanga Bazar to buy cattle feed. He said he was drinking tea at about 10 a.m. when he saw over 20-25 plainclothes policemen arrive in the market. He ran away but the police chased and caught him. They repeatedly beat him up over the course of several hours, asked him about hidden weapons, and then dragged him to a mango orchard at about 1 p.m.:

Police took me to the mango orchard. They took me to the middle and asked me questions. They beat me up. Then they shot me from behind.<sup>65</sup>

Rahim said he feared he was going to be executed. He was shot in his right leg two inches up from the knee, then in his left leg. The police then took him to a local hospital. When his condition worsened, he was shifted to the government hospital in Jessore. On February 25, 2014, the police took him from the hospital to produce him in court. He was accused of a range of crimes including unlawful assembly, trespassing, using illegal explosives and weapons, deterring a public servant from his duty, and attempted murder.<sup>66</sup> He is still facing charges.

Police claim that they raided a mango orchard after receiving information about a gathering of armed criminals, and that the criminals started throwing stones at police who then opened fire in self-defense. Rahim, they claim, was injured in the firing.<sup>67</sup>

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<sup>64</sup> Ibid.

<sup>65</sup> Interview with Rahim (pseudonym), Jessore, January 26, 2016.

<sup>66</sup> Interview with Shahid Iqbal, lawyer, Jessore, January 27, 2016.

<sup>67</sup> First Information Report, February 22, 2014, copy on file with Human Rights Watch.

## Case of Kudrat

Kudrat, 24, is a teacher at the Kuada Dakhil madrasa in Jessore and a member of the Jamaat student wing. The police have claimed that he is a militant and had confessed to storing illegal weapons and explosives after he was arrested on May 6, 2014. They said when he was taken to recover the weapons, he attempted to escape and they were forced to open fire with a shotgun to stop him from running away.<sup>68</sup>

Kudrat said that he was working in a paddy field when 8 to 10 policemen arrived and surrounded the field, so he surrendered. The police then started beating him and asking about illegal weapons. Then they took him to the Monirampur Police Station. Kudrat said:

I said I did not know anything about the weapons, but the police kept beating me. Then they took me to meet the officer-in-charge who asked me about the political movement, internal matters of Jamaat-e-Islami, and other political issues. Later, two or three officers sat me in a chair, handcuffed me, and tied me by the waist. They asked me again about the leaders and activists of the party and where I kept weapons. When I said I did not know anything, they kicked and punched me.

At around 1:30 in the morning, three policemen came and blindfolded me with a towel and put me in a vehicle. I know it was a police vehicle because the hood was open and I could feel the breeze. The police kept asking me to beg for my life, but I refused. After one hour, they stopped the vehicle and removed my blindfold. I saw that I was near Bhatpara madrasa. I saw a white microbus and a few people wearing the Detective Branch police uniforms. The policemen got off the vehicle and walked towards us. They were discussing whether I should be physically disabled or killed. Then a policeman blindfolded me again, and asked me to walk through the field for five to seven minutes. Someone shot my right leg two inches up from the knee.<sup>69</sup>

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<sup>68</sup> First Information Report, copy on file with Human Rights Watch. Police said that the suspect was arrested in a case lodged on April 22, 2014 although he was not named. A second FIR was lodged against him on May 7, 2014.

<sup>69</sup> Interview with Kudrat (pseudonym), Jessore, January 25, 2016.

The police brought Kudrat to a hospital where he was treated for 18 days under police guard. The police filed cases against him under the Arms Act, 1878, and the Explosive Substance Act, 1908. Kudrat was released on bail on August 8, 2014. He still has 64 of the pellets fired from the shotgun in his leg.

## Case of Karim

Karim and his family are Jamaat supporters in Chittagong. He said he was repeatedly arrested for being a Jamaat supporter, so in 2005 he left for Dubai. When he returned in 2010, he did not move back to his village in Satkania, fearing further harassment, and instead rented a house in the Chandgaon residential area of Chittagong. He started learning the stock exchange business.

Karim said that he was buying medicine for his mother at a local pharmacy on the afternoon of July 5, 2014, when armed men in plainclothes grabbed and gagged him. They then blindfolded him and tied his hands. When others asked the identity of the men, they claimed that they were from the police Detective Branch. Karim said the men put him in a vehicle and brought him to a house:

After 20 minutes I was taken into a house and sat on a bench for one hour. It was the month of Ramadan. Before *iftar* [fast-breaking meal], policemen untied my hands and mouth and gave me food to break the fast. After that the policemen started beating me. A little after midnight, they handcuffed me and put me in a vehicle. We must have driven for about two-and-a-half hours. Then they took me out. I was barefoot, so I knew that it was a mud road. After a few minutes, they stopped and a man shot me in the right knee. Through the pain, I could hear a man talking over a cell phone and saying that they had caught a criminal but others had escaped. After that some men dragged me into a vehicle and took me to Chittagong Medical College Hospital.<sup>79</sup>

On July 6, a senior doctor at Chittagong Medical College Hospital looked at Karim's injuries and told his family members that he should be shifted to Dhaka for proper treatment to

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<sup>79</sup> interview with Mohammad Karim (pseudonym), Chittagong court, February 22, 2016.

save his leg. But the police refused permission. A week later, doctors amputated Karim's leg. A month later Karim was sent to Chittagong Central Jail.

The police have said that they arrested Karim during a raid at about 2 a.m. on July 6, after receiving information that some Jamaat members were planning an attack. When the criminals opened fire, the police claim, they shot back in self-defense. Police said that the others escaped but Karim was found injured and then arrested.<sup>71</sup> Karim is still in jail but the police have yet to file charges against him.

## Case of Salma

Salma is the only case documented in this report where a woman was targeted. She is not involved in politics but was shot while trying to protect her brother from police beatings.

Salma said she was visiting her father's house in Kottapara village in Chittagong on October 16, 2014. At about 7 p.m. she was talking with her mother and neighbors in the courtyard while her younger brother Gazi, a Jamaat supporter, was watching television at a tea stall beside the road adjacent to their house. Suddenly she heard Gazi shouting. She and other relatives and neighbors saw uniformed policemen and a few men in plainclothes beating her brother and pushing him into an auto-rickshaw. She said:

My mother and I were holding on to my brother and requesting police not to beat him. A policeman opened fire. And then another one shot me in the leg, in my left knee. I became unconscious and woke up to find that I was lying in a hospital bed.<sup>72</sup>

Gazi said he shouted for help when the police started beating him. Salma ran out and embraced him to help protect him from the beatings. The sub-inspector, who was not in uniform, then ordered the other police to shoot, and an officer started firing. Gazi heard two gunshots, but initially did not realize his sister had been shot. He said no one was posing a threat to the police officers at the time.<sup>73</sup>

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<sup>71</sup> First Information Report, July 6, 2014, copy on file with Human Rights Watch.

<sup>72</sup> Interview with Salma (pseudonym), Chittagong, February 22, 2016.

<sup>73</sup> Interview with Gazi (pseudonym), Chittagong, February 22, 2016.

Gazi was arrested after the shooting. The next day, Salma learned that the police had also filed a case against her. Some party activists transferred Salma to the National Institute of Traumatology & Orthopaedic Rehabilitation in Dhaka by ambulance. On October 20, doctors had to amputate her left leg.

On November 27, after a month in the hospital, Salma surrendered to the court in Chittagong. The court, considering her physical condition, granted her bail.

According to the First Information Report (FIR) filed by police, on October 16 they had received information about Gazi, a Jamaat supporter wanted in several cases. When the police attempted to arrest him, he resisted and a scuffle ensued. Police said that several Jamaat supporters started attacking them and the police had to retaliate to protect their lives and government arms and ammunitions. Salma is among those accused of obstructing the police.

## Case of Tariq

Tariq, 25, said he was returning from a meeting with other Chhatra Shibir members in Dhaka on the night of January 5, 2015, when the police stopped them:

They started beating me. There were 7 to 8 of us, but the others ran away. The police confiscated my mobile phone. I also recognized some Awami League supporters hitting me. Then the police van arrived, and they brought me to the police station. There the police took away all the cash that I had on me. Then they asked me to strip. They tied my legs and wrists. The OC asked if I had joined the meeting. He slapped me a few times. At around 11 at night, they blindfolded me and took me outside. I was shot in the leg. Later I discovered that my family had arrived and that my brother paid some money to stop me from being “crossfired.” They shot me instead and sent me to prison.<sup>74</sup>

Tariq said he is still facing charges of possessing illegal weapons and explosives.

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<sup>74</sup> Interview with Tariq (pseudonym, details withheld), June 9, 2015.

## Case of Ahmed

Ahmed said that on the morning of February 3, 2015, he was on his way to the market when he was stopped by police who were traveling in an auto-rickshaw. Based on their comments, Ahmed realized that there had been a protest in the market earlier and the police thought he was one of the protesters. He said the police detained him:

The police said, “You take part in *michils* [demonstrations]. You are a *razakar* [traitor].” I explained that I was just going to the market. But they arrested me. There were some others that had gathered in the market and they also told the police that I had just arrived and had not taken part in the protest. But the police did not listen. There were five policemen. Two sat with driver in the front and two sat with me in the back. While we were in the CNG [auto-rickshaw], one of the policeman made a phone call and said, “Sir, we have caught one. Should we shoot? Shotgun or pistol?” I started shouting, asking, “Why are you going to shoot me?” One of the policemen said, “You will find out shortly.” They took me to a narrow lane. They made me stand next to a wall. They just said to me, “Stand still.” Then one of them shot me with a shotgun. I fell down. They shot me at close range, in my right ankle.<sup>75</sup>

Ahmed thinks he must have become unconscious, because the next thing he remembers is that he was once again in the vehicle. The police brought him to a hospital where he stayed for two months, in police custody. Later he was moved to a jail. He only obtained bail after four months. The police, he said, have filed a false case claiming he was caught damaging public property. The police also claim they had recovered explosives from him.

## Case of Selim

Selim, 18, is a high school student in Rajshahi. He was preparing for his final school exams when he was arrested on February 17, 2015. Security forces accused him of being a member of Chhatra Shibir, though Selim’s family members insist that he was not. His father is a supporter of the opposition BNP.

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<sup>75</sup> Interview with Ahmed (pseudonym, details withheld), June 9, 2015.



Selim said he was picked up at about 11:30 p.m., interrogated, beaten, and tortured, and then taken out by security forces and shot in his left leg. His leg has been amputated. He said:

I was studying at home and at around 10 p.m. I fell asleep. At around 11:30 p.m., loud voices woke me up. After a few minutes, five or six armed members of RAB and police entered my house and dragged me out. They took off my vest and blindfolded me with it. Then they handcuffed me. I was dragged to a vehicle and put inside, where the police beat me and said they will teach me a lesson for being involved with Shibir.

At around midnight, the police removed my blindfold after taking me inside a room of brick building. There some plainclothes officers beat me with sticks and asked for the location of some people I did not know. They also asked me about making bombs. One person was pulling the hair near my ears with tweezers.

After torturing me for 20 to 25 minutes, they left, locking me inside the room. Later, a plainclothes policeman told me to come out of the room. He gave me a towel, showed me a bathroom, and asked me to bathe. After my bath, they blindfolded me again, put me into a vehicle and asked if I had any final words. I begged for my life.

At around 1 a.m. I was taken out of the vehicle into a mango orchard beside the road. One of the men tripped me up and when I fell down, another man grabbed my leg. Then they shot me in my leg. I was dragged back to the vehicle. At one point the policemen even stepped on my wounded leg. I started screaming and then must have lost consciousness. I woke to find myself in the veranda of the hospital. Two policemen were sitting beside me. I had 100 taka [US\$1.20] in my pocket. I gave it to a policeman and asked him contact my father. He called my father.<sup>76</sup>

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<sup>76</sup> Interview with Selim (pseudonym), Rajshahi Central Jail, February 18, 2016.

Selim's father thinks the police's actions are linked to an earlier dispute. On November 3, 2014, Selim had gotten into a fight with an Awami League supporter over taking fruit from a papaya tree. Some Awami League supporters later came and beat up Selim over the incident. On February 17, 2015, some unknown persons beat up one of the Awami League supporter's relatives; he blamed Selim, and his father believes that is why the police arrested Selim.<sup>77</sup>

Selim is still in jail facing charges including rioting, deterring and causing grievous hurt to a public servant, and attempted murder.<sup>78</sup> Police said that after his arrest, upon interrogation Selim agreed to show them where weapons were stored in a mango orchard. The police claimed that Selim's associates attacked them during the search, so they then opened fire in self-defense and Selim was shot when he attempted to escape.

## Case of Hyder

Hyder, 20, said he had only recently moved to Dhaka to study in a madrasa when he was detained on the afternoon of March 8, 2015:

I was going home when the police caught me. They started beating me. I said I was a student. They did not believe me. Meanwhile, many more police arrived. Some 7 to 8 of them. They put me in their vehicle. Then the OC came. He kept asking me for names. He kept asking, "Who are the others? Who is your leader?" I just named two of my friends because I wanted the beating to stop. Then we stopped at a field, and they blindfolded me. I had no idea what they were doing and I was shouting. They pushed me on the ground. And then they shot me. I was conscious. I heard one of them say, "Shoot again." Then another person said, "No need." Instead they picked me up and brought me to Dhaka Medical College. The doctors said they would need to amputate my leg.<sup>79</sup>

After the amputation, Hyder said he remained in the hospital for one month and was then shifted to a jail. He was granted bail after three months. The two friends that he named

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<sup>77</sup> Interview with Selim's father, Rajshahi, February 17, 2016.

<sup>78</sup> Interview with Mahbubur Rahman, lawyer, February 15, 2016.

<sup>79</sup> Human Rights Watch interview with Hyder (pseudonym, details withheld), June 9, 2015.

were also arrested and charged. “They are angry with me, but I explained I was desperate and frightened,” he said.<sup>80</sup> Both are now out on bail but continue to face charges.

## Case of Salaam

Salaam, 22, said he is an active member of Jamaat-e-Islami’s student wing in Rajshahi and joined the opposition campaign to demand elections under a neutral caretaker government in 2013. He was listed as a suspect in a number of cases filed by the police. Like many opposition party members, he said he was staying in different places, away from home, to avoid arrest. But the police were able to track him down while at his friend Ripon’s house on March 2, 2015:

At around 1 a.m. we woke up to knocking at the front door. When we asked, they said they were police. I tried to escape by cutting through the bamboo fence, but saw that many policemen had surrounded the house. I then hid under the bed and Ripon opened the door. The policemen immediately handcuffed Ripon and hit him with a stick. The police started searching the house and found me under the bed. They threatened to shoot me if I did not come out. The sub-inspector handcuffed me and asked my name. I lied and said my name is Rasel. Sub-Inspector [name withheld], who was not in uniform, slapped me and said that he knew I was Salaam. Ripon and I were brought to the Motihar Police Station.

On March 10, 2015, at around 5 in the morning, my aunt, who cooked for the police, came to the police station. She spoke to me through the window of the custody room. After a while, my father, mother, and younger sister also came to the police station and spoke with me. Later, I was shifted to a lockup and not allowed to meet anyone. It was a windowless dark room.... At around noon, a policeman brought a list of the persons who would be produced before the court. Ripon and I were on the list, but we were not taken to court.

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<sup>80</sup> Ibid.

On March 11, 2015, at around noon, we were brought out of the lockup. The police wrote down our names on a paper and asked us to hold it in front of our chest while they took photographs. Then Ripon was returned to the custody cell while I was taken into another room. A policeman blindfolded me and asked me for my last words. I was begging for my life. Later, they put me into a vehicle and drove me somewhere for 10 minutes. A few policemen came and pulled me out of the vehicle and said, “You are free now. Run and escape.” I said that I could not escape. A policeman told me to sit on the ground if I did not want to run. Then another policeman asked me to lie down on the ground. After that, a fat man sat on me and started holding down my legs. Then, another man came and shot me in the left leg. I started screaming. Within a few minutes, the policemen put me back into a vehicle. Then they tied the wounded part of the leg using a thin cotton towel, but the bleeding did not stop. The police took me to Rajshahi Medical College Hospital.<sup>81</sup>

Salaam was sent to jail from the hospital on March 31 and remained there until September 4, when he posted bail and was released. However, he was detained again outside the court for a separate case, and held until he posted bail on September 15.

Police claim that Salaam was shot during a police raid to recover weapons and cocktail bombs. They claim that his associates attacked the police so they fired in self-defense, and that Salaam was left behind, injured, when the others fled.<sup>82</sup>

## Case of Farid

Farid, a 28-year-old garment contractor in Chittagong city, is a member of the Jubo Dal, the youth wing of the BNP. Farid was involved in implementing the blockade called for by the opposition BNP-led 20-party alliance. Farid said that he was in hiding because the police were searching for him, and had not been staying at his home to avoid arrest. On March 5, 2015, at about 9:30 p.m., he was on his way to visit his mother at an aunt’s house when the police arrested him:

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<sup>81</sup> Interview with Salaam (pseudonym, details withheld), February 15, 2016.

<sup>82</sup> First Information Report, March 11, 2015, copy on file with Human Rights Watch.

I was having tea at a roadside stall when, around 9:50 p.m., about 10 men in plainclothes came in a microbus and surrounded me. I was blindfolded and handcuffed. The men started hitting me inside the vehicle. About an hour later I heard the sound of waves and realized I was at a beach. The men then asked me several questions relating to petrol bombs and weapons. When I said that I had no bombs, one of the men said that it was better to kill me. After that, a few men started to beat me with sticks. I was begging for mercy. A little after midnight, one of them asked me to state my last wish. I said I wanted to see my mother. They said I should ask for something else. I was convinced I was going to be killed in so-called crossfire and started praying to Allah. Then they shot me and I fell unconscious. I woke up to find myself on the floor of the Chittagong Medical College Hospital. They had shot me in the right leg and it was bleeding. I tried to stop the bleeding with my shirt. There were some policemen, but they ignored me. Finally, I was able to contact my mother by borrowing the mobile phone from one of the hospital attendants.<sup>83</sup>

Farid was in the hospital for two months and then shifted to Chittagong Central Jail. On November 4, 2015, he was finally released on bail. However, police picked him up again when he came out of the jail gate. He was released later that night only after he signed a written promise that he would no longer be politically active.<sup>84</sup>

Farid is out on bail but facing trials for charges of attacking and obstructing the police and under the Explosive Substances Act. Police have claimed Farid was injured during an armed exchange with a group of criminals, and that the criminals escaped leaving Farid behind. The police say they recovered bombs that Farid was carrying when he was arrested.<sup>85</sup>

## Case of Tarek

Tarek, 35, a farmer in Joypur village, Jessore district, is an active supporter of the BNP who participated in election-related protests. Fearing arrest after the government cracked down on opposition supporters, he said he usually avoided his home, staying

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<sup>83</sup> Interview with Farid (pseudonym, details withheld), February 28, 2016.

<sup>84</sup> Ibid.

<sup>85</sup> First Information Report, March 6, 2015, copy on file with Human Rights Watch.

with different friends and relatives. On August 8, 2015, he came home to visit his family and went out to buy medicine. He said he was accosted by local Awami League supporters and some policemen:

I had a fever and came home. After having dinner, at 7 p.m. I was in the pharmacy buying medicines when some AL leaders and some plainclothes policemen caught me and started to beat me. After beating me with sticks they dragged me to the road. A policeman shot me in my left leg under the knee. After 8 or 10 minutes, a police van came and took me to the Monirampur Police Station. At the police station, three or four policemen beat me again with a stick. At one point, they hit my head against the wall. They broke my left hand and three fingers of my right hand. At some stage I became unconscious. After returning to consciousness, I found myself at the Jessore 250-Bed General Hospital.<sup>86</sup>

The police said that Tarek is a local thug and unpopular in the community. They said there were rumors that some people were planning an attack on local Awami League leaders. They claimed that local people were angry and chased after Tarek, and that he was injured in the mob attack.<sup>87</sup> Police deny that Tarek was shot. Several witnesses, however, said they heard the police firing.<sup>88</sup>

## Case of Alam

Police claim that Alam, 35, was planning a robbery on the night of September 22, 2015, when there was a police raid.<sup>89</sup> They claim that the robbers fired at the police and Alam was injured in the firing.

However, eyewitnesses said that police arrested Alam in front of a betel shop at Rajganj Mor Bazar the previous evening. Alam admits that he has several cases lodged against him because of a financial dispute with some family members. He was in hiding until he received bail, and was in the market when he was accosted by the police. He said he was

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<sup>86</sup> Interview with Tarek (pseudonym), Jessore Judge Court, January 28, 2016, and Jessore Central Jail, February 1, 2016.

<sup>87</sup> First Information Report, August 8, 2015, copy on file with Human Rights Watch.

<sup>88</sup> Interviews (names withheld), Jessore, February 1, 2016.

<sup>89</sup> Interviews with police officers, Monirampur Police Station, January 28, 2016.

taken to the Monirampur Police Station where he was beaten by police. The officers then took him to a secluded plant nursery in the Begaritala and Chalkidanga area and shot him in his left leg at close range. He described:

At around 7 in the evening I went to Rajganj Mor with my neighbor. I was buying betel leaf from a betel leaf shop when three or four plainclothes men came to me and asked my name. When I told them, these persons identified themselves as members of Monirampur Police Station, grabbed me, and dragged me to the police station. I told them that there was no case against me, but police asked, “How many cases do you need? We have several.” An hour later, three policemen came, started asking me questions about the money and beating me. Then they went away. Around 1 a.m. two policemen came and took me out of lockup.

A policeman blindfolded me with a cloth towel and handcuffed me. I was put in a vehicle. After about 30 minutes I was dragged out of the vehicle. They removed my blindfold and I saw I was in the plant nursery. Just then an auto-rickshaw drove past, and when the headlights fell on me the police pushed me down. One of the policemen was talking on his cellphone and asking a person on the other end whether they should injure or kill me. After he finished talking, the other police officers pushed me face down on the ground shot me in my left leg. Then they put me back in the van and took me to hospital.<sup>90</sup>

After surgeons removed some pellets from his leg, Alam was sent to jail on September 27. He is still in prison, facing charges under the Arms Act and the Explosive Substance Act.

## Case of Mohammad Afzal Hossain

On March 31, 2016, at about 10 a.m., Mohammad Afzal Hossain, a correspondent with NTV, a privately owned news channel in Bangladesh, and a volunteer with Odhikar, a Dhaka-based human rights group, went to the Rajapur Government Primary School polling center to observe district council elections. He witnessed some supporters of the ruling Awami

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<sup>90</sup> Interview with Alam (pseudonym), Jessore jail, February 1, 2016.

League party candidate casting fake votes in full view of local authorities. When Afzal Hossain started recording these irregularities on his video camera, he was threatened by Awami League supporters and forced to leave the polling booth. He informed the presiding election officer of the irregularities he had observed in various polling stations.

Later, clashes broke out between supporters of Awami League candidate Mizanur Rahman and a rebel Awami League candidate Rezaul Huq Chowdhury who was running as an independent due to his concerns over vote rigging. By about 11:30 a.m., additional security forces, including members of the Rapid Action Battalion, Border Guard Bangladesh (BGB), coastguard, and police, were deployed to bring the situation under control. A little later, Afzal Hossain and his journalist colleagues were summoned by the police superintendent who asked for their account of the vote rigging they had witnessed.

Around noon, Afzal Hossain received a call from his studio scheduling his live updates for the network. He was standing next to security force personnel writing up his presentation when he was suddenly shot in the leg by a police constable at close range. Afzal Hossain said there was no provocation:

At three minutes to noon, my office called to say they were going to call me from the studio at 2 p.m. and 5 p.m. for live updates. At that time BGB and police were standing next to me. I pulled out my notebook and was writing my notes when I heard a loud noise. People started shouting, “It is a bomb. It is a bomb.” A BGB official was standing next to me. When I fell down, the BGB official said, “No. It is not a bomb. That police constable has shot him in the leg.” When I heard this, I realized that I had been shot. Meanwhile other colleagues there quickly called a vehicle and put me into it and brought me to hospital. After that I was unconscious. I only woke up in the evening. I later heard that my condition had worsened twice during that time. Apparently they used a big bullet, called a tiger bullet because it is used to kill tigers. Each bullet has eight pellets inside. And all eight pellets were in my leg.<sup>91</sup>

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<sup>91</sup> Interview with Mohammad Afzal Hossain, Bhola hospital, April 1, 2016.



Other journalists who witnessed the shooting identified the perpetrator as Police Constable Zulhas. They saw him pick up the cartridge and put it in his pocket. When journalists started filming and taking his picture, the constable put a helmet on his head to cover his face and got into a microbus used for the police.<sup>92</sup> Mir Khairul Islam, the officer-in-charge at Bhola Sadar Police Station, later told Odhikar that the police were loading their shotguns to ensure security of the polling station when Constable Zulhas inadvertently fired his weapon. Zulhas has been punished for negligence and suspended.<sup>93</sup>

In a joint statement on April 6, the Asian Human Rights Commission, the Observatory for the Protection of Human Rights Defenders, and Odhikar said they feared that Afzal Hossain was targeted “in retaliation for his continued fight against human rights violations perpetrated by the police and for exposing electoral irregularities.” The groups also warned against a recent trend of security forces “shooting detainees and demonstrators in the limbs, all with total impunity.”<sup>94</sup>

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<sup>92</sup> Interview with Nasiruddin Liton, Shomoy TV staff reporter, Bhola district, April 2, 2016.

<sup>93</sup> Interview with Mir Khairul Islam, officer-in-charge, Bhola Sadar Police Station, April 2, 2016.

<sup>94</sup> “Bangladesh: Joint Statement: Call for justice after another police shooting of a human rights defender,” Observatory for the Protection of Human Rights Defenders, Asian Human Rights Commission, and Odhikar, April 6, 2016, <http://www.omct.org/human-rights-defenders/urgent-interventions/bangladesh/2016/04/d23700/> (accessed July 1, 2016).

### III. Recommendations

#### To Bangladesh Authorities

- Due to the long history of impunity enjoyed by security forces in Bangladesh, ensure serious and independent investigations by inviting the United Nations High Commissioner for Human Rights and relevant UN special procedures, including the special rapporteur on extrajudicial, summary or arbitrary executions and the special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, to visit Bangladesh to investigate and make appropriate recommendations to ensure justice and accountability, as well as reform of the security forces to act independently and professionally.
- Ensure prompt, impartial, and independent investigations by national authorities into all alleged “kneecappings” and other deliberate infliction of serious bodily injury by members of the security forces against civilians, regardless of the political affiliation of the victims. Ensure the investigation and prosecution in criminal courts— independent of security force chains of command—of all members of the security forces against whom there are credible allegations of violations, including commanding officers. All such personnel implicated in violations should also be subject to disciplinary action.
- Ensure that all members of the security forces or commanding officers of units found to have engaged in illegal use of force against civilians are barred from international peacekeeping missions.
- End the practice of arbitrarily arresting and detaining large numbers of members or presumed members of the political opposition.
- Ensure that law enforcement agencies promptly communicate information on all persons taken into custody to relatives and legal counsel, and make sure that all persons detained are brought before a court within 24 hours of arrest, as required by Bangladeshi law.
- Issue public and clear directives to all security forces to abide by the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and ensure that rules and regulations governing the use of force are in strict compliance with the Basic Principles.

- Provide training to all security forces to ensure they are aware of the public's rights to freedom of peaceful assembly and expression.
- Ensure that all security forces deployed at protests, strikes, and other assemblies are armed with nonlethal weapons designed to minimize injury. Limit the use of firearms including rubber bullets and pellets against protesters. The Basic Principles on the Use of Force and Firearms provide that in all cases of death and serious injury or other grave consequences, a detailed report shall be sent promptly to the National Human Rights Commission and an independent civilian authority.
- Ensure that all individuals injured by the security forces, whether during protests or in custody, receive appropriate medical care and legal aid.

## **To the UN, Donors, and Partner Governments, Including India, the US, and the UK**

- The United Nations High Commissioner for Human Rights and relevant UN special procedures, including the special rapporteur on extrajudicial, summary or arbitrary executions and the special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, should request a country visit to Bangladesh to investigate and make appropriate recommendations to ensure justice and accountability, as well as reform of the security forces to act independently and professionally.
- The UN Working Group on Arbitrary Detention should immediately request a visit to Bangladesh to investigate arrests and detentions during protests.
- The UN special rapporteur on torture and other relevant mandate holders should request official visits to Bangladesh to investigate “kneecappings” and other alleged acts of torture.
- Given the scale and duration of extreme human rights violations in Bangladesh over the course of successive governments, the Human Rights Council should request that relevant UN special procedures issue a joint report on these violations for consideration by the Council, and take steps to create a special rapporteur on Bangladesh if the government fails to take immediate steps to implement the report's recommendations.
- Press the government to end threats, intimidation, and spurious legal cases against Bangladeshi media and civil society organizations, many of which are

unable to operate freely as a result of such actions and pressures. Donors should also press the government to lift arbitrary limits on foreign funding of civil society organizations.

## **Acknowledgments**

This report was researched and written by Meenakshi Ganguly, South Asia director, with the assistance of Bangladeshi consultants and human rights groups. It was edited by Brad Adams, Asia director. Clive Baldwin, senior legal advisor, and Joseph Saunders, deputy program director, provided legal and program review. Production assistance was provided by Shayna Bauchner, Asia division associate; Olivia Hunter, publications and photography associate; and Fitzroy Hepkins, administrative manager. The multimedia division produced the video component.

Human Rights Watch gratefully acknowledges the Bangladeshi activists and witnesses who offered assistance and information that made this report possible, many of whom are not named in the report for fear of reprisals. Above all, we are grateful to the victims and their family members who risked retribution to talk about the abuses that they have endured.

# “No Right to Live”

## “Kneecapping” and Maiming of Detainees by Bangladesh Security Forces

Under successive governments, security forces in Bangladesh have engaged in extrajudicial killings, disappearances, and torture against the political opposition, activists, and criminal suspects. Now they have added a new horror to their repertoire: shooting detainees in custody, typically in the leg, to punish them.

*“No Right to Live”* includes evidence from 25 victims living in different parts of the country. Most of them said that the security forces shot them after they were detained. As part of a longstanding practice, security forces then falsely claimed that the victims were shot in self-defense or in “crossfire” with armed criminals.

The report calls upon the authorities to order prompt, impartial, and independent investigations into all alleged “kneecappings” and other deliberate infliction of serious injuries by members of the security forces. It urges Bangladesh to invite the the Office of the United Nations High Commissioner for Human Rights and UN special rapporteurs on torture, extrajudicial executions, and other relevant mandate holders to investigate unlawful shootings and other alleged acts of torture. The UN and donor countries should press for prosecution of perpetrators and an overhaul of the country’s notoriously abusive security forces.



*Mahbub Kabir, a marketing officer at a pro-Jamaat daily newspaper, was reportedly stopped by police on his way to work and shot in the leg on March 18, 2013.*

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