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Human rights situation under the Interim Government of Bangladesh:

A briefing paper for the UN High Commissioner for Human Rights¹

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¹. This briefing paper is being submitted to the UN High Commissioner for Human Rights Volker Türk for his visit Bangladesh from 29 to 30 October 2024

1. Attacks on Buddhist indigenous peoples in the Chittagong Hill Tracts: The case for investigation by the OHCHR

Since independence, the refusal to grant autonomy to the indigenous peoples of the Chittagong Hill Tracts led to insurgency. The situation accentuated by population transfer of over 400,000 illegal² plain settlers from mainland Bangladesh into the CHTs from 1979 to 1983 with the aim to reduce indigenous peoples into a minority on their own land by giving various inducements.³

In 1997, the Chittagong Hill Tracts Accord was signed between the Jana Samhati Samiti (JSS), representing the indigenous peoples and the Government of Bangladesh. However, the CHTs continued to witness low scale intensity which are affectively sustained by the Bangladesh Army to justify its presence in the CHTs.

Following the fall of Sheikh Hasina government, on 18 September 2024, the indigenous hill tribe students under the banner of the “*Sanghat O Boishamyo Birodhi Pahari Chhatra Andolan*” (Anti Conflict & Discrimination Tribal Students Movement) organised “March For Identity” at Khagrachari demanding constitutional recognition of the identities of indigenous peoples, inquiry into corruption in the local councils created for the hill tribes, implementation of the 1997 CHTs Peace Accord, etc. About 40,000 indigenous peoples, unseen in the history of indigenous peoples in the region, had participated in the protest.⁴

This rattled the Bangladesh Army.

From 19 September to 1 October 2024, the illegal plain settlers and Bangladesh Army led organized assaults on indigenous peoples in Dighinala and Khagrachari Sadar under Khagrachari district on 19 September, followed by further attacks on Rangamati Sadar on 20 September, and Khagrachari district again on 1 October. The Bangladesh Army and the illegal settlers specifically targeted shops and other business establishments of indigenous peoples and Buddhist temples. In these attacks by the illegal plain settlers and Bangladesh Army, at least four indigenous

². The settlement of the plains people in the Chittagong Hill Tracts is illegal as Article 52 of the CHTs 1900 Regulation brought by the British India prohibits settlement of outsiders. Article 52 of the CHTs 1900 Regulation relating to Immigration into the Hill Tracts provides that “a) Save as hereinafter provided, no person other a Chakma, Mogh or a member of any hill tribe indigenous to the Chittagong Hill Tracts, the Lushai Hill, the Arakan Hill Tracts, or the State of Tripura shall enter or reside within the Chittagong Hill Tracts unless he is in possession of a permit granted by the Deputy Commissioner at his discretion. ...d) No permit shall be valid for more than twelve months from the date of its grant. Every person required by this rule to be in possession of a permit shall be bound to produce it on the demand of any Government officer, headman, Karbari or Bazar Chaudhuri, and on his failure to produce such permit such government officer, headman, Karbari or Bazar Choudhuri shall arrest him and forward him without delay to the nearest police officer or Magistrate.”

³. “Life is not Ours”, P. 52, The Report of the Chittagong Hill Tracts Commission, May 1991, http://www.iwgia.org/iwgia_files_publications_files/0129_Life_is_not_ours_1-108.pdf

⁴. Renewed Violence in Chittagong Hill Tracts: Bengali Settlers Target Indigenous Jumma Communities, Cultural Survival, 24 September 2024, <https://www.culturalsurvival.org/news/renewed-violence-chittagong-hill-tracts-bengali-settlers-target-indigenous-jumma-communities>

persons i.e. Mr Dhana Ranjan Chakma, Mr Junan Chakma, Mr Rubel Tripura, and Mr Anik Chakma were killed, at least 75 indigenous Jumma people were seriously injured while at least 142 houses, shops and other business establishments, properties, Buddhist temples that were looted, destroyed or set ablaze.⁵

A number of international organizations such as Amnesty International on 20 September 2024,⁶ the Minority Rights Group International on 24 September 2024,⁷ International Work Group on Indigenous Affairs on 8th October 2024⁸ and the Chairperson of the United Nations Permanent Forum on Indigenous Issues and the UN Special Rapporteur on Indigenous Rights on 14 October 2024⁹ condemned the attacks and demanded impartial inquiry.

On 26 September 2024, the Chittagong Divisional Commissioner formed a seven-member inquiry committee headed by Additional Divisional Commissioner of Chittagong Mr Mohammad Nurullah Noori to submit the report within the next 14 working days. On 30 September 2024, Mr Noori while visiting the affected areas at Rangamati told the journalists that he would submit the report to the government within 14 days after finding the root cause of the recent violent incidents, making a list of the victims and informing the government of their losses and making recommendations to prevent recurrence of such violent incidents.¹⁰ On 2 October 2024, the Committee visited Larma Square Bazar, Dighinala which was set on fire on 19 September 2024.¹¹

However, as on date, no public statement has been made regarding the status for the Inquiry Commission report.

The situation in the CHTs remains alarmingly. On 6 October 2024, the Bangladesh government banned entry of tourists into the CHTs from 8 to 31 October citing

5. "Conflicts In Bangladesh and Myanmar: The Threat To Regional Peace And Security", Rights and Risks Analysis Group, 10 October 2024, <http://www.rightsrisks.org/wp-content/uploads/2024/10/ConflictsinMyanmarBangladesh.pdf>

6. Amnesty International, 20 September 2024, See <https://x.com/amnestysasia/status/1837114994753687692>

7. Bangladesh: MRG condemns renewed violence and hate speech against indigenous peoples, Minority Group International, 24 September 2024, <https://minorityrights.org/bangladesh-mrg-condemns-renewed-violence-and-hate-speech-against-indigenous-peoples/>

8. Joint Statement: Call for Urgent Action on Repeated Violence in CHT, IWGIA, AIPP & CHTs Commission, 8 October 2024, <https://iwgia.org/en/news/5566-joint-statement-urgent-action-repeated-violence-cht.html>

9. UN bodies urge govt to invite UN to investigate rights violations in CHT, The Daily Star, 15 October 2024, <https://www.thedailystar.net/news/bangladesh/news/un-bodies-urge-govt-invite-un-investigate-rights-violations-cht-3728076>

10. Khagrachari-Rangamati violence inquiry committee visited Rangamati, The Daily Country Today, 30 September 2023, <https://dailycountrytodaybd.com/story/khagrachari-rangamati-violence-inquiry-committee-visited-rangamati>,

11. Probe body begins inquiry into recent CHT violence, The New Age, 20 September 2023, <https://www.newagebd.net/post/country/246496/probe-body-begins-inquiry-into-recent-cht-violence>

unidentified “unavoidable grounds”.¹² On 6 October 2024, the indigenous Buddhist monks in the CHTs also for the first time in their history announced their decision to not celebrate *Kathin Chibar Dan*, one of the largest annual religious festivals of the Buddhist community, held after rain retreat of the monks, all over the world.¹³

In the aftermath of these violence, head of the Interim Government was asked about the prevailing situation in the CHTs on the sidelines of the UN General Assembly. Dr Yunus, in an interview to the *Voice of America* on 2 October 2024 on the sidelines of the UN General Assembly had stated the following on the CHTs Peace Accord:

*"We just got here. It's not right to hope that a problem that has been there for so long can be solved in a couple of days. There was a peace accord; it happened after trying for many years. That accord is not being implemented; whether or not a new peace accord must be made, our government won't be able to accomplish that. Elected governments later on will be able to take that on".*¹⁴

Dr Yunus has effectively washed his hands off on the CHTs. The region shall face more violence unless effective interventions are made to ensure that the Interim Government of Bangladesh lives upto its responsibility.

Recommendations:

The UN High Commissioner for Human Rights should request the Interim government of Bangladesh to:

- Allow establishment of a country mission of the OHCHR in Bangladesh will full and unrestricted access to the Chittagong Hill Tracts;
- Implement the Chittagong Hill Tracts Accord of 1997 in letter and spirit;
- Extend the mandate of the OHCHR to investigate incidents beyond 20 August 2024 to cover the human rights violations in the Chittagong Hill Tracts from 19 September to 1 October 2024; and
- Make the report of the inquiry commission headed by Additional Divisional Commissioner of Chittagong Mr Mohammad Nurullah Noori into the acts of violence from 19 September to 1 October 2024 public.

¹². Bangladesh restricts tourism in southeastern hills amid unease calmness, The Indian Express, 7 October 2024, <https://indianexpress.com/article/news-today/bangladesh-restricts-tourism-in-southeastern-hills-amid-unease-calmness-9607246/>

¹³. Bangladesh: Indigenous Buddhist will not celebrate Katin Chibar Dan festival for security concerns, The Borderlens, 6 October 2024, <https://www.borderlens.com/2024/10/06/bangladesh-indigenous-buddhist-will-not-celebrate-katin-chibar-dan-festival-for-security-concerns/>

¹⁴. ‘Interim govt to decide its term, The Daily Star, 2 October 2024, <https://www.thedailystar.net/news/bangladesh/diplomacy/news/interim-govt-decide-its-term-3717261>

2. No investigation into the attacks on Hindu minorities who are being systematically purged

While the minorities consistently faced grave human rights violations in Bangladesh irrespective of the party in power, the violations increased manifold with hundreds of acts of violence and religious intolerance after the fall of the Sheikh Hasina government on 5 August 2024. This has been accompanied by purging of Hindu officers from public service.

On 5 September, Interim Government's Chief Advisor Dr Mohammed Yunus without investigation into any of these acts of violence and religious intolerance stated that Hindus faced attacks because "*there is no clear distinction between Awami League supporters and Hindus*".¹⁵

The scale of the organized attacks on the religious minorities under the current Interim Government of Bangladesh is given below:

A report published by *Prothom Alo* on 12 September 2024 documented at least 1,090 attacks on minority communities between 5-20 August, following the fall of Sheikh Hasina's government. These attacks include damage to 1,068 houses and business establishments and 22 places of worship, as well as the murders of two minority Hindus, Mrinal Kanti Chatterjee and Swapan Kumar Biswas. The most affected region was Khulna with 295 damaged properties, followed by Rangpur (219), Mymensingh (183), Rajshahi (155), Dhaka (79), Barishal (68), Chattogram (45) and Sylhet (25). Attacks also targeted Christians, Ahmadiyyas and other minority groups, including vandalism of churches and religious statues.¹⁶

On 19 September 2024, the Bangladesh Hindu Buddhist Christian Oikya Parishad in its findings disclosed to media stated that 2,010 incidents of communal violence took place across 68 districts and metropolitan areas between 4-20 August, resulting in the deaths of nine persons, injuries to 38 others, four sexual assaults, one of which was a gang rape, and attacks on 69 places of worship, including acts of vandalism and arson. A total of 915 homes and 953 business establishments were attacked, looted or set on fire, and about 1,705 families were directly affected in these communal attacks, with 157 of these families having lost everything.¹⁷

Despite being provided unprecedented security during the Durga Puja celebrations from 1 to 11 October 2024, the Inspector General of Police (IGP) of Bangladesh Police, Md Mainul Islam, at least 35 incidents have taken place centering the Durga

¹⁵. 'Attacks on Hindus in Bangladesh exaggerated': Muhammad Yunus questions India, The Hindustan Times, 05September 2024, <https://www.hindustantimes.com/world-news/attacks-on-hindus-in-bangladesh-exaggerated-muhammad-yunus-questions-india-101725527725684.html>

¹⁶. Communal violence: 1068 houses and business establishments attacked, Prothom Alo, 12 September 2024, <https://en.prothomalo.com/bangladesh/97chuvmupe>

¹⁷. Report: 2,010 incidents of communal violence occurred from August 4 to 20 in Bangladesh, Dhaka Tribune, 20 September 2024, <https://www.dhakatribune.com/bangladesh/359102/2-010-communal-violence-reported-from-august-4-to>

Puja celebrations from 1 to 11 October.¹⁸ Radical Islamist groups had threatened Durga Puja committees and temples, demanding extortion money amounting 5 lakh Bangladeshi Taka to allow the celebration to proceed or face consequences if they failed to pay.¹⁹

Minorities in government service have also faced increasing pressure. Teachers from Hindu, Buddhist and Christian communities have been forced to resign from their jobs, with the Bangladesh Hindu Buddhist Christian Oikya Parishad reporting that at least 49 teachers were forced to resign between 5 and 30 August.²⁰

Those suspected of being affiliated with the Awami League or belonging to religious minorities were removed from government service. On 22 October, Home Affairs Adviser Lt Gen (Retd) Md Jahangir Alam Chowdhury stated that 252 trainee Sub-Inspectors (SIs) at the Bangladesh Police Academy were discharged due to violations of academic discipline on 1 October.²¹ It is alleged that the PHQ, in consultation with the Home Ministry, conducted a background check on the political affiliations of 801 trainees in the batch after the fall of the Awami League government on 5 August. Based on the verification, a list of 252 trainees were identified and dismissed from service on technical grounds.²² As per verification done by the RRAG, out of the 252 trainees dismissed from service, 99 trainees belonged to the Hindu religious minority communities.²³

Recommendations:

The UN High Commissioner for Human Rights should request the Interim government of Bangladesh to:

- Establish a commission of inquiry with technical assistance from the OHCHR to investigate into the attacks on the Hindu minorities; and
- Provide information to the OHCHR investigation team regarding purging of the persons belonging to Hindu religious minorities from government service.

¹⁸. 35 untoward incidents centring Durga Puja so far, The Dhaka Tribune, 12 October 2024, <https://www.thedailystar.net/news/bangladesh/news/35-untoward-incidents-centring-durga-puja-so-far-3725496>

¹⁹. Hindu temples in Bangladesh receive extortion threats ahead of Durga Puja, India Today, 25 September 2024, <https://www.indiatoday.in/world/story/bangladesh-durga-puja-hindu-temples-extortion-threat-letters-islamist-groups-2606385-2024-09-25>

²⁰. At least 49 minority teachers forced to resign since Aug 5, The Daily Star, 31 August 2024, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/least-49-minority-teachers-forced-resign-aug-5-3691011>

²¹. Adviser: 252 trainee SIs discharged for violations, not political reasons, Dhaka Tribune, 22 October 2024, <https://www.dhakatribune.com/bangladesh/government-affairs/362743/adviser-252-trainee-sis-discharged-for>

²². 'Breach of discipline': 252 trainee SIs dismissed month before graduation, The Daily Star, 23 October 2024, <https://www.thedailystar.net/news/bangladesh/news/breach-discipline-252-trainee-sis-dismissed-month-graduation-3733511>

²³. The verified list of the dismissed SIs belonging to the Hindu religious minorities is available with the RRAG and can be shared if required.

3. Lack of independence of judiciary and false prosecution of political opponents and journalists

The respect for human rights requires a functioning State. Bangladesh simply does not have an effective functioning State at present. The police personnel had to flee after the fall of the Government and hundreds of them did not join the duty for the fear of safety and security.²⁴ The Government of Bangladesh gave magisterial power to the officers of the Bangladesh Army personnel²⁵ but it is the mob justice which prevails in the country.²⁶

More importantly, there is no independence of judiciary to ensure fair trial. This can be gleaned from the fact that on 10 August 2024, the mob surrounded the Supreme Court of Bangladesh and Chief Justice Obaidul Hassan and five other senior judges of the Supreme Court of Bangladesh had to resign.²⁷ Furthermore, on 16 October 2024, 12 judges of the High Court (HC) were removed from discharging judicial functions after several hundred students under the banner of Anti-Discrimination Student Movement besieged the HC premises seeking removal of "pro-Awami League fascist judges!"²⁸ If any judge dares to release any leader or activist connected with former Prime Minister Shiekh Hasina government or Awami League, the judge will face the fury of the mob justice in the name of students.

3.1 False prosecution of political opponents

Nothing exposes the absence of the rule of law than the arbitrary arrest and detention in the country. Though there are no official estimates, over 194,000 persons belonging to the Awami League (AL) have been arraigned in criminal cases. By 31 August 2024, about 1,94,000 people, mostly AL leaders and activists including 26,268 people named and around 1,68,000 unnamed persons were accused in about 268 cases.²⁹ Since then filing of cases continued and it has become the trend in Bangladesh to be filing cases against hundreds of unnamed persons in one complaint to persecute the political opponents:

²⁴. Total 187 cops absent from duties since Aug 1: PHQ, The Daily Star, 18 September 2024 <https://www.thedailystar.net/news/bangladesh/crime-justice/news/total-187-cops-absent-duties-aug-1-phq-3705196>

²⁵. Army given magistracy power, The Daily Star, 18 September 2024, <https://www.thedailystar.net/news/bangladesh/news/army-given-magistracy-power-3705246>

²⁶. The urgent need to counter mob justice, Sagar Kar, Esita Afroj Sondhy, The Daily Star, 25 September 2024, <https://www.thedailystar.net/opinion/views/news/the-urgent-need-counter-mob-justice-3711986>

²⁷. Bangladesh chief justice agrees to resign amid new student protests, Aljazeera, 10 August 2024, <https://www.aljazeera.com/news/2024/8/10/bangladesh-chief-justice-agrees-to-resign-amid-new-student-protests>

²⁸. 12 HC judges barred from judicial activities amid student protest, The Daily Star, 16 October 2024, <https://www.thedailystar.net/news/bangladesh/news/12-hc-judges-barred-judicial-activities-amid-student-protest-3728991>

²⁹. 1.94 lakh sued in 268 cases since the fall of AL govt: MSF, The Daily Star, 31 August 2024 <https://www.thedailystar.net/news/bangladesh/crime-justice/news/194-lakh-sued-268-cases-the-fall-al-govt-msf-3691036>

- On 2 October 2024, in three separate cases more than 500 activists of the Awami League (AL) and its affiliated organization were accused for vote fraud, anarchy, and attacks on BNP leaders and activists of the anti-discrimination student movement.³⁰
- On 21 October 2024, activists of the Anti-Discrimination Students Movement in Dhaka filed a case with Shahbagh Police Station, Dhaka against former prime minister Sheikh Hasina as the prime accused, 391 other named people and around 1,000 unnamed people, including leaders and activists from the Chhatra League, Awami League and Jubo League in connection with the July 15 attack on the quota reform protesters at Dhaka University.³¹

Most of these arrests are arbitrary and fall within “Category III” of arbitrary detention as defined by the UN Working Group on Arbitrary Detention i.e. *“When the total or partial non-observance of the international norms relating to the right to a fair trial, spelled out in the Universal Declaration of Human Rights and in the relevant international instruments accepted by the States concerned, is of such gravity as to give the deprivation of liberty an arbitrary character”*.³²

3.2 False prosecution of the journalists

After the fall of the Hasina Government media freedom has increased but only for the opponents of former Prime Minister Sheikh Hasina.

As of 22 October, at least 54 journalists perceived as supporters of the previous government led by Hasina were charged for various offences including for genocide and crimes against humanity, while at least six journalists remained in detention in Bangladesh. The crackdown on press freedom has been widely condemned by the Committee to Protect Journalists (CPJ)³³ and the Reporters Without Borders³⁴ which called on the interim government to respect journalists’ rights and ensure fair trials.

On 31 August, Farzana Rupa and her husband Shakil Ahmed, both former journalists at Ekattor TV, were jailed after being detained on 21 August in connection with two murder cases during mass protests. On 16 September, police detained Mozammel Babu, Managing Director of Ekattor TV, and Senior Reporter Mahbubur Rahman, along with Shyamal Dutta, Editor of Bhorer Kagoj. The following day, a court placed

³⁰. 3 cases filed against 500 Awami League activists in Barisal, The Dhaka Tribune, 02 Oct 2024, <https://www.dhakatribune.com/bangladesh/360599/3-cases-filed-against-500-awami-league-activists>

³¹. Around 1,400 sued as Dhaka protesters take first legal step, The Daily Star, 22 October 2024, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/around-1400-sued-dhaka-protesters-take-first-legal-step-3733331>

³². About arbitrary detention by the UN Working Group on Arbitrary Detention, <https://www.ohchr.org/en/about-arbitrary-detention>

³³. Journalists supportive of ousted Bangladesh leader targeted with arrest, criminal cases, CPJ, 19 September 2024, <https://cpj.org/2024/09/journalists-supportive-of-ousted-bangladesh-leader-targeted-with-arrest-criminal-cases/>

³⁴. Bangladesh: RSF condemns the outrageous charges of crimes against humanity brought against at least 25 journalists, RSF, 30 August 2024, <https://rsf.org/en/bangladesh-rsf-condemns-outrageous-charges-crimes-against-humanity-brought-against-least-25>

Mozammel Babu and Shyamal Dutta in seven-day police remand, while Mahbubur Rahman and their driver were released.³⁵ On 16 September, Shahriar Kabir, journalist, author and activist, was arrested from his residence in connection with a murder case during the Anti-Discrimination Student Movement in Jatrabari. On 20 October, Shahriar Kabir was placed on two-day remand by a court.³⁶ On 22 October, journalist Pranab Barua Arnab was arrested in four cases filed with Patia Police Station in Chattogram. Police claimed that Parab Barua was trying to flee to India through Akhaura.³⁷

Apart from arrest and detention, at least 54 journalists were charged for various offences including for genocide and crimes against humanity.

On 29 August, a complaint was filed with the International Crimes Tribunal against Sheikh Hasina and 52 others, including 26 journalists, for inciting genocide during the anti-discrimination student movement. The journalists include Mozammel Babu, Saiful Alam, Noyeem Nizam, Farida Yasmin, Shyamal Dutta, Abed Khan, Prabash Amin, Farzana Rupa, Shakil Ahmed, Mithila Farzana, Zayedul Ahsan Pintu, Nabanita Chowdhury, Subhash Singh Roy, Ahmed Zobair, Tushar Abdullah, Monjurul Islam, Ashish Saikat, Manash Ghosh, Pranab Saha, Masuda Bhatti, Munni Saha, J.E. Mamun, Swadesh Roy, Soma Islam, Shyamal Sarkar and Ajay Das.³⁸ According to the complaint, lodged by Abdur Razzak, father of Nasib Hasan Riyan, a student killed during the protests, the accused journalists were “sycophants” of the Awami League government and published false news to instigate the genocide and crimes against humanity committed by the then government and law enforcers, thereby giving legitimacy to those crimes.³⁹ Out of these 26 journalists, Farzana Rupa, Shakil Ahmed, Mozammel Babu and Shyamal Dutta were in jail in connection with two murder cases during mass protests.⁴⁰

On 4 September, 28 journalists were among 109 people from Chattogram city shown accused in a case filed over attempting abduction, assault and publishing fake news during the student protests. Hasina Mamtaz, a teacher of Mohara Sayra Khatun Quaderya Girls High School and College, filed the case with the court of Metropolitan

³⁵. Journalists supportive of ousted Bangladesh leader targeted with arrest, criminal cases, CPJ, 19 September 2024, <https://cpj.org/2024/09/journalists-supportive-of-ousted-bangladesh-leader-targeted-with-arrest-criminal-cases/>

³⁶. Shahriar Kabir placed on two-day remand in Jatrabari murder case, The Business Standard, 20 October 2024, <https://www.tbsnews.net/bangladesh/shahriar-kabir-placed-two-day-remand-jatrabari-murder-case-971386>

³⁷. Journalist leader Pranab Barua shown arrested in four cases, The Business Standard, 23 October 2024, <https://www.tbsnews.net/bangladesh/journalist-leader-pranab-barua-shown-arrested-four-cases-974376>

³⁸. Complaint lodged against 53 including Hasina, 28 journalists for inciting genocide, United News of Bangladesh 29 August 2024, <https://unb.com.bd/category/Bangladesh/complaint-lodged-against-53-including-hasina-28-journalists-for-inciting-genocide/141844>

³⁹. Crimes against humanity: Hasina, over two dozen journos sued in ICT case, The Daily Star, 29 August 2024, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/crimes-against-humanity-hasina-over-two-dozen-journos-sued-ict-case-3689551>

⁴⁰. Journalists supportive of ousted Bangladesh leader targeted with arrest, criminal cases, CPJ, 19 September 2024, <https://cpj.org/2024/09/journalists-supportive-of-ousted-bangladesh-leader-targeted-with-arrest-criminal-cases/>

Magistrate Juel Deb. The Court ordered the Police Bureau of Investigation to investigate the case. Some of the journalists have been identified as Suklal Das of Dainik Azadi; Reaz Haidar Chowdhury and Azhar Mahmud of Bangladesh Pratidin; Pramal Kanti Dey Komol of Somoy TV; Anupam Shil of Independent TV; Debdulal Bhoumik, Secretary of Chattogram Press Club; Ratan Kanti Debasis, Tapan Chowkrabarty of Banglanews24.com; photographer Ujjwal Kanti Dhar; Bangladesh Federal Union of Journalists (BFUJ) leader Kazi Mohsin; Ekramul Haque Bulbul of Ekushey TV; Ramen Das Gupta of Sarabangla.net; Mintu Chowdhury and Uttam Sen Gupta of BDnews24.com; Kutub Uddin of Samakal; Hritik Nayon; Rahul Das; Subal Barua of Pratidiner Bangladesh; Runa Ansari of Deepto TV; Rafiqul Bahar of Ekushey TV; Ayon Sharma of Chattogram Pratidin; Aminul Islam Munna, photojournalist of Dainik Azadi; Bishwajit Raha; Masudul Hoque of DBC News; Rashed Mahmud; Hamid Ullah of Amader Somoy; Samresh Baidya of Bhorer Kagoj; Showrav Bhattacharya of Cplus.⁴¹

Recommendations:

The UN High Commissioner for Human Rights should request the Interim government of Bangladesh to:

- Stay the proceedings of the FIR filed and Constitute a Committee of the Public Prosecutors to assess each of the complaints filed before proceedings considering that in most FIRs, hundreds of unnamed persons are arraigned as accused and any opponent may suffer false prosecution; and
- Provide detailed information to the OHCHR investigation team especially with respect to the FIRs registered relating to the human rights violations which took place from 5 to 20 August 2024 as per the mandate given to the OHCHR.

4. Absolute exclusion of the minorities and indigenous peoples from the reform process

Chief Adviser to the Interim Government of Bangladesh Dr Muhammad Yunus formed six committees for reform of the elections system, police administration, judiciary, anti-corruption commission, public administration, and the constitution.⁴²

On 8th October 2024, Interim Government notified eight member constitutional reform commission consisting of Dhaka University law professors Sumaiya Khair and Muhammad Ekramul Haque; lawyers Imran Siddique, Sharif Bhuiyan, and Moin Alam Ferozi; writer Firoz Ahmed; rights activist Mustain Billah; and student representative Mahfuj Alam, who is also the special assistant to the chief adviser.⁴³

⁴¹. 109 including ex-info minister, 28 journos sued, The Daily Star, 4 September 2024, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/109-including-ex-info-minister-28-journos-sued-3694531>

⁴². Govt to form commissions to reform 6 key sectors: Yunus, The Daily Star, 11 September 2024, <https://www.thedailystar.net/news/bangladesh/news/govt-form-commissions-reform-6-key-sectors-yunus-3700471>

⁴³. Full commission on constitutional reforms formed, The Daily Star, 8 October 2024, <https://www.thedailystar.net/news/bangladesh/news/full-commission-constitutional-reforms-formed-3722241>

There was only one woman i.e. Sumaiya Khair and there was no representation of indigenous peoples and religious minorities.

On 8 October 2024 itself, the Denmark-based International Work Group for Indigenous Affairs (IWGIA) and New Delhi-based Rights and Risks Analysis Group (RRAG) urged Dr Yunus urging him to reconstitute the commission and include representative of indigenous peoples and minorities. Religious minorities make up 16 million while there are about 1.6 million members from ethnic communities. The Vatican too intervened at the request of the IWGIA and RRAG.⁴⁴

Recommendations:

The UN High Commissioner for Human Rights should request the Interim government of Bangladesh to include representatives of indigenous peoples and religious minorities in the Constitution Reform Commission.

5. Mob rule and the release of the identified terrorists

The current security situation is one of frightening collapse of law and order where the State does not effectively exist for providing safety and security to its citizens. About 44 police personnel were killed by the protestors⁴⁵ and the police were effectively absent from maintaining law and order. On 18 September 2024, the Interim Government empowered the Bangladesh Army officers to exercise the magisterial powers⁴⁶ but the Army personnel were not to be seen anywhere except in the Chittagong Hill Tracts (CHTs) region inhabited by the indigenous peoples where they have been accused of serious human rights violations from 19 September to 1 October 2024.⁴⁷

Across the country, serious concerns were raised about the mob justice.⁴⁸

By 5 September, a total of 5,818 weapons were looted in the country.⁴⁹ Of these, 3,933 were recovered while 1,885 arms including rifles, SMGs, LMGs, and pistols, remained missing. Additionally, nearly 300,000 rounds of ammunition remained

44. Calls to make Bangladesh constitution reform body inclusive, UCAN News, 28 October 2024, <https://www.ucanews.com/news/calls-to-make-bangladesh-constitution-reform-body-inclusive/106839>

45. Mob justice goes against the spirit of the student movement, The Daily Star, 16 August 2024, <https://www.thedailystar.net/opinion/views/news/mob-justice-goes-against-the-spirit-the-student-movement-3678906>

46. Army given magistracy power, The Daily Star, 18 September 2024, <https://www.thedailystar.net/news/bangladesh/news/army-given-magistracy-power-3705246>

47. "Conflicts In Bangladesh and Myanmar: The Threat To Regional Peace And Security", Rights and Risks Analysis Group, 10 October 2024, <http://www.rightsrisks.org/wp-content/uploads/2024/10/ConflictsinMyanmarBangladesh.pdf>

48. Mob justice goes against the spirit of the student movement, Maisha Islam Monamee, The Daily Star, 16 August 2024, <https://www.thedailystar.net/opinion/views/news/mob-justice-goes-against-the-spirit-the-student-movement-3678906>

49. 1,885 Weapons and 300,000 Rounds of Ammunition Still Unrecovered, The Financial Post, 7 September, 2024, <https://thefinancialpostbd.com/main/article/3970>

unrecovered.⁵⁰

The escape of over 2,000 inmates from 17 jails which were attacked during the protests added to the worries. More than 900, including 70 militants are yet to be arrested.⁵¹

More worryingly, the Interim Government has been releasing terror convicts from custody under dubious circumstances. By 18 September, at least 43 high-profile criminals and militants had walked out of jail on bail.⁵² The terrorists who were released on bail include Mufti Jashimuddin Rahmani, chief of the Ansarullah Bangla Team, an Al-Qaeda-inspired militant outfit now known as Ansar al Islam convicted for the murder of Rajib Haider, a blogger who still has four cases, including those under anti-terrorism and Information and Communication Technology (ICT) laws pending against him.⁵³ Other top terrorists released include Abbas Ali alias 'Killer Abbas' of Mirpur, Sheikh Mohammad Aslam alias Sweden Aslam of Tejgaon, Imamul Hasan Helal alias Picchi Helal of Mohammadpur and Sanjidul Islam alias Emon who were named in the list of 23 top terrorists published by the home ministry on 26 December 2001. In addition, two of Dhaka's underworld dons, Aim Ahmed alias Titon and Khorshed Alam Rasu alias Freedom Rasu were also released.⁵⁴

Serious concerns have been expressed by the citizens in the country about the potential increase in armed violence and crime rate because of these actions.⁵⁵

Recommendations:

The UN High Commissioner for Human Rights should seek detailed information from the Interim government of Bangladesh regarding the release of those convicted of terror offences.

⁵⁰. Report: 5,818 weapons looted nationwide, 3,933 recovered, The Dhaka Tribune, 7 September, 2024, <https://www.dhakatribune.com/bangladesh/357584/police-report-5-818-weapons-looted-nationwide>

⁵¹. Bangladesh: 500 Inmates Escape District Jail As Anti-Govt Protests End With Sheikh Hasina's Departure, News18, 6 August 2024, <https://www.news18.com/world/bangladesh-500-inmates-escape-district-jail-as-crisis-ends-with-leader-sheikh-hasinas-exit-8991500.html>

⁵². 43 top criminals, militants freed on bail since Aug 5, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/43-top-criminals-militants-freed-bail-aug-5-3705401>

⁵³. Ansarullah Bangla Team chief released on bail from Kashimur jail, The Dhaka Tribune, 26 August 2024, <https://www.dhakatribune.com/bangladesh/nation/356166/ansarullah-bangla-team-chief-freed-from-kashimur>

⁵⁴. Fear of escalation in crime as top criminals freed from jail, The Prothom Alo, 9 September 2024, <https://en.prothomalo.com/bangladesh/crime-and-law/bp4rsp1xtt>

⁵⁵. Fear of escalation in crime as top criminals freed from jail, The Prothom Alo, 9 September 2024, <https://en.prothomalo.com/bangladesh/crime-and-law/bp4rsp1xtt>