

Repeated Police Attacks on Bangladesh Jamaat-e-Islami

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Repeated Police Attacks to Suppress Opposition Voice in Bangladesh

Executive Summery

The police in Bangladesh have consistently carried out several attacks on rallies called by the opposition Bangladesh Jamaat-e-Islami (BJI) demanding the release of its detained leaders. The incidents of violent attacks by police accompanied by torturing and arrests of political activists took place in the cities of Sylhet, Dhaka and Bogra on the 11th and 12th of September 2011. This countrywide series of suppression of the opposition parties by the security forces has stirred a great concern from the perspective of rule of law and democracy in Bangladesh.

Introduction

Bangladesh Jamaat-e-Islami (BJI) is one of the major opposition parties of Bangladesh. Ever since the present Awami League led government had come into power in 2009, the police and other security forces have been suppressing the leaders and activists of BJI by way of arrest, attack and preventing from holding political meetings. The continued harassment of opposition activists have been a great concern for Bangladesh in its journey to the institutionalization of democratic environment. Hundreds of BJI activists including top leaders have been arrested in order to suppress the opposition voice against government activities. The recent series of repeated police attacks on protest rallies organized by BJI is another example of this continued practice of undemocratic political oppression.



On 9 September 2011, Bangladesh Jamaat-e-Islami from a party meeting declared a countrywide program of protest rallies demanding the release of detained Jamaat leaders including the party chief Motiur Rahman Nizami, Secretary General Ali Ahsan Muhammad Mujahi and Delawar Hussain Sayedee, who have been in custody for more than a year for alleged war-crimes even without a charge framed against them. Police has rigorously suppressed the program by attacking on several BJI rallies in different cities including Sylhet, Dhaka and Bogra, followed by arrests and filing of criminal cases against the participants of the rallies.

Attack in Dhaka

Police severely attacked on Jamaat-e-Islami procession in the capital Dhaka demanding the release of top its leaders including Delawar Hossain Sayedee.¹ The attack left at least 10 people injured at the city's Malibagh area on 12 September 2011, afternoon. Police baton-charged the party men when they were holding a peaceful procession organized by Dhaka Metropolitan unit of Jamaat. Police arrested at least 25 Jamaat activists from the spot.²

The party members were due to gather at the Engineers Institution compound at 4 pm for which proper permission was obtained from the authority. But the police locked the whole place up in the morning and did not allow any person to come around the area. Several persons were arrested who tried to enter the venue of the protest rally. Being unable to hold the meeting in the scheduled venue, the Jamaat activists assembled in the Kakrail area of the city and prepared for

¹ <http://newagebd.com/newspaper1/index.php?news=33052>

² http://thedailystar.net/newDesign/print_news.php?nid=202227

the rally led by Assistant Secretary General of the party Professor Mujibur Rahman who has recently been released from detention. At one stage, the Jamaat activists brought a procession from Kakrail crossing and proceeded towards Malibagh crossing at about 4:00pm.³

At the end of the program police suddenly swung into action to disperse the rally. Fierce beating and firing by the police at the demonstrators caused widespread panic in the neighboring areas. More than hundred activists of Jamaat along with 30 common passersby were severely injured in the police action in the area. All business establishments were shuttered during the clash that also created a huge traffic jam, causing public sufferings.⁴

Police charged batons and fired teargas on Jamaat men who gathered in the protest rally demanding the release of detained leaders. More than 50 Jamaat activists were arrested from the procession among them 21 are in Shahbag police station and 26 are at the Ramna police station.



This was the one of the largest incidents of mass arrest in several months. Rafiqul Islam, officer-in-charge of Ramna Police Station, said they detained 25 to 26 men on charges of attacking the law enforcers and injuring them without any provocation.⁵

Attack in Sylhet

Police attack on Bangladesh Jamaat-e-Islami and Islami Chhatra Shibir activists has left at least 35 injured. The incidents took place in two phases around 4 pm on 11 September 2011 at the Sylhet city's Zindabazar and Chouhatta intersections. The clashes ensued when police blocked a procession of Jamaat and Chhatra Shibir activists demanding release of its central leaders, who are currently in jail on charges of alleged crimes against humanity in 1971.⁶

The demonstration of hundreds of BJI activists began at the Court point led by Sylhet Metropolitan President Ehsanul Mahbub Zubair. As soon as the tail of the rally reached Shyamoli Centre, a great number of police started to throw tear shells at the demonstrators without being provoked. Police fired 30 rounds of rubber bullet shots and 25 rounds of teargas shell at the activists. Police charged baton and fired teargas shells a second time to stop the procession that led to another fierce clash. Later, a Rapid Action Battalion contingent joined the police in the

³ <http://www.amardeshonline.com/pages/details/2011/09/13/104991>

⁴ <http://www.amardeshonline.com/pages/details/2011/09/13/104991>

⁵ http://www.dailysangram.com/print.php?news_id=63352

⁶ www.bdnews24.com/details.php?id=205796&cid=3

action, eyewitnesses said. Three severely wounded Jamaat activists namely Shahjahan Ali, Shahriar Alam and Anwarul Wadud were admitted to a private clinic in the city.⁷

Eight people were arrested by the police from the site. Among the arrested activists are– Obaidur Rahman Masud, Obaidul Haque, Shukur Ali, Touhid Ahmed and Oliur Rahman.⁸ Later police has filed a case of assault against 3000 Jamaat activists and leaders including Metropolitan President Ehsanul Mahbub Zubair, District South President Habibur Rahman, Professsor Abdul Hannan, Dr. Sayef Ahmad, Sirajul Islam Shahin Advocate Zia Uddin Nader and others.⁹

In the same night, Police arrested Jamaat leader Shams Uddin from a clinic where he was under treatment for his wound he received from the attack on the procession. On 3 am in the morning, Police conducted a raid in the house of Surma Upazila Chairman and Jamaat leader Maolana Lokman Ahmed for arresting him, when he was not at home.¹⁰

Attack in Bogra

In Bogra another procession of Bangladesh Jamaat-e-Islami was attacked by Police leavening four activists injured. Police charged with batons on the peaceful procession called by Jamaat demanding the release of their central leaders. Jamaat had begun its rally from Satmatha of the city before it was dispersed by sudden police attack. Later the activists assembled in a protest meeting in front of the Press Club led by district Jamaat President Shahabuddin.¹¹

Violation of Constitutional Rights

Under the constitutional provision of Article 37, every citizen has the right to assemble and to participate in public meetings and processions peacefully and without arms, subject to any reasonable restrictions imposed by law.¹² In the peaceful procession of BJI demanding the release of arrested party leaders, the participants of the rally only staged a peaceful demonstration against the politically motivated detention of BJI leaders. Therefore the police have committed a serious breach of law by attacking the rallies of BJI in Sylhet, Dhaka and Bogra.

It is clearly stated in Article 35(5) of the Constitution that *no person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment.*¹³ The persistent oppression of police targeted on a opposition political party violated the right of every citizen to be member of

⁷ http://www.dailysangram.com/print.php?news_id=63256

⁸ www.bdnews24.com/details.php?id=205796&cid=3

⁹ <http://www.amardeshonline.com/pages/details/2011/09/13/105009>

¹⁰ <http://www.amardeshonline.com/pages/details/2011/09/13/105009>

¹¹ <http://www.amardeshonline.com/pages/details/2011/09/13/105009>

¹² Article 37 of the Constitution of Bangladesh.

¹³ Article 35(5) of the Constitution of Bangladesh.

any legal association.¹⁴ On the other hand, the arbitrary arrest of more than 50 Jamaat activists without credible charges was clearly against the citizens' right of liberty mandated by the constitution.¹⁵

Violation of Human Rights

The senseless attack of peaceful rally, arbitrary arrests of BJI activists and restraining from lawful procession violated some very basic human rights which Bangladesh is committed to protect. Bangladesh is a signatory of *International Covenant on Civil and Political Rights (ICCPR) 1966* which incorporated certain fundamental human rights. Under article 21 of this covenant, Bangladesh cannot impose any unreasonable



restriction on the right of peaceful assembly held in accordance with law.¹⁶ By inhumanely torturing the participants of the BJI rally, the police also disrespected the human rights of protection from torture and cruel treatment.¹⁷

Role of Police

The police have played a very unacceptable role in Dhaka and Sylhet by attacking peaceful processions by Bangladesh Jamaat-e-Islami. The law enforcing agency has violated the constitutional right of the citizens to gather in lawful assemblies. Assault on opposition activists and unjustified use of force in the previously declared political program were beyond their legal duty to maintain law and order.

The law enforcing agency attacked the gatherings of BJI activists from behind without any inducement. The team of riot police took a violent approach and fired rounds of tear cell and rubber bullets on the protesters who had no arms whatsoever. The police also beat everyone in the spot indiscriminately with sticks and kicked them to disperse the assembly which was only meant to be a non violent demonstration.

¹⁴ Article 38 of the Constitution of Bangladesh: *Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interests of morality or public order.*

¹⁵ Article 32 of the Constitution of Bangladesh: *No person shall be deprived of life or personal liberties save in accordance with law.*

¹⁶ Article 21 of ICCPR: *The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.*

¹⁷ Article 7 of ICCPR: *No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*

More than 50 members of Jamaat-e-Islami were arrested and another 3000 were prosecuted by police on the charges of assault and restraining the police from duty. The charges were groundless on the face of it as it was Police attacking the peaceful procession arbitrarily in Dhaka Syleht and Bogra which was reported in every news media. It is the police who took the first strike which is apparent from the fact that they were chasing the Jamaat activists from behind. Nevertheless Police filed a case against the arrestees for assaulting law enforcing agencies marking another instance of abuse of power.

Role of Administration

The administration did not take any measure to prevent the continued attacks on Jamaat rallies by the police. No incidents of violent attack on Jamaat activists went through proper investigation and judicial punishment. As a result, the police force has started to obstruct every nonviolent demonstration against the government.

The administration should have cooperated in holding peaceful programs for the sake of democratic development. Government acts to be the savior of democracy and equal rights while the reality is quite opposite. What the government is doing to suppress the opposition is nothing other than the legacy of abusing state power.

Recommendations

- The opposition parties should not be prevented from exercising democratic right to hold political gatherings.
- The arrested activists of BJI in the conspicuously groundless cases must be set free. The malicious cases filed by police for harassing the Jamaat activists should be withdrawn.
- Departmental proceedings have to be brought against the police members who have been involved with unlawful attack, torture and assault on innocent citizens.
- The administration should stop using the police force as a weapon to oppress the differing voices. The government must ensure that the police perform its duty within the limits set by law.
- The civil society and media must raise the issue of continued illegal attacks conducted by police under the protection of the administration to various forums. Human rights organizations must address the incidents of torture committed by the members of law enforcing agencies.
- International community must consider while making any decision about their relation with Bangladesh the issues of human rights violation and torture by the police force. The issue of unjustified violence by police must be addressed seriously. Donor agencies should ensure that no person is tortured or humiliated due to his involvement with any political or other organization.