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GO

Español | Français | بالعربية

Library

Online documentation archive

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Search by AI INDEX

GO

TAKE ACTION

[Human rights
defenders in
Bangladesh under
attack](#)

View this page in

[Français](#)

AI Index: ASA 13/006/2001 1 December 2001

BANGLADESH

Attacks on members of the Hindu minority

Amnesty International has been concerned about the situation of members of the Hindu community in Bangladesh over the past several months. Following the general elections on 1 October which were won by a coalition led by Bangladesh Nationalist Party (BNP) with a large majority, BNP supporters reportedly attacked Hindus because of their perceived support for the rival Awami League party during elections. Hundreds of Hindu families were reportedly driven off their land by groups affiliated to the BNP-led coalition who, in some cases, allegedly burnt their homes and raped Hindu women. Several Hindus were reportedly killed. Amnesty International is calling on the Government of Bangladesh to bring to justice perpetrators of these attacks regardless of their position in society or in any political party.

Amnesty International is also calling for the immediate and unconditional release of prisoner of conscience Shahriar Kabir, a journalist who has sought to publicise abuses against Hindus.

Discrimination against Hindus

Hindus in Bangladesh have tended to vote for and support parties such as the Awami League. They have therefore been the target of a political backlash by supporters of parties opposing the Awami League.

As a minority community in Bangladesh sharing a language and religion with the Indian populations of West Bengal, Hindus have been subjected to discriminatory practices or attacks by Muslim groups in Bangladesh. None of the governments in Bangladesh since its independence has taken any decisive steps to protect Hindus in the face of potential threats, including the current attacks.

While both Hindu men and women have been subjected to attacks and intimidation, Hindu women have been also subjected to sexual violence. As a state party to the International Convention on the Elimination of all forms of Discrimination against Women, the Bangladesh Government is required to take steps without delay to eliminate discrimination against all women in Bangladesh. The Committee on the Elimination of Discrimination against Women has identified gender-based violence which includes rape, as a form of discrimination (General Recommendation 19 of 1992).

Attacks against Hindus

The current wave of attacks against the Hindu community in Bangladesh began before the general elections of 1 October 2001 when Hindus were reportedly threatened by members of the BNP-led alliance not to vote, since it was perceived their vote would be cast for the Awami League. The backlash after the elections was systematic and severe. Reports indicate that the worst affected areas have been in Barisal, Bhola, parts of Pirojpur, Khulna, Satkhira, Gopalganj, Bagerhat, Jessore, Comilla and Narsingdi. Attackers have reportedly entered Hindu homes, beaten members of the family, looted their property and in some cases, raped Hindu women.

- One of the affected villages was Ziodhara. Fear of backlash created a severe atmosphere of tension in the village. Several hundred Hindu villagers left for fear of being attacked and Hindu children would not attend schools.
- In another village, Deuatala Bazaar, gangs of young men wielding sharp weapons reportedly went from door to door telling Hindus to "go away". Hundreds of Hindu villagers reportedly left the village.

Photo caption: *Bangladeshi Hindu families who crossed into neighbouring West Bengal as a result of attacks on Hindus in Bangladesh gather to receive food from Indian villagers in the borders village of Badalpur, 420 km north of Kolkata [Calcutta] on 8 November 2001 © Reuters.*

- In the village of Daspara in Mithanala union, Mirersarai Upazila, a gang of about 25 youths reportedly attacked homes of Hindus around midnight on 5 November. One person, Sunil Das Sandhu, 28, was reportedly hacked to death and 16 others were injured, some seriously. They ransacked houses, looted them, dragged family members out of their homes and beat them. Police reportedly arrested 12 persons in connection with this attack, but it is not known if they have been charged.

Hundreds of Hindu families have fled across the border into India because they have been attacked or threatened. They have been trickling into India reportedly either by paying bribes or crossing along the remote unmanned border areas. According to *Agence France-Presse* of 29 October 2001 they have either ended up in camps or gone to their distant relatives. Hindus interviewed by journalists have said they have been targeted because they were thought to have been supporters of the defeated Awami League.

Some Hindu places of worship have also been attacked, including one in Chandaikona Bazaar in Royganj area in Sirajganj on 22 October by a group of youths who damaged Hindu statues and looted the place.

Following a petition filed by a Bangladeshi legal aid organization, Ain-o-Salish Kendra, the High Court ordered the government on 26 November to explain why it has not done more to protect the country's Hindu religious minority. The court gave the government one month to respond.

Allegations of rape

Human rights organizations in Bangladesh believe over 100 women may have been subjected to rape. Reports persistently allege that the perpetrators have been mainly members of the BNP or its coalition partner Jamaat-e-Islami. Rape victims are frequently reluctant to disclose their ordeal. What follows is a sample of the available information.

- A college student was reportedly raped in front of her mother at her home in Azimnagar, Bhanga, Faridpur. The attackers reportedly entered her home on 6 October at about 9pm, ransacked the house, looted valuables and raped the student before leaving the house.
- A school girl was reportedly gang-raped in Delua, Ullapara, Sirajganj on 8 October. Attackers entered her home, ill-treated members of her family, took her outside the house and raped her.

Photo caption: *Two Hindu teenage girls cover their faces after they were raped allegedly by supporters of the new government in Barisal district, 13 October 2001 © Associated Press.*

- Two Hindu women were reportedly raped in front of their husbands on 11 October in Khanzapur Upazila in Gournadi, Barisal. The attackers reportedly came at night, knocked at the door, and told the family that they should leave the area because they had voted for the Awami League. They then reportedly tied up the husbands and raped the women.
- Two Hindu women were reportedly raped in their home in Bashkandi, Chorfashion, Bhola on 6 October. Male members of the family had already gone into hiding for fear of being attacked. The attackers entered their home and raped the girl and her mother.

A number of Hindu girls were reportedly abducted. It is not known whether or not they have returned to their families. A gang of armed men reportedly abducted three Hindu girls at the village of Nohata in Shreepur in Magura district on 11 October 2001. The men reportedly entered their home at midnight and took the girls away. Another girl was reportedly abducted from her home at Razarchor, Sadar, Barisal after the attackers were not paid a large sum of money which they had demanded for leaving the family alone. They also molested the girl's mother and her aunt. There are fears that all of these girls may have been subjected to rape.

National and international reactions to the attacks

Soon after the elections, the Bangladeshi press covered atrocities against the Hindu communities widely, raising awareness in Bangladesh about their situation and urging the authorities to take action. The move was reinforced by Bangladeshi human rights organizations some of whom sent investigative teams to the affected areas and held public meetings in protest against the attacks.

On 15 October, Amnesty International issued an Urgent Action expressing concern at reports that Hindus and other religious minorities have been attacked since the general election, allegedly by supporters of the BNP-led coalition. Members of Amnesty International throughout the world wrote to the authorities in Bangladesh urging them to take immediate action to stop any attacks on religious minorities and to provide the victims of these attacks with adequate and durable protection. They wrote to the Prime Minister Begum Khaleda Zia asking her to set up an impartial and independent commission of enquiry to investigate the alleged attacks, identify the attackers and bring those responsible to justice. Amnesty International members also wrote to the Inspector General of Police urging him to ensure that his officers take appropriate action on complaints against the alleged attackers.

Government reaction to concerns about the attacks was initially one of denial. Amnesty International was particularly disturbed by reports in the Bangladesh media in mid-October quoting Bangladesh Home Minister, Altaf Hossain Chowdhury, as saying the news of the attacks on members of the Hindu minority in Bangladesh were "baseless, exaggerated and politically motivated". He said during a visit to Barisal that he had not found any evidence of such reports. However, on 26 October, he reportedly admitted that atrocities had taken place but provided no

information about the scale of the problem.

On 9 November, *Agence France-Presse* reported that the Bangladesh Government had set up a committee headed by the principal secretary to Prime Minister Khaleda Zia to investigate alleged atrocities committed against members of the Hindu community and their reported exodus to India. The committee does not appear to be independent of the government, as the Home Minister reportedly has a supervisory role. The committee was to submit a report within a week but there has been no further news about the progress of this committee.

To date, a number of BNP members have reportedly been arrested in connection with the attacks on Hindus. For example, on 15 October, the *Daily Star* reported the arrest of Abdur Rouf, President of the BNP unit at Purba Delua village, Ullapara thana, Sirajganj. He had reportedly led some 16 BNP activists who had attacked Anil Shill, beating him as well as his wife Basanta Rani and their two daughters Purnima and Gita Rani in an attempt to secure land belonging to the family. Initially, the police had refused to register a case against the attackers.

Reports in the Bangladeshi press continue to point to the problems faced by members of the Hindu minority, particularly in rural areas. One such report indicates that some 30 Hindu families in Reeshipara village of Boraigram Upazila in Natore have allegedly been threatened by armed men identifying themselves as members of the BNP to either provide them with 300,000 Taka (\$5,317) before the end of Ramadan or leave the village and settle in another place.

Killing of Gopal Krishna Muhuri

The killing of a prominent member of the Hindu community appears to be connected to the current wave of attacks on Hindus. On 16 November, Gopal Krishna Muhuri, Principal of Nazirhat College in Chittagong was shot dead at his home. Four gunmen posing as members of the police detective branch came to his house, called him to come to the door and fired two shots at his head which killed him instantly. The circumstances surrounding his killing point to the strong possibility that he was targeted because of his identity as a prominent Hindu with a successful career in the educational establishment of Chittagong city. He had banned political activity in the college, a move popular with ordinary students but opposed by armed students' groups affiliated to the political parties who fight for the control of halls of residence at educational institutions. At the same time, a two-year extension of his tenure reportedly created mounting disquiet among the majority Muslim staff of the college. Police reportedly arrested at least two teachers and colleagues of Gopal Krishna Muhuri on 17 November in connection with his murder. They were allegedly linked to Jamaat-e-Islami, a party in the coalition government.

Arrest of Shahriar Kabir

The arrest of a prominent journalist and writer, Shahriar Kabir, who was investigating the situation of Hindus after the attacks, has sent a chilling message to human rights defenders in Bangladesh and throughout the world. He was arrested and taken into custody of the Special Branch of the police on 22 November at Dhaka Zia International airport on his return from Kolkata. He had been to India to cover the situation of Hindus who had fled persecution in Bangladesh after the general elections. Police seized his passport, five video cassettes, 13 audio cassettes, three CDs, several unprocessed films and his camera. He was detained under Section 54 of the Code of Criminal Procedure, which allows the police to detain people without a warrant of arrest for 24 hours. The police asked for his remand in police custody and a two-day remand order was issued by the magistrate. However, the lawyer representing Shahriar Kabir sought a stay of this remand order for two weeks, which was granted. The court did not grant bail to the prisoner and he was sent to Dhaka Central Jail where he was then served with a detention order under the Special Powers Act (SPA).

The SPA provides for detention on the grounds of "preventing [a person] from doing any prejudicial act" for example by causing "*fear or alarm to the public or any section of the public*" or "*to prejudice*" matters relating to defence, foreign relations, security, community relations, administration of law, essential supplies and services, and economic or financial interests. Its broadly formulated provisions allow for the detention of people in contravention of their right to freedom of expression. It has been frequently used by Bangladeshi governments to detain political

opponents. The extent of its abuse is such that the Bangladesh Nationalist Party - now the largest component of the ruling coalition - declared in its manifesto its intention to repeal the law. The government has pledged to fulfil this promise.

The explanation the government has given for the detention of Shahriar Kabir is that *"it was later found that the videos contain objectionable and misleading statements that are detrimental to communal harmony and subversive of the state"*, and that Shahriar Kabir *"in the interest of vested quarters was involved in tarnishing the image of Bangladesh and of the government in the outside world"*.

At the time of writing, the grounds given by the government for the detention of Shahriar Kabir do not relate to any specific penal charges. On 1 December, the Bangladesh High Court asked the government to explain within one week why Shahriar Kabir's detention was not illegal. The ruling followed a writ petition by defence lawyers challenging his detention.

Shahriar Kabir's detention appears to be solely for writing articles, giving interviews and taking video footage of Hindus who have been the subject of attacks in recent months. In light of this, Amnesty International believes that Shahriar Kabir's arrest is in contravention of his rights to freedom of expression, which includes freedom to express his views peacefully on the plight of the Hindu minority in Bangladesh. There is no indication whatsoever that he has used or advocated violence. Amnesty International therefore considers Shahriar Kabir to be a prisoner of conscience and is calling for his immediate and unconditional release.

Recommendations:

Immediate and decisive action is needed by the government to address the situation of Hindus in the country. Amnesty International is urging the highest authorities in Bangladesh to:

1. Publicly condemn attacks against members of the Hindu community.
2. Take decisive action to protect members of the Hindu community against attacks.
3. Initiate a full, impartial and independent investigation of the attacks and make the result of this investigation public.
4. Bring to justice all perpetrators of the attacks regardless of their position in society or in any political party.
5. Provide compensation to victims of the attacks.
6. Ensure that discriminatory laws against Hindus and other minorities are repealed.
7. Take appropriate disciplinary or criminal action against any police personnel who have failed to ensure the protection of members of the Hindu community.
8. Amnesty International is also urging the Government of Bangladesh to release Shahriar Kabir immediately and unconditionally since his detention is in contravention of his right to freedom of expression.

AI Index: ASA 13/006/2001 1 December 2001

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