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DEFENDERS



CRUSHING STUDENT PROTESTS

**BANGLADESH'S REPRESSION OF THE
QUOTA REFORM AND
ROAD SAFETY MOVEMENTS**

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Cover photo: Suvra Kanti Das/Drik

A Bangladeshi policeman grabs the mouth of activists and prominent photographer Dr. Shahidul Alam so that he doesn't speak to the press during an appearance in a court, in Dhaka, Bangladesh, August 6, 2018.

Bangladesh police said on August 6 they arrested a prize-winning photographer for "provocative comments" in an Al Jazeera interview about protests by teenagers that convulsed the country for over a week.

Executive Summary

Two major student protest movements were launched in Bangladesh in 2018. In April, senior students from universities called for a reform in the quota system for government jobs. In July and August, junior students from schools and colleges led protests demanding public transportation safety reform after the latest incident of students killed in traffic accidents.

Both movements were peaceful and attracted huge public support. The government initially agreed to both movement's demands, later backtracking and delaying in the case of the quota movement, and responding with force and acts of retaliation in case of the road safety movement.

The response to both movements was characterized by excessive use of force by law enforcement agencies. Unidentified armed individuals – associated with ruling party, the Awami League – attacked students with wooden logs, sticks, iron rods, and sharp weapons. Police filed multiple cases against protestors without specifying names and detained students at will. Bangladeshi journalists were assaulted and detained, in what amounted to government efforts to control the narrative and silence critical voices. Long after the protests stopped, many student activists, their friends and family members face surveillance, intimidation and harassment, illustrating how repression extends beyond periods of detention, effectively silencing future dissent.

This report explores the link between the crackdown on these protests movements and the effort by the government to close down civil society space more broadly. By imposing severe consequences on a younger generation of human rights defenders, organisers and journalists, the government has effectively sought to stifle current protest and potential for future popular organisation. In both cases of the quota protests and the road safety demonstrations, the government effectively acceded to the demands (although in both cases the measures adopted do not meet the

specific demands and are problematic – detailed in the report). Yet, there was not even minimal attempts by the government to enter into dialogue. The message was clear – the government will decide; citizens can only oblige and if they do speak out, they will be punished.

Human rights defenders in Bangladesh have come under unprecedented attacks over the last decade in a country that seemingly functions as a democratic system. Targeted by religious extremists, party loyalists and the state, some HRDs have fled the country for safety abroad, as the police and authorities seem unable and unwilling to support them. Others who have been at this work for decades and who have achieved significant and hard-won gains, find themselves publicly smeared in major media outlets on false accusations or fake news.

The student protests, which can be seen as part of a global wave of youth-led and student activism (Hong Kong, India, Chile, Iraq, climate change, etc.) sparked new hope and optimism among civil society in Bangladesh. Yet, the crackdown that followed seemed determined to not only get protesters off the streets, but to shut down civil activism into the future. The combination of physical assaults, detention and legal charges and the deployment of social media to harass, intimidate and smear, marked a new low for HRDs and civil society in Bangladesh. While this may have occurred in the context of (then) forthcoming elections, that should only prove more worrying, as it indicates to what levels the ruling party is willing to go to hold its grip on power.

Methodology

This report is based on interviews with student protesters, their lawyers and other eyewitnesses, as well as through a field visit to Bangladesh in June 2019 by the representatives of Front Line Defenders, CIVICUS and South Asians for Human Rights. Eyewitness accounts have been included for reference and context. Some of the interviews were undertaken as focus-group discussions, while personal accounts of arrests, detention and custodial torture were taken in the form of in-depth one-on-one interviews. The report also analysed legal documents like the First Information Reports (FIRs) and other court documents involving the students and civilians charged with criminal cases for participation in the protests.

Introduction

Civil society in Bangladesh is facing unprecedented pressure as civic space is shrinking and as various state and non-state actors pose real danger to the lives and work of human rights defenders and civil society organisations.

Over the past two years, protests for issues of public concern have been quashed by state and non-state actors; protesters and human rights defenders (HRDs) have been attacked, detained and imprisoned, and freedom of expression has been curtailed. Freedom of peaceful assembly and association is universally recognized as a fundamental right, and a matter of civil liberty. However in Bangladesh, the crackdown on peaceful congregations with excessive force is rampant. Violent attacks on protesters on several occasions have drawn widespread national and international criticism.

This report by Front Line Defenders, CIVICUS and South Asians for Human Rights (SAHR) illustrates the curtailing of civil liberties in Bangladesh and documents how the state dealt with two major protest movements that shook the country in 2018, with a particular focus on the targeting of and impact on HRDs. The first was a movement seeking reforms of the quota system in the civil service, while the second was a movement demanding for road safety that was triggered by protesting the killing of two teenagers by a speeding bus. In addition to documenting the actual attacks on participants in the protests and the restrictions imposed by the state on civil liberties, this report also finds that the state's clampdown on the protests negatively impacted perceptions of civil liberties among the wider public, and the willingness of

citizens to exercise their rights.

Both of the protest movements were student-led, with one being led by middle-school and high-school students, and the other by university students. This report details how state and security forces swiftly cracked down on the protests using unlawful and excessive force, leaving many injured. More worrying was that pro-government militias worked alongside the police to quell the protests. The student wing of the ruling Awami League party, known as the Bangladesh Chhatra League, was responsible for committing physical attacks against protesters. Some of the protesters were arbitrarily arrested and were tortured or ill-treated in detention. Many continue to face surveillance, intimidation and harassment long after the protests ended, illustrating how repression extends beyond periods of detention, effectively silencing future dissent. This report also demonstrates how both state and non-state actors have perpetrated numerous violations against protesters with complete impunity.

These violations are in contravention to Articles 36, 37 and 39 of the Bangladeshi Constitution as well as to Bangladesh's international human rights obligations, in particular the rights to freedom of expression and peaceful assembly as guaranteed in the International Covenant on Civil and Political Rights (ICCPR), to which Bangladesh is a state party.

The crackdown on the protests is indicative of a broader pattern of aggression and attacks by the government against critics so as to silence dissent. Laws continue to be used to restrict freedom of expression while human rights activists, journalists and government critics have been charged or convicted for speaking up and, in some cases, forcibly disappeared. Access to critical news websites and blogs has been blocked in Bangladesh, and civil society organisations have suffered legislative and administrative measures restricting funding and other impediments to work, and have also been smeared for their activism. Despite these violations, Bangladesh was elected to the UN Human Rights Council in January 2019 even though the situation on the ground has not changed.

In order to address these violations, our organizations urge the Government of Bangladesh to take immediate steps to

conduct an impartial and independent investigation into the violations around the two protests and to hold the perpetrators to account. The government must also review and, if necessary, update existing human rights training for police and security forces, with the assistance of international human rights organizations and the United Nations, to foster more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms. The international community, including foreign aid donors to Bangladesh, must publicly call on the Government of Bangladesh to respect and protect the right to freedom of peaceful assembly and ensure that any training for or cooperation with the criminal justice and security sector in Bangladesh includes a significant human rights component.

Civic Space in Bangladesh

The ruling Awami League led by Prime Minister Sheikh Hasina is in its third term in office. Recent years have been marked by an increasing intolerance to dissent. The Awami League has tightened its grip on power by arresting thousands of opposition members and supporters. Many key opposition leaders are either in prison, facing criminal charges or have been forced into exile. Viable political opposition has effectively been dismantled.

The Awami League won the 2018 elections amid questions over whether the elections were fair and free. Numerous human rights violations were committed as Bangladeshis took to the polls. Human rights groups have documented repeated instances of arbitrary arrest and detention of political opposition figures, as well as acts of violence and intimidation by members of the ruling party's student and youth wings.¹ Physical attacks against journalists and attempts to impede the flow of information were also reported in the final week of the election campaign.²

Systematic civic space violations by the ruling government have been documented

by human rights groups. The authorities used a combination of various laws to curtail free speech while harassing critical journalists and censoring independent media outlets. Two laws in particular, the now-defunct Information Communication and Technology (ICT) Act, and its successor, the Digital Security Act have been most frequently used to bring charges against online critics, activists and other dissenting voices.³ Scores of opposition activists and critics have also been forcibly disappeared.⁴

Bangladeshi authorities have also failed to hold to account perpetrators who have committed abuses against human rights



MOBILIZATION OF THE QUOTA REFORM MOVEMENT

8 April 2018

Dhaka University students started their protest at Shahbagh, one of the busiest intersections in Dhaka. A few hours into the demonstration, police attacked the students with tear gas and rubber bullets, and started detaining students. The police were joined by groups widely identified as the Bangladesh Chhatra League (BCL), the student wing of the ruling political party. The attacks on the protesters went on until the early hours of the following morning; many protestors suffered rubber bullet injuries, at least 75 of whom were treated at Dhaka Medical College Hospital. During the clashes, the house of Dhaka University's Vice Chancellor (which is located within the campus) was attacked by unidentified people and completely ransacked.

9 April 2018

The core protest organizing committee, reeling from the brutality of the night before, decided to call off the movement for a month. However, sections of the study body refused to relent and so the protests persisted on for a second day. The Dhaka University students were joined by students from other city universities, who occupied the streets in front of their institutions, namely Daffodil University, North South University and Independent University.

11 April 2018

The protests spread to institutions in other parts of the country, such as Chittagong University, gaining complete national support. As described by one of the activists interviewed, "On 11 April, the movement saw the biggest gathering of our movement. Around 20,000 students gathered."

Dhaka University authorities and the police filed five police cases against the protesters, accusing them of arson, vandalizing the vice chancellor's home, and of "obstructing lawmen from performing their duties."

12 April 2018

Prime Minister Sheikh Hasina announced that quotas in all first and second grade government jobs would be scrapped, thereby abolishing the entire system.

16 April 2018

Three core committee members of the movement were detained by the Detective Branch police, blindfolded, pushed inside a van, and interrogated for an hour. The three were told that they were detained to investigate their relationship to the charges filed on 11 April.

30 June 2018

Bangladesh Chhatra League attacked protesters while they held a press conference in Dhaka University. Two protesters, both of whom sustained major injuries in the assault, were arrested by the police. They then spent over a month in prison.

1-2 July 2018

Two core committee members were arrested without warrants. One went on Facebook Live to broadcast his arrest, and he was charged under the Digital Security Act. The other was picked up by the police on the morning 2 July, but neither his lawyer nor his family were informed until the next afternoon when he was produced in court.

12 July 2018

Another key organizer interviewed for the report was arrested without a warrant from his friend's apartment. He spent a month in prison.

15 August 2018

A female organizer was arrested from her hometown, during the period of the road safety protests. Her arrest was regarded as preventive, so as to ensure she would not participate in any social organizing.

21 August 2018

The protesters were given bail by the court, after they had spent nearly two months in prison.

defenders, bloggers and LGBT activists and, at times, have been complicit in the harassment of individuals promoting human rights. The government has also continued to impose unnecessary legal and extra-legal restrictions on the right to association. Many CSOs have reported that the process of registration is cumbersome and often subject to bureaucratic delays, while some have been publicly harassed.

Bangladeshi authorities also often prohibit marches and protests organized by actors who are critical of the government either by not giving permission or by using excessive force to dispel them.⁵ Bangladeshi security forces regularly use excessive force to disrupt peaceful assemblies.⁶ These restrictions and violations have created a chilling effect for human rights defenders and activists forcing many to self-censor.⁷

Repression of the Quota Reform Movement

The Quota Reform Movement

The first protest movement discussed in this report relates to the allocation of and access to government jobs for citizens of Bangladesh. The quota system allocates 30% of government jobs for freedom fighters who fought in the 1971 Liberation War—when Bangladesh seceded from Pakistan to become an independent nation—and their descendants. It rewarded service by ensuring that the guerrilla fighters could be reintegrated back into society.

However, 48 years later, many students consider the quota to be unfair as it currently favours second or third generation descendants of freedom fighters, who played no role in the liberation struggle.⁸

In addition, while the Constitution guarantees positive discrimination, according to the current quota system, women, persons with disability, and ethnic communities are less represented than the descendants of freedom fighters. 10% of the seats are reserved for women and 10% for individuals from “backward communities,” 5% for ethnic minorities, while persons with disability only receive 1%.⁹ This means 56% of the nearly 3,000 government positions which are filled through annual examinations are assigned under various quotas, leaving only 44% of jobs for general category students.

In February 2018, the protest began with

a small group of students holding various activities like protest rallies, human chain, etc. at Dhaka University and its surrounding areas.¹⁰ In early April 2018, students from the University of Dhaka began mass public protests by occupying a road that is routinely used by civic groups for demonstrations. The movement soon spread across all major universities in Dhaka.

The students demanded that the current 56% quota to be reduced to 10% and the implementation of merit-based recruitment of vacancies where quota candidates were unavailable. They also demanded that no candidate should be permitted to use their quota privilege more than once when applying for government jobs; standardization of the age limit for job seekers; and the termination of special recruitment tests for quota-based jobs.¹¹



Rahat Karim, a freelance photojournalist, is attacked allegedly by BCL men at Science Lab intersection in Dhaka on August 4, 2018. Photo: Ibnul Asaf Jawed/Drik

Police restrictions and excessive use of force

The quota reform movement activists were met with police restrictions and repression at various stages of the protest, which were then escalated as the months progressed.

The most violent attacks against the protesters occurred between 8 and 15 April, when police cracked down on students demonstrating at Shahbagh intersection, close to the Dhaka University campus. According to the protesters interviewed, the police attacked them with tear-gas, rubber bullets and high-pressure hot-water cannons, while the Bangladesh Chhatra League (BCL) used metal rods and cleavers.

The first information report (FIR) filed following the quota-reform demonstrations that happened on 9 April notes that the protests started off peacefully, but the police went on the offensive because the students refused to clear the demonstration. It states: “A large number of university students and others were protesting for a reform in the government's quota system in front of

University of Dhaka's library...We asked the protestors to stop occupying the road because they were impeding traffic and there might be ambulances present. Instead of listening to us, they started crying out slogans even harder. That is when our higher officials instructed us to aim at them with a hot water cannon and fire from [a list of guns used to fire rubber bullets].”¹²

Over 50 students were treated for rubber bullet and riot-control weapon injuries at Dhaka Medical College Hospital during the first day of the clashes.¹³ There are no estimates for the number of students injured during period the clashes were happening. The violent assaults on the protesters by the police continued until demonstrators were compelled to leave the streets at the end of June 2018. However, harassment in other forms continued.

Attacks and threats by non-state actors

Evidence collected for this report also highlights that the police assumed the responsibility to the student wing of the ruling party known as the Bangladesh Chhatra League (BCL). These groups operate as an auxiliary force to Bangladeshi security forces to perpetrate violence against protesters. The organization is comprised of students from a variety of institutions across the country. However, the most politically powerful BCL groups are from Dhaka University.

The students reported seeing BCL members carrying cleavers charging at the protesters. According to one student, two local Awami League leaders had a meeting with the student wing around midnight at a petrol pump close to campus to mobilize BCL cadres from surrounding institutions to repress the protests. Many students reported that masked men arrived from the general direction of Dhaka College. One student reported meeting a Dhaka College freshman on campus. “I am just a first-year. The BCL forced me to come here,” the freshman told the student interviewed.

BCL cadres also persecuted students inside the residential halls during the quota reform protests, to dissuade them from joining the movement. Student dormitories are governed by BCL cadres, with each dormitory building having its own BCL president, general secretary, etc. While officially they are supposed to function as a club unit, they essentially govern all aspects of residential life – from who gets a room allocation, to what programmes can take place. BCL’s reach and power within university dormitories have been documented in news reports.¹⁴ A graduate student of Development Studies from Dhaka University described how on the night of 9 April, BCL leaders of the dormitory gathered all the female students and forbade them from joining the quota reform movement. “A BCL leader called out a girl who had joined the protests and threw my water bottle at her. She started bleeding from the lip,” described the freshman.

BCL members attacked other protests,

Eyewitness Testimony

The BCL mobilized on 8 April, the first day of the protests. Students participating in the protests reported seeing BCL cadres brandishing pistols and joining the police in attacking the protestors. According to witnesses, the police did not stop the BCL members from assaulting the quota reform activists.

“I was running towards Raju Bhaskhorjo (a landmark sculpture) when I saw the general secretary of BCL ask his men to break whatever was in sight.”

included one organized by the professors of Dhaka University.¹⁵ One photo shows Nur, one of the quota movement activists on the ground grabbing the legs of a professor, begging for mercy, while the BCL trample on him; another photo is of a female high school student trying to protect a quota reform activist from assailants, but instead getting sexually assaulted herself. The female student, Moriom Mannan, later held a press conference to recount the ordeal.¹⁶

During these protests, female students reported receiving countless rape threats from people associated with the ruling party.¹⁷ Sexual harassment online was also

widely used against female quota reform activists. Their photos were circulated online, with people making open calls to gang-rape them on the street. This effectively put the female students at serious risk.

One student interviewed shared the threatening messages of rape she received from BCL cadres via social media. One message read “You should have been raped when you were a baby in your mother’s lap.” A BCL cadre from another district sent her a sexually explicit message asking if “Tk 250–300 will be enough” for him to have sex with her. Yet another message threatened her mother with rape.

“I am constantly afraid that I am being followed,” the female student confided.

Eyewitness Testimony

“I got into a three wheeler auto-rickshaw to return to my residence, around two hundred boys on motorbikes intercepted me near the Shaheed Minar. I was scared as they snatched my cell phone and purse and started shoving me,” Mariam told newspapers.

They hurled abusive words at me which I cannot utter. They entered the vehicle and touched me. Every moment inside the CNG seemed to be in hell.”

A female student told journalists, “In the last one week, I have been threatened of being raped and being beaten up in public on Facebook. I have been asked for my ‘visit’ cost publicly. My Facebook ID has been pasted on different groups. Members of these groups keep on sending disgusting messages to me.” Her photo was among those most widely-shared on Facebook, accompanied by threatening messages.

These women received no assistance from university authorities or police. The Daily Star reported that the victims were afraid of going to the police to file complaints. However, eminent barrister Sara Hossain told the newspaper that “Even if complaints aren’t filed against these harassers by the victims themselves, the police can take action if they are aware of such threats.”¹⁸ The rape threats were circulating so publicly on Facebook that it was unlikely that the police were not aware of it.

The BCL also attacked quota reform protests in other universities. A teacher from Jahangirnagar University based in Dhaka described how students demonstrating for quota reform on the highway outside their campus were attacked by BCL. “The Prime Minister announced that all quotas would be abolished, so the students took to the streets. They had wanted the system to be reformed to reflect positive discrimination, not abolished entirely. I was with the students trying to pacify them, when a group of BCL men swooped upon them and started beating them up,” she said.



Eyewitness Testimony

A quota reform activist from Jagannath University in Sadarghat, Dhaka alleged that on 20 April 2018, he was going to the campus for an exam, when he was beaten up by the BCL. He said:

“My exam was on 20 April from 12 pm to 3 pm. I was afraid to come to the campus even though I had an exam, so I called my department chair and asked him to ensure my security. He reassured me. When I finished my exam, and got out, I saw that the students’ league was waiting for me outside the gate. They accosted me and dragged me to a corner. There were 12 people, and they beat me up, and cut my lip. I had to get 13 stitches on the laceration. They beat me until I was senseless and left me there. The local people took me to the hospital, and I was hospitalized for 13 days.” said Suhel Islam. *“The incident was captured on the CCTV camera of a nearby shop.”*

The most horrifying incident occurred in Rajshahi University where BCL cadres attacked a student with daggers, rods and a hammer, and broke his leg into shards. The police were present but stood by, letting the attack continue. Higher police officials subsequently denied the incident even happened.

However, photos and videos of the incident went viral, sparking a national outcry.¹⁹ Furthermore, the activist was consistently turned away from hospitals when trying to get treatment – including from Rajshahi Medical College Hospital, Anwar Khan Modern Hospital in Dhaka, and others.

Additional arrests and torture of activists after the protests

A total of 19 students were charged for “unlawful assembly” and damages that occurred as a result of the protests. They were arrested under Section 54 of the Code of Criminal Procedure, called the “Special Powers Act”, that allows the police to detain anyone based on mere suspicion.

In the case diary lodged following the protest, no individual student was identified —instead the case charged against “unidentified” people. Later the central committee leaders of the movement were charged with setting fire to vehicles and vandalizing the Vice-Chancellor’s house, even though no witnesses saw them do so.

When the students were arrested, they were not given access to their lawyers or their families, a mandatory legal right of people arrested without warrants. The students’ lawyer, Jyotirmoy Barua, told the media, “I was not allowed to observe the

interrogation when the students were taken into remand by the police.” Another lawyer, Sara Hossain, also faced similar resistance from the police: “I went to see the students who were being held at the Shahbagh police station, but I was not allowed in.”



Eyewitness Testimony

One activist was arrested on 1 July in the Bhasantek area of Dhaka and also charged under the Information and Communication Technology (ICT) act. He reported being beaten up indiscriminately for a full day by security forces. “They made me lie down on the floor, with my arms handcuffed, and several policemen beat me with rods,” he said. “I bled on the floor, and they made the others detained clean the floor.”

“I was also made to stand for hours on end, and every time I begged to be allowed to sit down I would be beaten up again. I was so weak a person had to hold me up as I stood.”

“The interrogation was the same—they wanted to coerce me to confess that I was instigating violence under the orders of the opposition party. We are simply general students fighting for our rights.”

Female activists were also targeted. A second-year female student of Social Science at Eden College was actively involved with the quota reform movement. She was charged under the controversial Information and Communication Act (ICT) because the police believed her to be the person in a video taken during the road safety movements, warning people that students were getting killed and raped in the streets. The person in the video had her face covered—the only reason why police charged this particular activist, was because the girl was wearing a pink dress,

and the activist had appeared on television sometime prior wearing a pink dress. However, the activist was not in Dhaka during the protests.

In August 2018, she was arrested at her ancestral home in Sirajganj; she and other female family members were beaten up by a group of male police officers.

“I was suspended from my dormitory seat because of my involvement with the movement so I had gone to live with my grandmother”.



Student gathered demanding Justice for fellow students Abdul Karim Rajib and Dia Khanam Meem, at science lab circle, Dhaka. 1 August 2018 Photo: Md Abusufian Jewel/Drik



Student gathered demanding Justice for fellow students Abdul Karim Rajib and Dia Khanam Meem, at Asad Gate, Dhaka. 2 August 2018 Photo: Md Abusufian Jewel/Drik

Eyewitness Testimony

A team of 30 police officers came looking for me at 3 am. We live on the same compound, so they went to my uncle's house first. The police barged into the room where my female cousins were sleeping and dragged them out of bed, all the while hitting and slapping them.

One of my cousins is a ninth-grader. They dragged her by her legs, then punched her on the nose, boxed her ears and pulled her hair. They were grown men.

Then they brought my female cousins out on the street and said 'We will show you all how to get a confessional statement out of you.'
"When they realised I was not in that house, they asked my family to show them where I was, but my family didn't give me up, so they kept searching and went to another uncle's house.

My cousin's sister was on the prayer mat, offering Tahajjud [late night prayer], and they barged into the room and pulled her up. My baby niece was sleeping on the bed, so they scooped her up and told my cousin that they will take her baby away if she didn't tell them where I was.

When they finally found the house where I was sleeping, they broke open the door of my room and flashed a torchlight on my face. Without saying a word, they jumped on me, started calling me names and hitting me."

When I protested, they smacked my head hard until my head started spinning. Then a senior police officer walked into the room and slapped me hard, once on each cheek.

I protested again, saying that as men they cannot do this to me, but in response they dragged me to the courtyard and started beating with sugarcanes. I felt like my teeth were going to fall out because my cheeks and head were hurting so much."

Intimidation and surveillance of activists persists

The incidents of 2018 continue to haunt the activists more than a year later. The quota movement activists were routinely harassed and attacked over the course of the year, limiting their physical movements and activism. In particular, the BCL continued a campaign of harassment against activists involved in the movement.

One prominent activist claims he was attacked by BCL cadres while eating with his wife in a restaurant in his hometown in Jhenaidah on 3 June 2018. Assailants beat him, picked him up and handed him over to the police. Despite repeated calls by The Daily Star's local correspondent, the local chief of police refused to admit that the activist was being held in custody. It was only after they handed back his phone (which had been confiscated), that the activist called his peers to confirm that he indeed was being detained.

He reported, "The police are sending me back to Dhaka. They told me they are doing so because they do not have the political clout to save me from the goons."

On 11 March 2018, another prominent activist, Nur, was voted as the student union vice-president of Dhaka University. The polls — the first in 28 years — were reported by media and social networks as lacking impartiality, with journalists and students discovering stuffed ballot boxes. The central leadership of the Awami League's youth wings rely heavily on Dhaka University for recruitment of cadres, and the student union election proved the extent to which it was willing to go to keep control over the campus. Apart from two seats won by quota reform activists, the other 23 seats went to members of BCL. Under such circumstances, Nur's ascension to the leadership of the student union made him the lone opposition member.

The Daily Star reports he was attacked a total of eight times since the protest movement ended. The most recent incident occurred on 13 August 2019, when Nur was attacked the district town of Patuakhali, allegedly by ruling party members, when he was on his way to make a social call on the occasion of Eid-

ul-Adha. Dhaka Tribune reports that the attackers blocked his path and "took him to a nearby steel shed and beat him." Earlier in May, he was attacked in the provincial town of Bogura, while attending an iftar invitation during Ramadan.

"We are in a security crisis. Yesterday we had a wedding invitation. We did not go because we are afraid of being attacked. The whole wedding ceremony would get jeopardized if we went. It is the same regarding going to campus," Nur explained in an interview in August 2019.

Another organizer has been routinely stalked by members of the National Security Intelligence (NSI). He shared with the researchers numerous photos and videos of his stalkers. On 26 June 2019, he messaged, "Since last two days till now, I am under direct surveillance of NSI members. Wherever I go, they run after me, even [if I go] to a walking distance of my house. I am maintaining very friendly relation (with NSI). Willingly they are connected with me on Whatsapp with their phone numbers. Even sometimes they give bike ride out of concern, as they said."

Such surveillance, while not overtly harmful, has instilled a culture of fear in the minds of these university students and has the potential to deter them from civic activism. It is also important to remember that Bangladesh's history of enforced disappearances and surveillance of individuals who are not charged, sends the implicit message that they, too, can be disappeared.

In addition to the surveillance, lawsuits against the student activists and HRDs are effective in censoring their activities.

Repression of the Road Safety Movement

The Road Safety Movement

The second movement highlighted in this report began in late July 2018. The movement was started entirely by high-school and middle-school students who were protesting the deaths of two of their classmates in a road-accident.

On 29 July 2018, two students of Martyr Ramij Uddin Cantonment College were hit by a speeding bus on a road leading out of the airport in Dhaka. The students were trying to board a bus that had stopped in the middle of the street to pick them up when another bus lost control and crashed into the sidewalk killing the two students, and badly injuring 12 other people.

Angered by the tragic killing of their classmates, the students of the college took to the streets and put up barricades on both sides of the road. Students of different middle schools, high schools and colleges joined them on the streets and took over traffic management in protest. Instead of simply occupying the streets, they assumed the work of the traffic police by checking the licenses of drivers and directing the flow of traffic. The school students were later joined by university students and civic groups.

The protest movement then turned into a demand for justice and tougher action to ensure road safety. The protesting students were angered so much that they demanded the highest punishment for reckless drivers who cause accidents resulting in deaths. Approximately 273 people were killed and 849 injured in road accidents in Bangladesh just over the last Eid holidays.²⁰ A large majority of these casualties happen as a result of pedestrian-vehicle incidents. Yet only 5% of police cases filed in road safety incidents ever received a conviction.²¹ The maximum prison sentence for causing death by reckless and negligent driving

was three years at the time the movement started.²² The students also demanded that the government take responsibility for the deaths of students.

The students also demanded the resignation of Shipping Minister and Executive President of Bangladesh Road Transportation Labourer Federation, Shahjahan Khan, on the grounds that his vested interests in the sector posed a conflict of interest with his role as government minister.

In addition to these demands, the students pressed for: the construction of a foot bridge at the spot where their classmates were killed; the implementation of speed-breakers in accident-prone roads; and enforcing the requirement that bus drivers possess the driving license of heavy vehicles.²³ They also demanded that the authorities determine the passenger capacity of buses. This is especially important because the accident in which the two students were killed is a systemic problem—buses are all privately owned and they routinely have to compete with each other to reach a bus-stop because the daily wages of the workers depend on it. The daily wages of the bus driver and the bus conductor are not pre-set amounts—they will get paid only as much as they can earn from selling bus tickets.²⁴ To maximize earnings, bus operators do not limit the number of passengers they take to the number of bus seats available. The Jabal-e-Nur bus that ran over the two high-school students was trying to beat another vehicle to the stop.



TEENAGERS' REBELLION

DEMANDING ROAD SAFETY

29 July 2018

A bus stopped to pick up students of Martyr Ramij Uddin Cantonment College, in front of Kurmitola General Hospital, on airport road in Dhaka. As they were boarding, two other buses of Jabal-E-Nur Paribahan were racing in order to be the first to pick up passengers. One of the 2 buses, plowed into the students standing on footpath, killing 2 of the students and badly injuring 12 others. After witnessing the incident, groups of students from Martyr Ramij Uddin Cantonment College and other nearby schools took to the streets, put up barricades and blocked traffic. They also vandalised several vehicles and set fire to two buses, including the one that killed their colleagues.

30 July 2018

After Shipping Minister Shahjahan Khan's reaction to the killing of the two students, the "Teenagers' Rebellion" expanded throughout Dhaka. Answering questions from journalists, Shipping Minister Shahjahan Khan dismissed the incident by saying that in India 33 people had died in road accidents. The Minister's response was widely criticised, leading to demands from the students for an apology and his resignation.

31 July 2018

On the third day of the movement, the students organised to hold a MANAB-BANDHAN (mass gathering). They were confronted by police and armoured vehicles, who fired water cannons and then rushed and beat them. Along with the police, members of the Student-League attacked the students and journalists with homemade weapons. The student protesters blocked many roads in Dhaka, though they allowed ambulances, school-buses, vehicles that carried pilgrims going to Haj to pass. Along with Farmgate, Tejgaon, Mirpur, ECB yard, the students took to many major roads in Dhaka, holding different type of placards written "We Want Justice", "Why Was My Brother Killed? Government, Respond Us", "Why My Sister Killed, Govt, Respond Us", etc. At noon, at the Central Shahid Minar (fortress commemorating martyrs) of Chashara, students of Narayanganj Government Tolaram University College, Narayanganj College and Narayanganj Government Women's College, arranged a mass gathering. Explaining to journalists the reason for the mobilisation, they announced, "Yesterday, Diya and Karim got killed on road. What's the guarantee that tomorrow I won't be killed? So, we want to secure safety transportation system through movement for all people along with students."

1 August 2018

The "Teenagers' Rebellion" spread countrywide, involving people from all social classes, as demands for the resignation of the Shipping Minister spread. Students of Jahangirnagar University supported the student movement, and arranged a student gathering to protest the police crackdown. The students who were between the ages of 13 and 19, took up positions at important points of city, obstructed vehicles, and checked whether driving licenses, fitness certificates and other paperwork were valid. A number of student organizations (Bangladesh Students' Union, Students' Front, Students' Federation), political parties and Citizen Rights Organization supported the movement too. Many vehicles, including belonging to government offices, were stopped for lengthy periods of time. At Banglamotor, Dhaka, after trying to bypass the student checkpoint, a car carrying the Minister of Commerce, Tofayel Ahmed, was obstructed by the students. Then, in front of the minister, the students chanting the slogan - "The law is same to all."

2 August 2018

Though the government announced close all academic institutions, the students of Chattogram, Sylhet, Barishal, Jessore, Noakhali, Mymensingh, Brahmanbaria, Moulvibazar, took to the roads to join the movement. The protesters set to work organising the streets - they helped pedestrians and passengers abide by the traffic rules and conducted the traffic, including making a lane only for ambulance and fire service vehicles. At Mirpur-14, in front of Police Staff College, the police and Student League attacked the students leading peaceful protest outside.

3 August 2018

The 39th BCS Preliminary Exam was held; instead of obstructing roads, the students arranged a mass gathering and helped the police in controlling traffic. At noon, protests were sparked by the killing of a man on a motorbike in another traffic accident in Dhaka.

4 August 2018

The student movement continued countrywide, demanding 9 points and the resignation of the Shipping Minister. In many areas in Dhaka, students checked driving licenses, fitness certificates and kept traffic within marked lanes. Attacks on students occurred in Dhanmondi, Jigatala, Khulna, Moulvibazar, Feni, Manikganj, Bagura and in many other areas of country. Student League and Youth League attacked with firearms and sticks, injuring hundreds of students. At least 10 journalists were injured by Student League and Youth League members.

Attacks by non-state actors and the police

Eyewitness and media reports suggest that the police initially did not attack the students protesting for road safety. Instead, civilians wearing helmets and carrying rods attacked middle school and high school students in Mirpur 13 on 2 August and in Jigatola on 4 August 2018.

Media accounts²⁵ and first-person interviews suggest the mob was comprised of political cadres of the ruling party. Research also suggests that these political cadres were well-organized in coordinating violence. The police did not intervene to stop the attacks, despite being present.

This was to be the first of many waves of assaults on the students throughout the month. Just like the quota reform movement, there are no exact figures of how many students were actually injured in the clashes. The Daily Star interviewed a 22-year-old first responder, who said she gave medical treatment to more than 50 students, all of whom were schoolboys wearing school uniforms.²⁶

Popular Medical College Hospital, which was in the vicinity of the area where the protests occurred, informed The Daily Star that they treated around 50 school students on 4 and 5 August 2018. All injuries were due to cuts and lacerations sustained in the attacks, and one student had a fractured arm.

The Daily Star reported, “Students ran away in different directions, and policemen, in groups, entered different lanes of Dhanmondi and Jigatola, looking for the protesters. Wherever they saw students, they raised their batons, and shouted at them to leave the spot immediately; some even shouted profanities against the teenagers. Some students threw brick chips and stones at the police. A little later, a team of around 50 policemen and Ansar led by Ramna Deputy Commissioner of the Dhaka Metropolitan Police Maruf Hossain Sarder started marching from Pilkhana to Science

Eyewitness Testimony

“Underneath the helmets, the people attacking us did not look like students. They were a lot older and were not wearing school uniforms or carrying ID cards, like the protesting students. The police were not stopping them from attacking school students, so we ran away from the streets and escaped. But we saw a school student from a school we didn’t recognize, whose uniform was white shirt and navy-blue pants, getting hit on the head with a large rod.”

Laboratory. They were asking pedestrians to go home and shopkeepers to close their shops. When a group of protesters marched towards Star Kabab chanting slogans, police again went on the offensive and lobbed tear gas shells.”²⁷

Following the attacks on middle and high school students, college and university students from different public and private universities rushed to the streets in the subsequent days. They too were violently attacked by armed civilians.

Protesting students from North South University, East West University, Ahsanullah University of Science and Technology and BRAC University were attacked by civilians on 6 August 2018.²⁸ Police were quickly deployed and they used excessive force to disperse the

mobilisation. Riot police used rubber bullets and shelled protesters with tear gas. A North South University student of the Computer Science and Engineering department suffered critical injuries to his eye, after being hit by a rubber bullet.²⁹

Another student from the same university reported being teargassed, and when he fell down clutching his eyes, the police attacked him:

“We were unarmed, we had no lathis³⁰ before the attack from the police started. We were gathered there peacefully when they started attacking.”

A total of 7 people were injured in these clashes. Three of the injured bore marks of blunt trauma. One student had a severe head injury and had to be referred to Dhaka Medical College Hospital as he was

Dhaka Medical College Hospital as he was repeatedly vomiting. The report also interviewed a private university student who suffered injuries from the police – he was leaving campus for home when the police assaulted him on the head with rods, fracturing his skull. As a result of the severe head injury, he developed a blood clot, which was removed in an operation.³¹

At least 23 media workers covering the protests were attacked, beaten, had their cameras smashed, and vehicles vandalized. This includes ten journalists from different media outlets who were beaten brutally in Dhaka’s Science Lab area, allegedly by the BCL, armed with sharp weapons and rods, with many wearing motorcycle helmets.³²

The protests ended on 8 August 2018, after being thoroughly quashed by the police and political actors.

Arrests and alleged torture around the road safety protests

On 5 August 2018, when students from various institutions had taken to the streets to protest, over a hundred high-school, college and university students were picked up by police from various points around the city after gatherings were deemed “unlawful.”

Journalists visiting police stations around universities (namely Dhanmondi Police Station, Shahbagh Police Station, Rampura Police Station, Banani Police Station, Tejgaon Industrial Zone Police Station, Bhatara Police Station) found crowds of parents and family members waiting all night for the students, many of whom were minors.

The university students targeted were from the following institutions: Dhaka University, BRAC University, North South University, Southeast University, Ahsanullah University of Science and Technology, East West University. One of the authors of this report witnessed 37 students of Ahsanullah University of Science and Technology being detained in Tejgaon Industrial Zone Police Station.³³ A journalist from **The Daily Star** reporting

from Shahbagh Police Station found and interviewed a mother of a high school student from Engineering University School and College (classes 11 and 12 are called college locally, and everything beyond that is called university).³⁴

Most of the students were released within 16 to 20 hours. 24 hours is the statutory time limit for keeping a person in police custody without a warrant—beyond this time, the police are compelled to produce the evidence needed to charge the detainee with the crime for which he or she is being held. If no evidence can be produced, the detainee has to be released. Many students who were arrested, reported that detention, and spending the night at the police station, effectively dissuaded them from organising or taking part in any additional protests.³⁵

Eyewitness Testimony

“Just half an hour later, the other parents waiting in front of Shahbagh police station got a first-hand experience of how police arbitrarily detain students when they charged at a demonstration brought out by the students of Dhaka University. The police detained at least nine students. Some of them were fortunate enough to convince the police to allow them to call their relatives. Some students were not that fortunate. All of their cell phones were confiscated immediately after detention, and those who could not make the call by that time had to wait in complete uncertainty about their fate. At the duty officer's chamber of Shahbagh police station, three female students were detained who were at Shahbagh during the demonstration. Two of them informed Star Weekend that they were not allowed to call their guardian even after three hours of detention. And, for the third student, police called her guardian when she fell seriously ill after inhaling an excessive amount of tear gas lobbed at the demonstration.”

Not all the students were released without charges. 52 private school students were arrested, charged and kept in detention for a minimum of two weeks. 22 of them were detained from the streets during protests, while the rest were picked up during raids in the week following the protests. Their bail requests were repeatedly denied.³⁶

The police also visited the homes of

private university students, to try to find students associated with the road safety movement. The exact number of raids is not known. Only one block raid — in the neighbourhood of Bashundhara on the night of 8 August 2018 — was documented by the media.³⁷ The police, however, insisted it was to catch drug peddlers. The Office of Student Affairs of North South University put out a warning through social media as well.

Eyewitness Testimony

A North South University student who shared an apartment raided on that night described his ordeal.

“I had fallen asleep early that day — it was only 10 p.m. Suddenly I was woken up roughly by a couple of policemen. They made me get up, turn on my computer and log into my Facebook. They also checked my phone. In my phone was the message from NSU's office of student affairs, warning us not to misbehave with the police should they come to raid our dormitories. The police present saw the message and got alarmed—they held a gun to my back and started interrogating me about how I got to know that a raid was going to happen. I kept telling them that this was an official message sent out by the university, but they didn't listen. I was taken to the main room of the apartment I share with 5 guys. They had been dragged out of their rooms too. From there we were taken to the main police-box of our neighbourhood, and detained there.”

Eyewitness Testimony

On 14 March 2018, the quota reform activists were blocked when attempting to go to the Ministry of Public Administration with a memorandum. The students were detained even though their protest was peaceful. In the words of one activist interviewed:

“There were 63 of us in the procession. The police blocked our path and took us to Ramna police station. ‘Come have lunch with us inside the police station,’ they said. Once inside we were led to cells. They detained us for several hours inside without giving a reason. The officers told us, ‘Leave the roads and we will release your friends.’”

Eyewitness Testimony

It was not only students who were arrested; others who showed solidarity with the protesters were also targeted. A female activist, who took a stand with the students in many places around the city, and was picked up by the police, described her ordeal:

"I have been involved with the recent social movement from the very beginning. I either organized or participated in protests in Shahbagh for each and every one of the blogger murders. I am not affiliated with any organisation, I simply do my bit as an active citizen. During the movement demanding safer roads I stood in Shahbagh with the school students. On 2 August, I stood with the "Udbigno Nagorik Somaj" while on 3 August, I hosted the protest demanding the same at the Tareque Masud memorial square.

It was 10:30am when they came. I was home sleeping in the morning. I usually stay up late, and sleep till late too. My house-help was the one who opened the door to find the Detective Branch standing outside with two female police officers. They were all in civil dress.

The women came into my room and grabbed my phone. I quickly reached for an orna because I was still in my sleeping clothes. I asked for an ID, but in return they said I need to come with them. The men left the room but the two policewomen stayed back, saying that whatever I must do, I must do in front of them. I changed my clothes in front of the female officers. I went to the toilet in front of them.

A police officer started going through the photos on my phone, while another sifted through my inbox. I protested that I have personal photos and that they cannot search my phone memory until they tell me what I am being charged with, but they threatened me, so I shut up."

Five senior policemen came in and gathered chairs around her and started the interrogation. The ordeal lasted the whole afternoon, and Sangita needed to go to the bathroom again. There was a bathroom inside the office she was being interrogated in. If the morning was bad, where she had to go to the bathroom with a female officer standing guard, this time it was way worse.

"I asked their permission to use the bathroom in the office. 'Go ahead,' they said, 'but you can't close the door.' I told them I won't go in front of five men. I requested them to give me privacy, but they refused. I had no other option.

I still can't sleep at night thinking that I had to perform my toilet in front of these five very powerful men. The humiliation was pure torture."

One of those arrested around the road safety protests was 63-year-old Shahidul Alam, a well-known photojournalist and activist.³⁸ He was detained by plainclothes policemen on 5 August 2018, hours after giving an interview to **Al-Jazeera English** on the student protests. He was charged a day later under the ICT Act for making "false" and "provocative" statements. Alam told reporters that he had been beaten in police custody.

He was denied multiple applications for bail by the courts. On 20 November 2018, Bangladesh authorities released Shahidul Alam³⁹ after he was granted bail on 17 November 2018. He had spent 107 days in jail. There is credible evidence to suggest he was subject to torture during his detention.



Street art depicting minister Shahjahan Khan, who had smiled while talking about the death of students in a road accident. The Bangla word *Khuni* means murderer. Photo: Shahidul Alam/ Drik/Majority World

Misuse of laws & violations of Bangladesh's human rights obligations

A number of laws as well as practices deployed by the state around the protests are inconsistent with Bangladesh's Constitution and the country's international human rights obligations under the International Covenant on Civil and Political Rights (ICCPR), UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other international laws and standards. Many of these issues have been raised by states, including during the UPR review of Bangladesh at the UN Human Rights Council in 2017.⁴⁰

Violations of the right to peaceful assembly

Article 21 of the ICCPR guarantees the freedom of peaceful assembly; additionally, article 37 of the Bangladeshi Constitution guarantees the right to freedom of assembly. However, the law gives the government broad discretion to ban assemblies of more than four persons. Section 127 of the Code of Criminal Procedure empowers Executive Magistrates and Officers-in-Charge (OC) of police stations to 'command any unlawful assembly, or any assembly of five or more persons likely to cause a disturbance of the public peace, to disperse'.⁴¹ Furthermore, Section 144 allows the government to impose a temporary ban on public assemblies and a Dhaka Metropolitan Police (DMP) order requires advance permission for gatherings such as protests and demonstrations in Dhaka. These provisions are used to effectively restrict the right to freedom of peaceful assembly.

Police used unnecessary and excessive force and firearms during the protests in violation of international human rights law. Under international human rights law and standards,⁴² police are permitted to only use force where absolutely necessary and proportionate to the legitimate objective they are trying to achieve. The use of force should be aimed at stopping violence, while minimizing injury and preserving the right to life. Additionally, the failure to take appropriate measures to prevent and punish harm caused by private actors, such as the BCL, also contravenes Bangladesh's international human rights obligations.

Violations of the rights to freedom of expression

Protesters were arrested initially under Section 57 of the ICT Act and subsequently under the Digital Security Act when the former was repealed, either for sharing images of the protests or supporting the protest online. These two Acts have restricted freedom of expression in Bangladesh since 2013, and they have been most frequently used to bring charges against critics, activists and other dissenting voices. Prior to the passage of Digital Security Act in 2018, section 57 of the ICT Act was used for the arbitrary detention of scores of journalists, all of whom were arrested for their reporting. The provision has also been described as a “de facto blasphemy law,” as it criminalizes anyone who “causes to hurt or may hurt religious belief.” The Digital Security Act incorporates Section 57 of the ICT Act and contains other measures that are overly broad and vague, and that impose disproportionate sentences and lengthy prison terms for offenders.⁴³

The law is inconsistent with Bangladesh’s human rights obligations and is an assault on freedom of expression. The UN Special Rapporteur on freedom of religion or belief stated that Section 57 of the ICT Act ‘undoubtedly has a chilling effect on civil society organizations, human rights activists and members of religious minority communities. It much contributes to the perception of a shrinking space for frank public discourse.’⁴⁴

Arbitrary arrests

In both protest movements, the police arbitrarily arrested individuals after the protests ended, on the basis of their alleged participation in public protests. Alarming, these actions are legal under Bangladeshi law. None of these arrests required court-mandated warrants. According to The Code of Criminal Procedure, 1898, “cognizable offences” do not require warrants and include felonies ranging from rape to acts like “taking part in an unlawful assembly”.⁴⁵

Section 149 of the Code of Criminal Procedure states, “If an offence is committed by any member of an unlawful assembly in prosecution of the common object of that assembly, or such as the members of that assembly knew to be likely to be committed in prosecution of that object, every person who, at the time of the committing of that offence, is a member of the same assembly, is guilty of that offence.”⁴⁶ Therefore, this colonial-era law from 1860 effectively introduces a form of collective criminal liability in contravention to international law and is essentially used to criminalize people for exercising their freedom to assemble.

As a state party to the ICCPR, Bangladesh is obligated to prevent arbitrary detention, which violates Article 9(1) of the treaty. Notably, arbitrary detention facilitates torture and other ill-treatment and violations. An important means of preventing these abuses is to ensure that proper grounds and procedures for deprivation of liberty are adhered to at all times.



Students demanding justice for fellow students Abdul Karim Rajib and Dia Khanam Meem who were killed on 29 July 2018, when a bus ran them over. Manik Mia Avenue, Dhaka, 1 August 2018. Photo: Shahidul Alam/Drik/Majority World

Torture or other ill-treatment

In a number of cases documented in this report, the violence used by the police during the protests and in detention may amount to torture or other ill-treatment. This is in contravention of Bangladesh's human rights obligations under the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Human rights groups have documented widespread torture by Bangladeshi security forces including beating detainees with iron rods, belts, and sticks; subjecting detainees to electric shocks, waterboarding, hanging detainees from ceilings and beating them; and deliberately shooting detainees, typically in the lower leg, described as "kneecapping." Authorities routinely claim that victims were shot in self-defence, in "crossfire," or during violent protests.⁴⁷

In 2013, the government passed the Torture and Custodial Death (Prevention) Act, signalling a commitment to eliminating torture. However, there have been very few cases filed under the Torture Act and not a single case has been completed.⁴⁸ In August 2019, Bangladesh was reviewed by the United Nations Committee Against Torture. In its Concluding Observations, the Committee stated that it "is concerned at information it has received alleging the widespread and routine commission of torture and ill-treatment in the State party by law enforcement officials for the purpose of obtaining confessions or to solicit the payment of bribes."⁴⁹



The Committee also raised concerns about reports that civil society activists, lawyers and journalists in Bangladesh who have criticized the conduct of the authorities and brought to light allegations of torture, disappearance, extrajudicial killings and related impunity have faced harassment and violence, as well as retaliatory lawsuits. The Committee was alarmed that some civil society activists, lawyers and journalists have reportedly been subjected to torture and ill-treatment while detained.⁵⁰

A student in school uniform checking the driving license of a driver.

Conclusion

The results of each of these movements is mixed: goals were only partially achieved, while the systemic problems remained unaddressed. However, both movements were so thoroughly repressed that in neither case was there any civic engagement with the state establishments about the unmet demands.

The protesters of the quota-reform movement had demanded a more equitable quota system that would ensure positive discrimination. In return, the state abolished the quota system completely in first and second class jobs — these were the most competitive of all jobs that required a rigorous nationwide recruitment exam, and are top career choices for fresh university graduates. Third and fourth class jobs—which do not always require university degrees from its recruits, retained the quota system, but officers of these two grades do not rise up the ranks to the management level. Abolishing the quota system effectively ended the positive discrimination that existed to give women, indigenous minorities, and the disabled population an equitable chance to serve the top tier of the government.

The decision to abolish the quota system was taken by the government without consultation or engagement with the protesters. This government decision was made in October 2018, by which time the key protesters had been charged with lawsuits, taken to prison and tortured. Those out on bail were still fighting charges of rioting and had to routinely

report to court—any further agitation on their part could have contributed to getting bail cancelled, or provided evidence for conviction.

Similarly, a new law called the Road Safety Act was passed, but critics commented that the law simply imposes larger fines on transport workers without addressing systemic problems like the way their wages are dependent on how many passengers they take on, and the ineffectiveness of the traffic management system.⁵¹ The two competing bus drivers who had barreled into the students, killing them, and sparking the road safety protests, were given jail terms, but the bus owner was exonerated from running unroadworthy vehicles and operating with untrained drivers. While the majority of the protesters of the road safety movement were minors, at least 25 students who were over 18 years of age, are still facing legal charges. They are unable to get passports or travel because they are out on bail.⁵² Such measures effectively dissuade students from constructively engaging with the government regarding their unmet demands, thereby creating an atmosphere of fear and self-censorship.

Recommendations

In the light of these events, Front Line Defenders, CIVICUS and SAHR make the following recommendations to the Government of Bangladesh:

- Carry out prompt, impartial, independent and efficient investigations into all complaints and reports of unnecessary or excessive use of force by the police and non-state actors against protesters, and bring those responsible to justice, including those with command responsibility, and provide reparations to the victims.
- Drop all charges against and review convictions of protesters and other individuals prosecuted for exercising their right to the freedom of expression and peaceful assembly.
- End all forms of harassment, intimidation and surveillance against those involved in organizing, participating or supporting the protests and ensure a safe and enabling environment for protest leaders to carry out their activism without fear of reprisals.
- Amend all laws especially the Criminal Procedure Code in order to fully guarantee the right to the freedom of assembly and to remove restrictions other than those provided for within the framework of international law.
- Review and, if necessary, update existing human rights training for police, with the assistance of independent CSOs and the United Nations, to foster the more consistent application of international human rights standards during protests, including the UN Basic Principles on the Use of Force and Firearms.
- As recommended by the UN Committee against Torture, take effective measures to guarantee that all detained persons, including arrested persons and those in pretrial or remand detention, are afforded in practice all the fundamental legal safeguards from the outset of their deprivation of liberty, in accordance with international standards. In particular, ensure adherence to the right of arrested persons to be brought before a magistrate within 24 hours; ensure respect for the right to have access to counsel immediately after arrest and thereafter; and ensure that family members are promptly informed about the time and place of a person's arrest and detention.
- Amend the Digital Security Act so as to be consistent with the ICCPR and repeal provisions that criminalize freedom of expression.
- Ensure the safety of and protect the rights of all journalists and media houses by impartially investigating any allegation of harassment or attack against them during the protests with a view to bringing those responsible to justice.

Endnotes

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- 5 In a report published by The Daily Star, prominent civil rights lawyer Jyotirmoy Barua explains how a particular assembly is declared illegal. “A policeman of the sub-inspector rank is present on spot, and as such, he decides whether or not the public demonstration is lawful. Yes, he receives instructions from higher officials but that is over the phone,” the report cites Barua as saying. See Islam, Zyma. “When arrests warrant questions” in Star Weekend. The Daily Star. July 20, 2018. Retrieved from <https://www.thedailystar.net/star-weekend/spotlight/when-arrests-warrant-questions-1608076>
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Front Line Defenders is the Ireland-based international human rights organization that works for the security and protection of human rights defenders at risk (HRDs) around the world.

CIVICUS: World Alliance for Citizen Participation is a global alliance of civil society organisations and activists headquartered in Johannesburg, South Africa and dedicated to strengthening citizen action and civil society throughout the world.

South Asians for Human Rights (SAHR) is a democratic regional network with a large membership base of people committed to addressing human rights issues at both national and regional levels. SAHR seeks to contribute to the realisation of South Asian peoples' right to participatory democracy, good governance and justice by strengthening regional response, including regional instruments, monitoring human rights violations, reviewing laws, policies and practices that have an adverse impact on human rights and conducting campaigns and programmes on issues of major concern in the region.