

ANTI
DEATH
PENALTY
ASIA
NETWORK



FORUM-ASIA



ASIAN HUMAN RIGHTS COMMISSION

CAPITAL
PUNISHMENT
JUSTICE
PROJECT



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A Joint Statement by Anti-Death Penalty Asia Network (ADPAN), Asian Federation Against Involuntary Disappearances (AFAD), Asian Forum for Human Rights and Development (FORUM-ASIA), Asian Human Rights Commission (AHRC), Capital Punishment Justice Project (CPJP), International Coalition against Enforced Disappearances (ICAED), Maayer Daak, Odhikar, Robert F. Kennedy Human Rights, and World Organisation Against Torture (OMCT) on the occasion of International Day in Support of Victims of Torture 2023

BANGLADESH: Accountability is a must for ending torture and impunity

Bangkok/Dhaka/Geneva/ Hong Kong/ Kuala Lumpur/Manila/Melbourne/Washington, D.C.: 24 June 2023: On the occasion of the United Nations [International Day in Support of Victims of Torture](#) on 26 June, we, the undersigned organisations, are extremely concerned over the ongoing use of torture and degrading treatment in Bangladesh by law-enforcement agencies and security forces, and the systematic lack of remedies for victims. We urge the Government of Bangladesh to adhere to its human rights obligations under international law by ending its use of torture and ensuring all perpetrators are held to account. We reaffirm our solidarity with victims of torture, their families, and the human rights defenders who speak out on their behalf, and call on the authorities to ensure justice.

In Bangladesh, the use of physical and psychological methods of torture and ill-treatment has been a longstanding and widespread practice. Torture is inflicted to extract “confessions”, humiliate the victims, and instil fear. It is routinely used by the state for politically-motivated purposes as a tool to intimidate, extort, and suppress political opponents, dissenting voices, vulnerable groups, and even ordinary citizens. Torture and ill-treatment have been perpetrated by law enforcement officials, intelligence agencies, paramilitary groups, and security forces.

Regrettably, members of law enforcement agencies have rarely been held [accountable](#) for these violations, but rather enjoy impunity as implicit validation by the government for their role in the suppression of political opponents, government critics, and dissidents.

It is [consistently reported](#) that torture and other forms of inhumane or degrading treatment have been carried out when victims are picked up by police and taken into custody." There have also been reports of [deaths due to torture](#) in custody. This has led the U.S. Department of State to report that the incumbent [government uses law enforcement agencies and security forces](#) to crack down on political rivals and dissenting voices. In addition to the suppression of opposition party leaders and activists, various sources have alleged other misconduct by members of law enforcement agencies, including [torture of ordinary citizens](#), [deaths in custody](#), [arbitrary detentions](#), [harassment](#), [threats of crossfires](#), [arrests of innocent citizens](#), [framings of innocent individuals for illegal possession of drugs](#), intimidation, and arbitrary [arrests en masse](#).

Despite the enactment of the [Torture and Custodial Death \(Prevention\) Act](#) in 2013 and the ratification of [UN Convention against Torture](#), members of law enforcement agencies continue to use torture as a result of Bangladesh's entrenched [culture of impunity](#) maintained by successive governments. This [longstanding impunity](#) persists due to the lack of implementation of law - Torture and Custodial Death (Prevention) Act-2013, an absence of [independent](#)

[investigation](#) mechanisms, and a dysfunctional judicial system, which produces biased investigations and delayed prosecutions. Apart from torture and ill-treatment, being used as law enforcement tool and politically motivated coercion law enforcement agencies of the country, specifically the police and [RAB](#), are found to be the most [corrupt institutions](#).

One of the key factors enabling the prevalent use of torture is [Section 167 of the Code of Criminal Procedure](#), which allows the police to take an accused into custody with the permission of a judge in order to be questioned for the purposes of the investigation. This process is commonly known as “remand”. According to victims, the police interrogate detainees taken into custody through this procedure using methods akin to torture, thereby systematically abusing the remand process to coerce confessions and extort bribes from detainees.

Despite the prevalence of torture in the country, victims and their families do not dare speak out due to fear of harassment and reprisals. Victims of torture or degrading treatment and their relatives have faced [harassment and intimidation](#) after filing cases against members of law enforcement agencies. Furthermore, it is alleged that when a person dies in custody due to torture, such death is [disguised as “suicide”](#).

The few recent cases against members of law enforcement agencies on allegations of custodial torture and extortion raise serious questions about the authorities’ willingness to hold their own to account. For instance, on 14 February 2023, [two traders in Dhaka filed complaints](#) of torture and extortion against police officers with the Dhaka Metropolitan Sessions Judge Court under the 2013 Act. Satkhira-based [journalist Raghunath Kha](#) alleged that he was blindfolded, tortured, and electrocuted in the custody of the Detective Branch of Police on 23 January 2023 after being arrested by police in Satkhira District. He was [released on bail](#) on 29 January. In another case, on 29 January 2023, [Abu Hossain Rajan](#), a lawyer who used to work for a private hospital, alleged that he was [detained](#) incommunicado while his whereabouts remained unknown for a week. The family located him at Hartijheel Police Station in Dhaka, but Rajan was taken to Detective Branch headquarters every day where he was tortured during interrogation in custody. He was released on bail from jail on 30 March while the trumped-up case against him continues. The case of [a yarn trader Rabiul Islam](#) of Gazipur, who died due to torture in police custody, not only shed light on alleged custodial torture leading to the death of the victim, but also revealed how the police allegedly fabricate stories to cover up their misdeeds. In these three, out of numerous, cases of torture none of the perpetrators are brought to justice. The state pursues the trumped-up cases registered by the perpetrating agencies against the [survivors of torture](#). In contrast, the [criminal justice institutions](#) deny universal [access to justice](#) when the victims, and, or, the families try to afford it.

We urge the Bangladeshi authorities to immediately put an end to torture and impunity; to ensure the security of torture victims and their families; and to take punitive action against perpetrators. The ongoing reprisals against independent human rights defenders, the victims of torture, and their families should be immediately stopped. The authorities should ensure accountability for all gross human rights violations.

Organisations Signed:

1. [Anti-Death Penalty Asia Network \(ADPAN\)](#)
2. [Asian Federation Against Involuntary Disappearances \(AFAD\)](#)
3. [Asian Forum for Human Rights and Development \(FORUM-ASIA\)](#)
4. [Asian Human Rights Commission \(AHRC\)](#)

5. [Capital Punishment Justice Project \(CPJP\)](#)
6. [International Coalition Against Enforced Disappearances \(ICAED\)](#)
7. [*Maayer Daak*](#)
8. [*Odhikar*](#)
9. [Robert F. Kennedy Human Rights](#)
10. [World Organisation Against Torture \(OMCT\)](#)