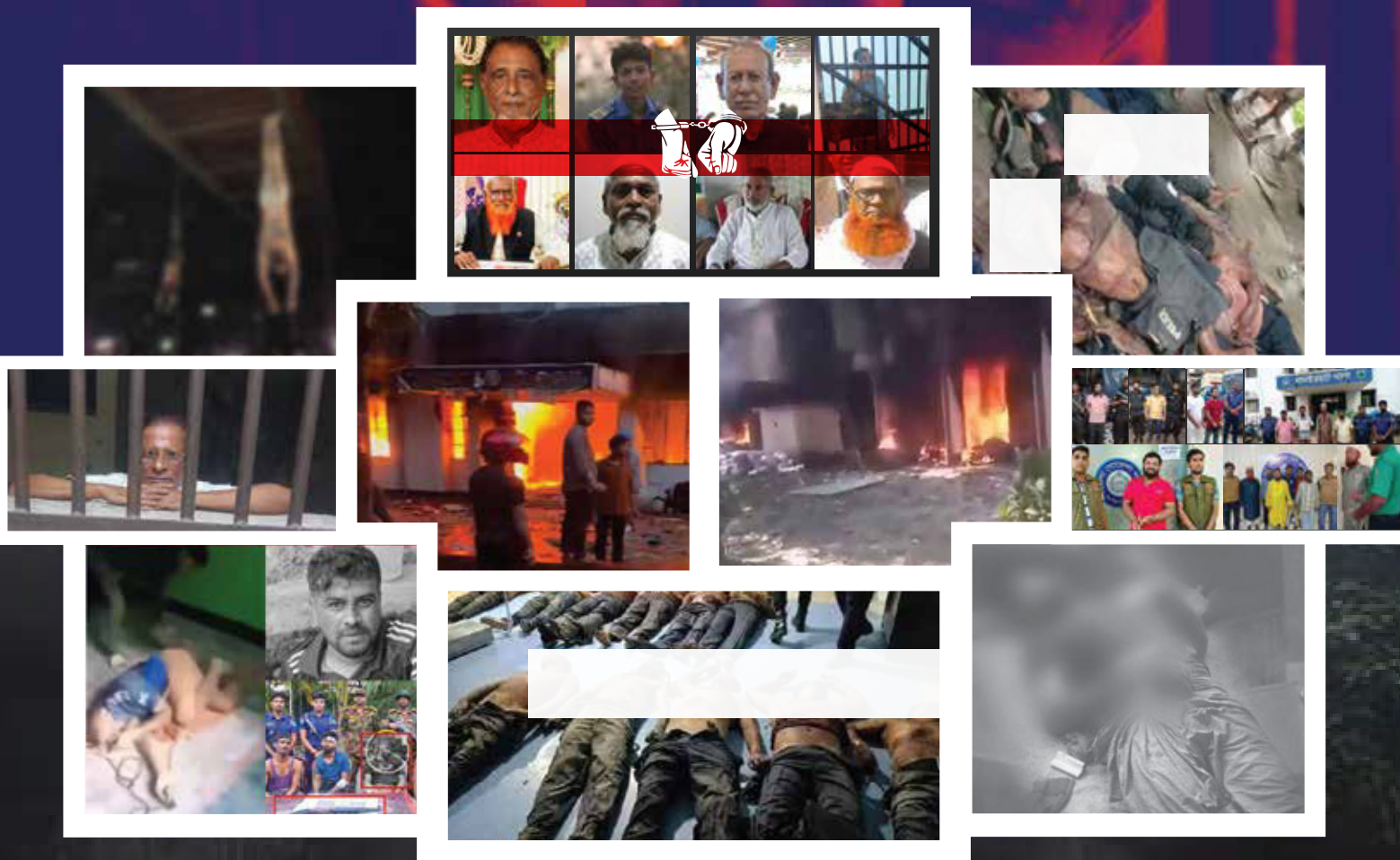
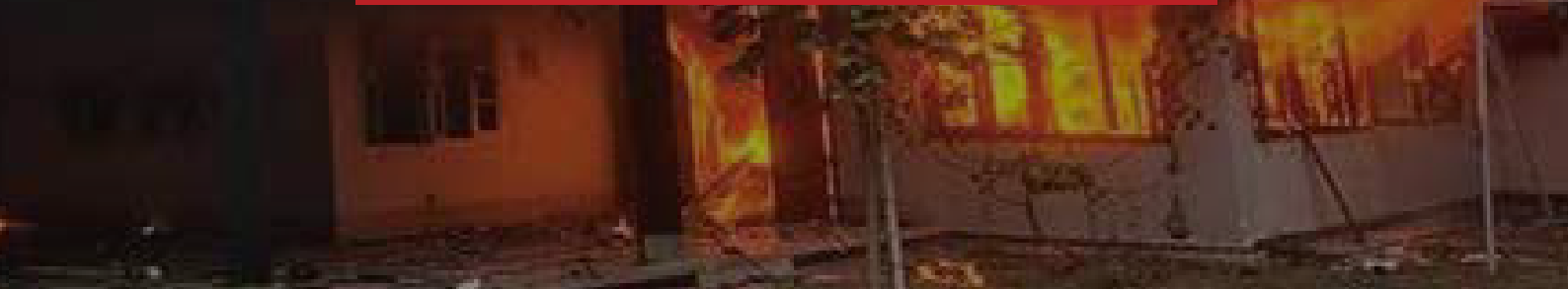


AFTERMATH OF AUGUST 5 IN BANGLADESH HOW TRIAL OF JULY AUGUST VIOLENCE IS POLITICIZED TO PERSECUTE DISSENTERS



DOCUMENTING HALLMARKS OF A FARCIICAL TRIAL:
INDISCRIMINATE FILING OF FALSE MURDER CASES,

ARBITRARY ARRESTS
UNLAWFUL INCARCERATIONS
AND POLITICIZED JUDICIARY



After August 5, over the space of last two months, under the reign helmed by Nobel Peace Laureate Dr Yunus, Bangladesh has witnessed total politicization of judiciary and law enforcement under pretext of mob rule. The commitment by the regime to deliver a fair trial for victims –dead and injured—of July August violence has totally fallen flat following purges in legal apparatus and judiciary. On top of that, the pretext of holding trial rather turned out as a weapon now unleashed to persecute tens of thousands of citizens affiliated with Awami League alongside free thinkers, rights activists and writers who hold different opinion from rulers.

Police stations are registering trumped up murder cases against hundreds of thousands of dissenters including dead people without any proof that not only led to violations of rights but also led to sufferings of millions of family members. Moreover, these trumped up charges are used as basis of mass arrests as law enforcement agencies are conducting raids into residences of dissenters, arbitrarily detaining and jailing them. Without any investigation driven evidence, advisors of the regime publicly slapping all the blame of violence on Awami League on a daily basis while indemnified actors who also reportedly perpetrated violence, a clear violation of commitment of delivering fairness and impartiality to the victims of July August violence.

These series of grave violation of constitutional rights clearly reflect that a highly polarized and partisan motivation has been pursued by this unelected regime to manipulate the trial process, targeted at demonizing the dissenters including Awami League activists, instead of upholding foundations of a fair trial process.

We would like to reiterate that, Bangladesh Awami League, before August 5, upheld its commitment to ensure a fair trial process into the violence, pledged to render justice to the victims and sought to cooperate with UN for a fair trial.

This document is a compilation of reported incidents of violation of human rights and how meticulously the pretext of trial has been abused to decimate Awami League with an appeal to highlight projection of rights abuses taking place everyday.



Breakdown in number

According to an estimate by The Daily Star,
between August 6 and September 25



At least **1,474** cases have been filed nationwide under pretext of violence occurred in July-August.



A total of **92,486** people were named including Sheikh Hasina and citizens affiliated with Awami League including ex-ministers, political leaders and police personnel.



Mostly involving **murder charges.**



A total of 1,174 cases have been filed against 390 former Ministers, MPs, Advisers to the prime minister, and City Corporation Mayors.

Sheikh Hasina and Family Members

Sheikh Hasina herself is facing the highest 220 cases. Her sister, Sheikh Rehana, who did not hold political rank, is implicated in **22 cases**, son Sajeeb Wazed Joy, who served as honorary ICT Affairs Advisor and was not even in the country during the protest, implicated in 19, daughter Saima Wazed, who serves as regional director with World Health Organization, in four, and nephew Radwan Mujib Siddiq , who also held no political rank, in one, according to reports.

According to rights organization MSF, an assessment into at least **506 cases**, filed between the said timeframe and another media report by national daily revealed a staggering number of unnamed accused in cases.



At least 2,00,000
remain unnamed accused

The approval for filing of these cases with such a large number of unnamed accused further opened up room for abusing law and frame individuals to score political vendetta and/or demand ransom, a stark violation of rights to self defence, according to rights activists.

The Daily Star



The Daily Star



Unprecedented surge in false cases

According to a report carried by Kalerkantha, “in terms of number of cases registered—named and unnamed—appears unprecedented in the country’s history and offers a brazen display of abuse of law and a grim abuse of human rights of the accused. Continuation of freedom to file these cases, without investigation, reveals, the specter of prosecuting people only for their political belief. Further the quest for families affected during the upheaval - July and August—will also be deprived of justice.

The Daily Star



The weak factual basis of these cases, each having 20 to 200 accused on average—in many cases, most of the accused are from the localities where political opponents are planning a comeback—indicates potential political or personal motives. This is happening in spite of the wishes of the victims’ families. In many instances, they are either being pressured or being told that if they do as they are told, the victims will get justice

according to the Daily Star.



Evidence of using pretext of cases to falsely accuse people with political motivation and not to serve justice



Dead Awami League Leaders brought back alive in cases, rights to safety of families in jeopardy

3 dead Awami League leaders sued in Cumilla on charges of attacking students

A student coordinator of the anti-discrimination student movement at Comilla University, Md Emran, filed a case on October 2 with Cumilla Sadar South Police Station. In the case, three Awami League leaders, who died between September 2022 and June this year, were shown accused over attacking protesters and stoking unrest on August 4 during their protest Cumilla Sadar South upazila, exposed The Daily Star



Profile of dead previously associated with Cumilla Sadar South upazila unit Awami League:



Listed as accused number 27 **Kamal Uddin Majumder**, former agricultural secretary, died of heart attack, on July 11, 2023



Listed as accused number 33, **Abdul Momen**, former forest and environment secretary, listed as accused number 33, died after being hit by train on June 24, 2024



Listed as accused number 55, **Wahidur Rahman**, a former member, passed away from kidney disease in September 2022



"My father died in June. How could he be implicated in the incident of August 4?"

asked Abdul Momen's son, Abu Sayeed, questioned validity of the charge, as reported by The Daily Star



"My father died a year ago, yet a case has been filed against him. This is absolutely ridiculous"

Farhad Hossain, son of Wahidur Rahman Farid, told The Daily Star

According to locals, this arbitrary filing of cases against deceased by police and the coordinator further put the living family members in a complete sense of insecurity, even though these charges wont be proved against accused, as already revealed by media.



The Daily Star



Dead and buried two years back, student league leader sued in Jamalpur

On September 3, **Shafiqul Islam**, a former assistant secretary of the municipal unit student wing of Awami League, who died of cancer two years back, also implicated in a case of



Attacking dying patients and his attendants with weapons and arms,



Later robbed the attacked on August 5, 2024



Made accused number 78 in the case, **Shafiqul Islam**, passed away, on September 20, 2022, according to media reports.



"My son died two years ago; I have not yet recovered from the pain of losing him. Filing a case in his name after his death is extremely distressing for me"

according to his mother, **Sufia Bewa** quoted by UNB.

Dhaka Tribune



Dead Awami League leader indicted for murdering students in Gazipur

On October 4, Kalam Miah, another deceased who had been involved with the politics of Awami League, was indicted in another trumped up murder charge—shooting on students—has been filed with Sreepur Police Station in Gazipur.

Made accused number 170, Kalam Miah, a former member of Awami League volunteer front in Kawraid Union, was died of brain stroke on September 25, according to Prothom Alo.

প্রথম আলো



“How can they sue my deceased father in a murder case. Even after Knowing that my father passed away , they made him accused in a totally false murder case. On the day of stated crime, my father was at home, did not move anywhere”

daughter of Kalam Miah,
quoted by Prothom Alo.

Despite playing cricket thousands of miles away, Bangladesh's ace cricketer implicated for murdering protester in Dhaka

Bangladesh ace all-rounder Shakib Al Hasan, who was a lawmaker from Awami League, has been implicated in a murder case held responsible behind killing of one garment worker in fire on August 5. Filed with Adabor Police Station in the capital on August 22, in the case Shakib was made accused number 28 in the case that also sued 147 including former prime minister Sheikh Hasina and other high profile members.



According to FIR, on July 15, a meeting held in the political office of Awami League- at Dhanmondi- president where following plans are hatched that included



Assault on students and citizens



Plan for violating women



Plan for mass killing

But an investigation by leading Daily Samakal found out no such meeting took place at the stated venue on the mentioned date.

Moreover, according to report by ESPN cric info, Shakib was not in Bangladesh on August 5, or at any time during the protests. Shakib was in



Canada at the time, leading Bangla Tigers Mississauga at the Global T20 Canada league, being played in Brampton.

Prior to that, Shakib was in the USA to take part in Major League Cricket until mid-July before flying to Canada where he played from July 26 to August 9.



Despite staying overseas, Artists were implicated for attack on BNP Chairperson

On August 25, a case has been filed against 50 people including film actors and celebrities, over an attack on the motorcade of BNP Chairperson Khaleda Zia during electioneering nine years ago on August 15. Dhaka Metropolitan Magistrate Zaki-Al-Farabi asked the Motijheel Police Station to record the case as an FIR, according to UNB.

But media investigation revealed accused was outside of the country for filming of drama.



One of the accused actor Sahariar Najeem Joy revealed on the stated date of crime he went to Nepal on a flight that departed at 11:00 pm from Dhaka airport.

Expatriate academic was also implicated in murder charge

Nurul Islam, who works as an associate professor at Oslo University in Norway, was made accused number 50 in murder case related with July August upheaval filed with Gazipur Gasha Police station, according to a report by Samakal that appeared on September 4. In four cases filed during the publication of the report. According to the academic, as quoted by Samakal,

“I came to visit Bangladesh with family in February. Yet related to a death during the anti discrimination movement, I have been made accused but I had no clue with a murder that took place 30 Km away from my village home”.

An investigation by Samakal revealed, as of September 4, in four cases filed with different police station in Gazipur, as many as 351 were named and 1,550, unnamed have been indicted. The accused are from leaders and activists of Awami League at local level including central leadership of Awami League. The report reveals allegation of extortion and political motivation from BNP activists behind filing of these charges, not grounded on facts.

What Rights activists say

“These inconstancies and absence of facts at the preliminary level would deprive the families of victims from getting justice.”



Accused citizens affiliated with Awami League were not even present on spot of stated crime

Let's point out a series of reports unearthed by media outlets exposing weakness and motivated framing of charges against Awami League leaders and activists who belong to village home of the deceased while the victims died in Dhaka, miles apart from their village home

Synopsis of a report from TDS on Dubious Murder Charge and how these charges are travesty to victims right to justice

221 accused in case over killing of Labhlu Mia



On the morning of August 5, a man named Labhlu Mia was shot dead in the capital's Uttara during protests. A month later, in a case filed with Uttara Police Station, 221 people were made accused, but 210 of whom are residents of Rangpur and are involved with politics of Awami League, the hometown of Dukhu and Labhlu. The complaint mentions the names of 11 other accused and adds that Labhlu, 41, was killed at the behest of former prime minister Sheikh Hasina and several other ministers.

Victim of false case was hundreds of kilometers away from spot on the day incident:



"I was in Pirganj on August 5. How could I have taken part in a killing in Dhaka? There were no means of travelling in those days. I think they accused me for the sole purpose of harassing me,"



Murder case of Mohammad Habib: Plaintiffs no clue about accused, signature collected on blank pages

On July 20, Muhammad Habib, 45, organising secretary of a front organisation of Liberal Democratic Party in the capital's Kadamtali, was shot dead as police along with AL men opened fire on protesters, according to a case filed by his widow Ayesha Begum. She filed the case on August 28 with Jatrabari Police Station accusing 57, of whom 50 are from Cumilla's Chandina.

But as The Daily Star reached out to the plaintiff, Ayesha, a mother of four, revealed

"I just signed on the complaint. I had no idea who was being accused. A friend of my husband, also a leader of his party, made the list of accused. That man is from Cumilla. I just want justice for my husband."



Systematic pattern vindicated in numerous cases

The Daily Star has found five other cases filed at Uttara East and Jatrabari police stations over murders that took place in early August. In each case, the accused are mostly from the hometowns of the victims even though the killings in question happened in the capital.



What legal experts and rights activists told The Daily Star: Target harassment and not to deliver justice to deceased

“the cases may have been filed for reasons other than seeking justice, and this will undermine the credibility of the charges”.

Legal experts say that

“It will be impossible to ensure justice for the real victims through cases that seem to be aimed at harassing people,”

veteran Supreme Court lawyer ZI Khan Panna

“It is clear that such cases are aimed to harass. Police should be cautious.” Moreover, the complainants may face legal trouble for filing such cases. ”

Khurshid Alam Khan, a noted criminal law expert, said



Evidence of involvement of BNP activists and leaders behind false murder cases out of political vendetta : families of victims totally unaware of accused list

Abu Bakar, 55, who claims to be the convener of Ward 63 Jatiyatabadi Sramik Dal, filed two murder cases on September 2 over the deaths of Sakib Hasan, 22, and Jahangir Alam, 50.

The killings took place on July 18 and 19 and the circumstances surrounding the crimes were different but media investigation reveals



- The seven-page first information statements (FIRs) filed with Jatrabari Police Station are almost identical, with the names, addresses, and other details of the two victims being the only differences.
- Time of murders, victims different; but complaints, accused almost identical

Who were made accused in these cases

Former prime-minister Sheikh Hasina, former ministers- Obaidul Quader, Amir Hossain Amu, Hasan Mahmud, Asaduzzaman Khan, Dipu Moni, former inspectors general of police AKM Shahidul Hoque, Chowdhury Abdullah Al-Mamun are among the accused. Most of the other accused are leaders and activists of the Awami League, particularly from the Jatrabari, Demra, and Kadamtali areas.

Reaction of deceased family members



"who (the BNP leader) filed the case definitely has ill motives. He has accused people he wants to harm. I want justice for my father. We also want punishment of the man who filed the case without telling us. We lost our father. We should have been the ones filing the case. Besides, the man sued several hundred people of our neighbourhood. Now these people hate us for no reason",

Mithila Akter, a resident of Jatrabari, daughter of one of the deceased Jahangir' Alam, as quoted by The Daily Star.



"Police shot my son dead. But the complaint is against political leaders and activists. I want justice. I will file a case with the International Crimes Tribunal soon. I will sue only those who shot my son,"

says Mortoza father of another deceased Sakib.

Similar inconsistencies in three more cases revealed by media

According to the daily star, despite similar inconsistencies, three more cases are filed with Badda Police Station on August 20 and 21, over the killings of Sumon Sikder, 31, Hafizul Sikder, 28, and Sohag Mia, 30.



- All the three cases contain almost similar narratives and same number of the accused though the victims were killed in three places at different times.
- Though the place of murder and dates are different, the narratives of the cases are identical and 178 accused in each of the three cases are same.

Family members and plaintiffs confessed BNP's involvement behind wholesale filing of murder charges against Awami League leaders



"We made them accused following suggestions from the party men"

Revealed Yousuf Sikder, husband of the plaintiff on murder case of Hafizul Sikder. Masuma filed the case accusing 179 people.



"I know that if too many people are accused, justice can elude us. But a local BNP leader in Badda gave a list of people to accuse. I just signed the papers."

Another complainant named Abu Bakar told The Daily Star.



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Another complainant named Abu Bakar said

What rights activists and legal experts saying



"Such cases would not stand the scrutiny of a trial and it would be impossible to ensure justice for the victims. These cases seem to be aimed at harassing people. The FIR is crucial for proving a complaint and it must mention facts only"

according to lawyer and rights activist Z I Khan Panna, chairman Ain O Salish Kendra



Minority rights activist, vocal over communal attack, indicted in false murder cases



According to reports, on July 19, Rana Das Gupta, a rights activists and minority leader, boarded a flight at 10:30 am from Chittagong airport and headed for Kolkata for medical grounds. Yet in a murder case filed with Jatarabari Police Station, Rana Das Gupta was indicted as an accused number 22 for committing murder at 2:00 pm on the same day. In second murder case filed with Mirpur police station, the minority leader was framed as committing and/or inciting murder (accused number 326) on August 5 in Dhaka while he was in Chittagong on that day.

On the other hand, as secretary of country's largest minority platform—Hindu Buddha Christian Unity Council (BHBCUC), Rana Das Gupta was involved in exposing widespread and persistent violations of human rights and the persecution of minority religious groups since August 4.



“Effort to stifle voices that dare to defy coercive measures and expose the truth, in contrast to a heap of lies peddled by the regime and its defenders in past one month”.

Holding a press conference, minorities, called filing of these cases as

Seven minority rights activists implicated in false murder case

According to a report by Channel 24, at least seven hindu rights activists including Sattyajit Mukherjee, member secretary of the largest minority platform BHBCUC Faridpur unit among others were implicated in a false murder case filed with connection of death of Sirajul Islam Bepari, a resident of Faridpur but died in Badda area in the capital. A magistrate court in the capital has been filed with Badda Police Station. Also 120 named activists of Awami League—both from local unit and central leaders – and another 300 unnamed were made accused in the case.

Parents of deceased no clue about accused and murder case



“ I have no clue about any case filed with Badda police station in connection to death of my son. We don't know the plaintiff who filed the case”

Shafikul Islam, father of Sirajul told Channel 24.



Plaintiff linked to BNP, holds political motivation

According to channel 24, Habibur Rahman Lavlu, a resident of Khalisadubi village under Saltha, is a former joint secretary of the central committee of BNP's volunteer front.



Media investigation expose BNP leaders manipulating plaintiffs with money to falsely accuse Awami League activists in murder case over July August deceased



Falsely implicating Awami League leaders and business over death of 17 year on August 5

A case has been filed with Mirpur Model thana over death of Rita Akhter (17) who passed away on August 5 after being shot. A total of 395 made accused in the murder case that includes Sheikh Hasina, her ministers and a businessman Afroz Uddin from Mirpur 1 and Kazi Joyanal, a resident of D Block under Shah Ali thana.

Plaintiff dose not know accused, admits BNP leaders paid money to collect signature on blank paper



Rickshaw puller, Ashraf Ali, father of the deceased, revealed to Prothom Alo,

“At the time of filing cases, leaders of BNP prepared the list of accused. I just singed on a blank paper. I don’t even know the total number of accused. BNP leaders gave me money before collecting my signature”.

BNP’s plot to accuse government official in murder case for personal enmity exposed

According to media report, Skaib Hasan (22) and Jahangir Alam (50) were killed in Jatrabari’s Kajla area on July 18 and 19 respectively. But in the murder case, government officials from Dhaka District Administrator office and Environment Department were made accused. Abu Bakkar, convenor of BNP’s Dhaka Mahangar (south) ward number 63, filed the case accusing the government officials. Prothom Alo finds, involvement of Nobi Ullah, the former joint convenor, from Dhaka South BNP unit, pulling the strings behind the framing of government officials. Son in law of Nabiullah, Sirajuddowla, was found running a cold storage with forged documents from Dhaka District Administrator office without clearance from Department of Environment. Officials involved with busting the racket were now made accused in the case.

Rights activists condemn freedom for the abuse of murder cases, calls roadblock to ensure justice for July August victims



According to rights activists, as quoted by Prothom Alo,

“indiscriminately accusing individuals in these murder cases, using the pretext of brining justice of deceased in July August, would not serve justice. Rather these are hallmarks for approving freedom to use murder case for settling personal vendetta”.



Rights activist vocal over right abuses centering false case fell Prey to trumped up murder case

Days after Dr Yunu's press secretary Shafiqul Alam, used his facebook and rebuked country's rights activist and legal expert, Z I Khan Panna, who is also a chairperson of Ain o Salish Kendra, a rights body, an average graded lawyer, a murder case has been filed against the rights activist with khilgaon police station on October 20. In the case, the rights activist, has been listed as accused number 94 among 180 person on charge of "shooting of a youth Ahadul Islam on July 19". In reaction, the rights activist has hinted name of Dr Yunus and his press secretary Shafiqul Alam.



Plaintiff does not know accused, admitted signature taken from him before making accused list. According to The Daily Star, the plaintiff, 52-year-old Mohammad Baker, did not know Panna and how his name ended up in the list of accused.



"A lawyer named Jashim and some other people made the list and I just signed the First Information Report [FIR],"

according to The Daily Star

Rights activists call the filing of case false and harassing

The case may have been triggered by dissatisfaction with Panna's recent remarks on rights and socio-political issues in the country. It's false and harassing

Ain o Salish Kendra

We demand the immediate withdrawal of Panna's name from the case and an inquiry into why he was implicated.

The Bangladesh Legal Aid and Services Trust

The case is "baseless and harassing." Authorities trying to malign prominent rights defenders, thereby hindering freedom of expression.

Manabadhikar Shongskriti Foundation

A disgraceful attempt to silence civil society and stifle freedom of thought and expression.

Human Rights Forum Bangladesh (HRFB)



Media reports show business racket minting out money from businesses to spare name from false murder cases



On August 25, a murder case has been lodged with Doha Police Station that falls under the capital where 174 were made accused. Kalerkantha, a leading daily found, names of business people in the murder case who do not hold any political rank also and were not on the place of the crime as stated have been committed

Plaintiff does not know accused, political motivation exposed



Sahajahan Maji, who was the plaintiff in the case, admitted to Kalerkantha,

“I am not familiar with majority of the accused. Political leaders provided me with list of names. Accused were made based on the list. The case has been lodged to serve political interest”.



An investigation by the daily found

Cases filed with police station under Bhatara, Dahnmondi, Gulshan, Uttara among others revealed names of business people, journalists among others who were not involved with politics and were not even present on the spot.

Legal experts slam freedom for filing the case



Kalerkantha

“When around 100-150 people from Lalmonihat or Rangpur—both districts are hundreds of kilometers apart from the capital— were framed in murder case took place in Dhaka, it is safe to suggest these are blanket charges, solely designed to harass people”



Media reports exposed BNP targets scores of innocents in false cases to extort money and out of political rivalry in southern division

Case study (BNP leader falsely accused school teacher and business community over attack to settle personal score and ransom)

Marufatul Motin, head teacher of Aituneesa Secondary Girls School, located in Dighinala Upzila in southern division- Khulna, has been made accused number 61 in a case filed with the local police station in connection of attack on BNP leader on August 29. Samakal, a leading daily, found, the teacher is very much popular among students and never held any political rank while she was not even present on the location of the attack. According to Samakal,



- Most cases filed by BNP leaders with different police stations in Khulna framed businessmen, teachers among leader and activists of Awmai League.
- These cases are not based on facts.
- Target is to extort money and serve personal and political vendetta.

Condemnation from civil society :

Civil society member slammed legal process and accused BNP of exploiting the legal procedure to harass and prosecute Awami League leaders and activists.



Frivolous cases on murder and crimes against humanity against Journalists and writers

Recent, not latest, statistics show that, according to the daily star,



- Cases have been filed against at least 129 journalists in Dhaka, Chattogram, Bogura and Rajshahi.
- Twelve cases on murder, attempted murder, rioting and unlawful assembly charges have been filed against 60 journalists in Dhaka,
- Two cases on attempted murder and abduction charges against 33 journalists in Chattogram,
- Eight cases on murder charges against 22 journalists in Bogura,
- Three cases on vandalism, extortion and assault charges against 14 journalists in Rajshahi.

According to Associated Press, at least 150 journalists were implicated in murder charges and crimes against humanity without proof. The impact of this onslaught has been described by The Daily star as below



- At least five have been arrested, taken into remand and jailed
- Most of the others live in fear of being arrested or harassed.
- They are not going to their workplace or are able to work as journalists. They are in hiding or living as if they are under "house arrest."



In a piece, the editor of The Daily Star, revealed

“Given the above, we must be the country with the highest number of murder suspects masquerading as journalists in the whole world. What an image! What diligent use of the law! What respect shown for the freedom of the media”



Repeated appeal from global body to withdraw cases went unheeded

According to media reports dated August 31, Reporters Without Borders (RSF), a rights body that advocates for freedom of press, has condemned charges of crimes against humanity against at least 25 Bangladeshi journalists charges, calling for their immediate release and the dismissal of all unfounded allegations.



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“Given the above, we must be the country with the highest number of murder suspects masquerading as journalists in the whole world. What an image! What diligent use of the law! What respect shown for the freedom of the media”

Two months later, on October 15, the same organization once again appealed for putting an end to what the organization described as “legal assault against journalists”, under Dr Yunus.



Blanket Murder Charges against Bureaucrats, experts say unprecedented abuse of false murder case, effort to facilitate purge in bureaucracy

According to Prothom Alo

A series of cases have been filed against top officials in the public administration, most of which are murder cases.



Two former principal secretaries and four former secretaries were arrested on trumped up charges



Report on impact of legal assault

“The blanket nature of these cases and the arrests are causing panic among other officials, resulting in a stalemate in administrative functions. Even those who have retired are living in fear of arrest. There is a consensus that indiscriminate lawsuits against bureaucrats are trivializing the issue of crime, making it difficult to prove guilt. The true perpetrators may escape justice.”



According to prothom alo report.



Titled as “Dubious cases are an injustice to July massacre victims”, a report in the daily star quoting legal experts and rights activist pointed out following risks and loopholes all indicating a far reaching consequences for the victims. Some points are mentioned below



- Many innocent people may be victimized and these cases will continue for a long time. Although the crimes mentioned in these cases did occur, many of the accused are not the ones directly/apparently involved.
- Family members of victims would be harassed in various ways.
- Police admitted to the daily star it is not possible to conduct proper investigations into these cases.
- If the police fail to find any involvement of the "so-called accused," they might come under the wrath of those who filed the cases, possibly under false allegations
- The falsely accused and their families remain under immense mental pressure.
- If the accused takes recourse through a lawyer in court, they suffer financially, and face social stigmatisation as well.
- Victims are rendered unable to perform normal activities, and by extension, unable to support or care for dependents or other members of the family.
- Most of the cases filed are murder cases. There are many sections and charges imposed in these cases that are non-bailable in the lower courts. As a result, the accused has to proceed to the High Court for bail. However, many of them can't afford a High Court lawyer.



How advisors peddled deceit to hide political connection behind these cases and allowed freedom for filing

Amid exposure of overwhelming evidence of political leaders and activists from BNP appearing as plaintiffs and even manipulating plaintiffs with money, the law advisor, home affairs advisor among others repeatedly peddled lies that there has been no political interference and all the plaintiffs are duly seeking legal recourse.

Here are some comments



“The current cases are not ridiculous but questions may be brewing..... You have to take this reality into consideration..... Naturally, people are filing cases to seek justice. Would you call these cases controversial?”

Asif Nazrul, law advisor on August 25



“Police are not filling any cases... common citizens are filling the cases”

Home Affairs Adviser Lt Gen (retd) Jahangir Alam Chowdhury on September 18



Hypocrisy with pledge of fair trial: no legal action against perpetrators of arson, looting and murder against leaders and activists of Awami League but indiscriminate filing of false cases against attacked

Order to indemnify everyone resorted to violence in favour of Dr Yunus, final push to ensure one sided trial for July August victim

On October 14, an order has been issued by Ministry of Home Affairs that stated "No cases will be filed, over any incident during the July-August uprising, against those who were involved in the student-led movement that led to the fall of the Sheikh Hasina-led government between July and August 8.



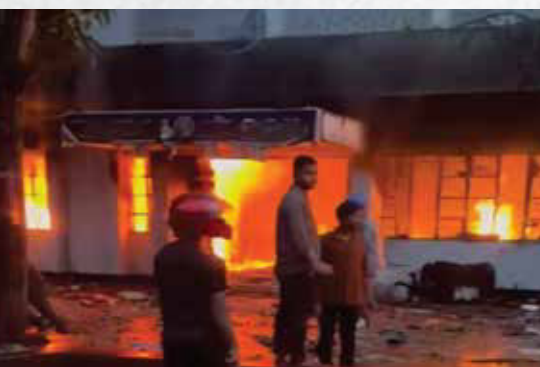
Indemnity for Killing and attacking Awami League activists

According to prothom alo, at least 87 activists affiliated with Awami League were killed from August 4, 5 and 6, even though the number is an understatement due to multiple constraints. On the other hand, countless incidents of arsons, physical assault, looting of businesses and residences took place in the time frame, according to party sources.



No justice for murdering of cops and looting armouries

Moreover, according to government estimates, at least 44 cops were murdered in between the time frame while rights activists put the number much higher. Reports exposed, at least 1000 cops were taking treatment as they were left in critical condition. Media reports show, at least 450 police stations were attacked, militants escaped following prison breaks among other crimes in the time frame.





Impunity for minority attacks

According to minority rights groups, hundreds of attacks including killing rape looting and vandalism inflicted on minorities since August 4.



Who committed these crimes

According to witnesses accounts and victims, these crimes were not committed by general students and citizens rather political activists from BNP, Jamaat and other Islamic and militant groups inflicted there acts of terror.

Rights activists call the order evil attempt to indemnify criminals from killing and looting

According to BBC Bangla report, several rights activists were described the order an “evil attempt to ensure impunity for those took part in the violence”. Nur Khan Liton, rights activist, said “When a criminal offence took place, there is no scope to ensure impunity for criminal with any sort of such order. The ambits of law and human rights barred anyone from gaining indemnity from law after committing a crime. “There is no provision in law to indemnify anyone after committing crime. There is a past high court directive on ensuring trial into every crimes. Whatever we are seeing now (the order) are illegal.”

“In response to a writ I filed with High Court following a similar indemnity granted to law enforcement member following drive known as operation clean heart, the court clearly mentioned families of those killed by law enforcement during drive are entitled to file cases. The High Court clearly mentioned there is no scope to offer indemnity.”



chairperson of rights body Ain o Salish Kendra.

Response from Awami League on the order



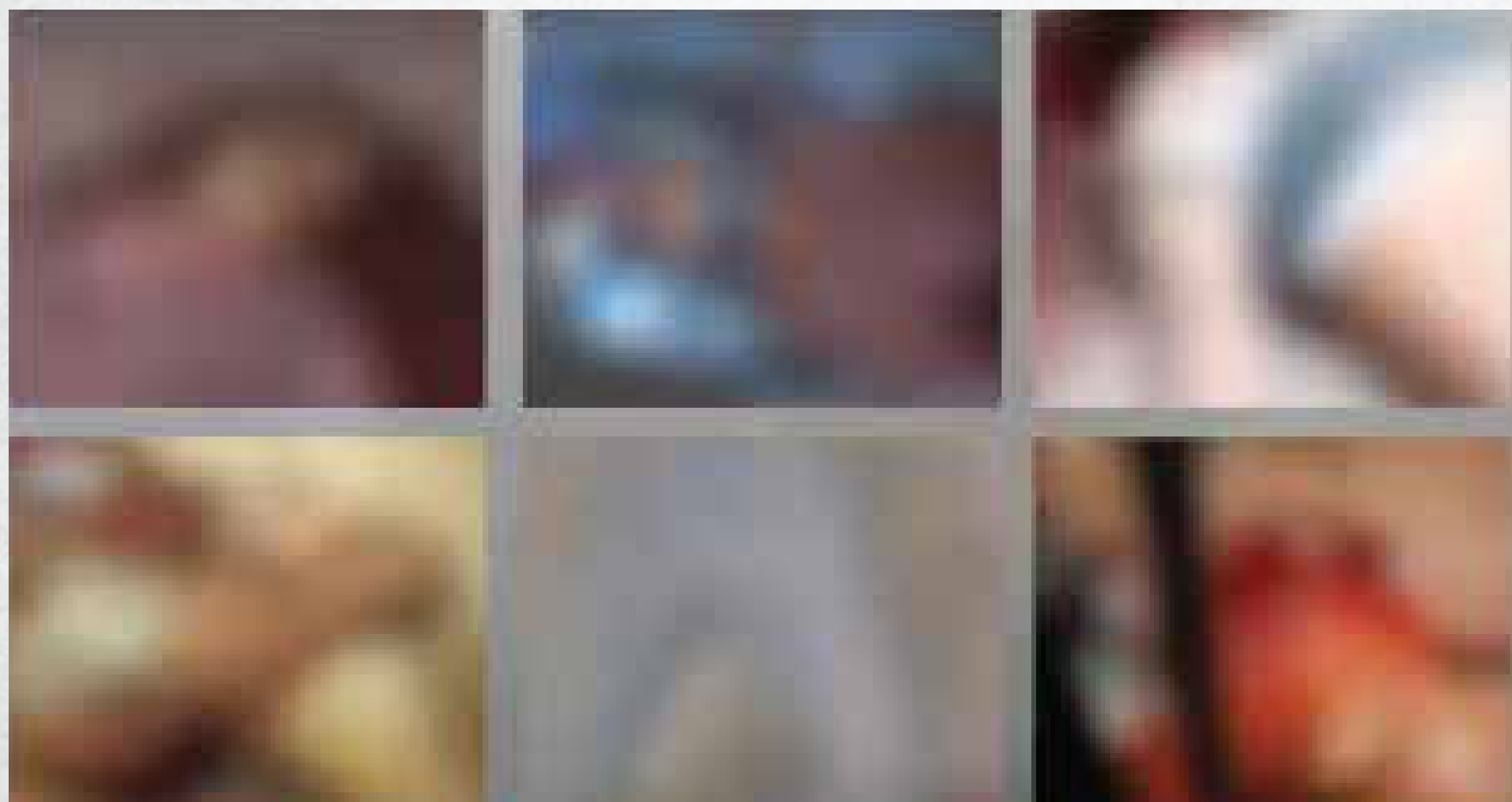
Despite attacked, thousands of Awami League activists and leaders denied from filing cases

A series of tweets, shared from the official handles of Awami League brings to light sheer abuse of legal system that has not intended to serve any justice to party activists who have fallen prey to attack, or killed or have their residences and businesses looted and vandalized. Even quest to seek justice to police station by the victim led them to face false charges of murder and attack on BNP leaders.

Attached herewith are tweet links that contains case studies

After attacked by BNP leaders and activists on September 13, Dr Alimuzzanan, a physician in Gopalganj and involved with politics of Awami League, went to police station for justice but the cops implicated him a false murder case over death of a BNP leader despite his injury, according to family. Based on the charge, the Awami League leader was jailed and a month later died under custody.

On August 5, 14 Awami League activists were burnt alive at the residence of Laxmipur Upazila Chairman. No arrest has been made to date for this crime. Eyewitnesses claim a nexus of central BNP leader Salauddin Chowdhury Ani and Jamaat e Islami leader Abul Farah are behind this attack.



How chief advisor sought to deny politicization of legal system and his effort to cover up ongoing onslaught against dissenters abusing law enforcement

“All are equal before law,
no chance to create division”

Dr Yunus, August 13



“Bangladesh committed to
upholding human rights,
freedom of speech”

Dr Yunus, on September 26, in meeting with Bangladesh CA in NY, human rights orgs urge reforms in security sector



“I would call upon the international
community to engage with ‘new
Bangladesh’ anew that aims to realise
freedom and democracy, beyond
letters, for everyone.”

Dr Yunus before world leaders during UNGA speech on
September 28



Indiscriminate arrest and arbitrary detention taking place everyday

According to media reports, at least 7018 leaders and activist were arrested in first seven days of October without any prior investigation. On an average, at least 1000 were arrested on a daily basis by police. The basis of the arrests include



Already proven false cases filed on political basis



No prior investigation



Grave violation of rights to self defence of victims



The highest number of arrests took place in the Chattogram range, with 1,249 people arrested, followed by Dhaka range with 1,033 arrests, and Rajshahi range, where 864 people were taken into custody. The peak occurred on 3 October, with 1,259 arrests made in a single day nationwide. As of October 8, at least 45 influential persons including former ministers, lawmakers and people from different professions have so far been arrested, taken into remand and/jailed.

Grave violation of rights: rights activists

Without any investigation, the arrest spree is a violation of rights of self defence for victim and also farce with victims of July- August upheaval, according to rights activists.

Media reports brought to light secret order from police Headquarters for stepping up Mass arrests and jail citizens linked with Awami League, “Arrest first, no investigation” motto

According to daily star report, the Police Headquarters gave special instructions to SPs and metropolitan commissioners earlier this month to increase vigilance and arrest.



"We have been instructed to increase arrests and take legal action against ward-level AL leaders and activists,"

said an inspector of Khulna Range Police.



"The instruction includes arresting people every day, including the supporters and leaders of the AL and its affiliate bodies."

Another official, requesting anonymity, said

A tweet from Awami League also showed a call record where officer of RAB asking others to step up manhunt without looking for legal basis of complaints.



"Don't look for proof, arrest anyone affiliated with Awami League"

directive from RAB headquarter reveals ongoing arbitrary arrest spree, a direct violation of constitutional rights



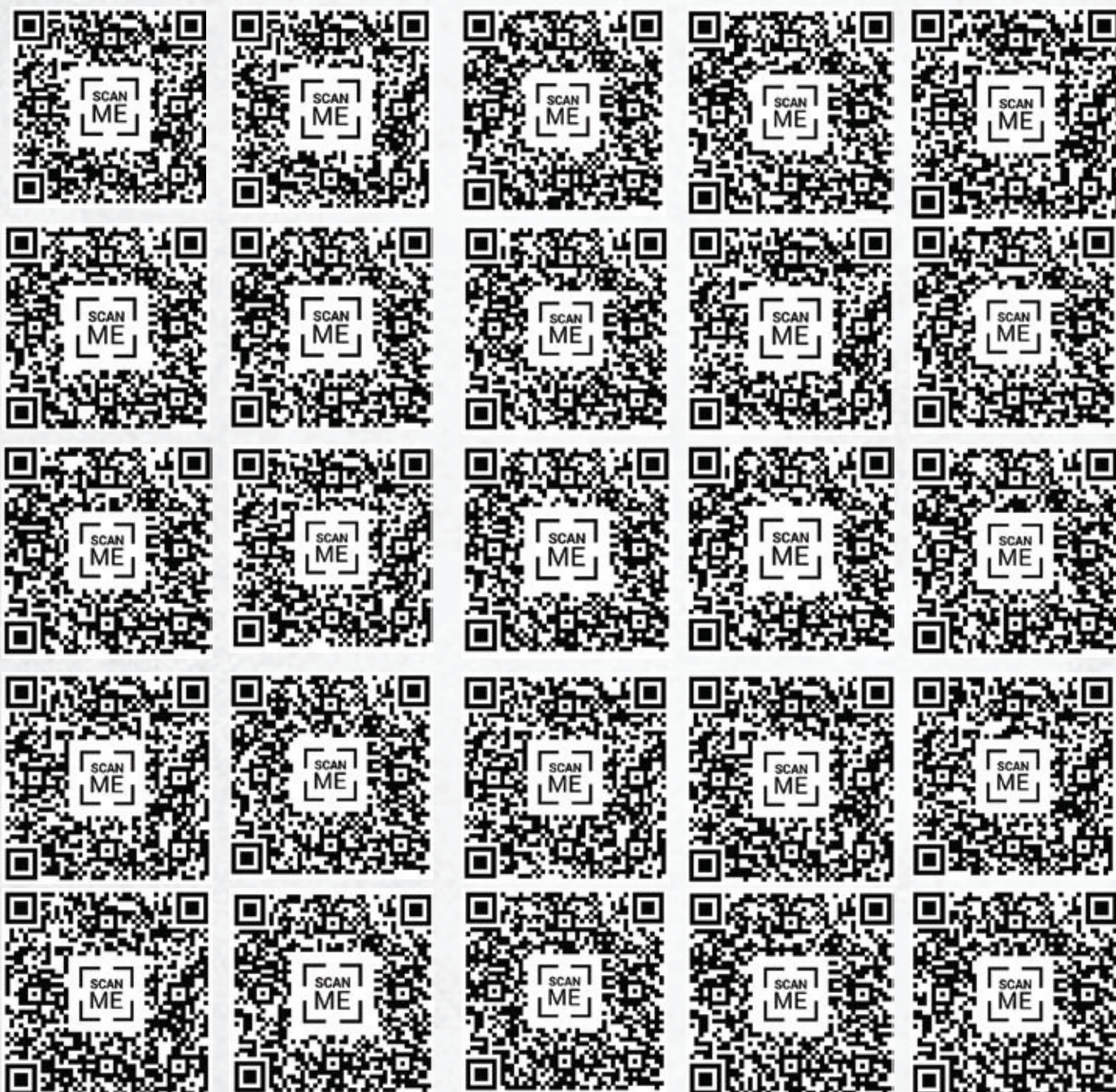
Leaked audio reveals commands from RAB headquarters include - Arbitrary

Thousands of Awami League leaders detained despite not accused in any case

According to official tweet handle of Awami League, hundreds of leaders and activists affiliated with Awami League were picked up from home even midnight by detectives, RAB and police among other forces while they are not even charged with any cases and not even convicted for committing any crimes.

Attached tweet links will offer glimpses

Hundreds associated with Awami League fallen prey to arbitrary detention In Jamalpur



Denial drama from advisors and police chief over mass arrest without investigation

While rights activists raised alarm over the wake of arbitrary arrest, actors of the regime from legal advisor, home advisor and newly appointed police chief have repeatedly come up with false statements of protecting citizens from arbitrary arrest without any investigation. Let's have a look at some of the quotes



“From Police Headquarter we have been monitoring the cases to ensure no one gets harassed. Investigations will be carried out first against political leaders, government officers, police officer among others who were framed in any cases. We are watching to make sure no body falls prey to harassment. Only those committed crimes will be brought to justice”.



According to DW report, dated September 16, when asked about arbitrary arrest, the newly appointed Inspector General Md. Moinul Islam, denied any case of arbitrary arrest and said

While the first week of October recorded unprecedented mass arrest without any investigation, the home advisor did not admit the ongoing manhunt without investigation. Asked about arbitrary arrest by journalists, the advisor said on October 5

“Legal action will only be taken if individuals are found guilty following an investigation. J And just because a case is filed, it does not mean there will be an immediate arrest. There will be an investigation first, and only if someone is found guilty will legal action be taken.”



Home Affairs Adviser Lt Gen Mohammad Jahangir Alam Chowdhury (retd) quoted by media



“No one should be varrested without a proper investigation, and law enforcement officials must always identify themselves before making an arrest.”



On September 19, the same advisor in response to question of arbitrary arrest, claimed



“police are recording cases but that does not mean the accused are being punished at the same time. Now, taking a case does not mean someone is being punished. There can be an investigation even after taking a case into cognisance. It may seem that people are filing the case and the police are taking it. But this is a response to the situation created during the former regime. There is nothing else to do at the moment.”



Published on August 25 by The Daily Star, the legal advisor, Asif Nazrul, in response to a question of mass arrest without investigation said

Attack on arbitrarily detained victims inside court premise in presence of police

Over past two months, from politicians of Awami League to journalists, rights activists and former judges, who were brought to court were subjected to attacks inside court premises amid police presence for two months. The latest reported incident of attack on Awami League leader in court took place on October 8, when Saber Hossain Chowdhury, who was the 28th president of International Parliamentary Union, was brought to court following arbitrary detention despite heavy police presence.



Unlike arbitrarily detained Awami League leader, even Awami League activists were also attacked. Sazzadul Islam Muaz, has been assaulted by BNP activists inside premises of Dhaka Chief Metropolitan Magistrate Court. But police did not detain the attackers. Instead, cops nabbed the attacked victim and dragged the wounded citizen to police station, without taking him to hospital, according to witnesses. Ironically, Sazzadul does not hold any criminal record and there has been no arrest warrant against him.



Reference of some reported incidents of attacks

Former social welfare minister Dipu Moni and former deputy sports minister Arif Khan Joy were physically assaulted when they were being taken to court for a remand hearing in a murder case on August 20.



On August 25, former Supreme Court justice AHM Shamsuddin Chowdhury Manik has been hospitalised after coming under attack at court premises in Sylhet.



Polls show majority against attacks in court but still recurring

According to a poll conducted by prothom alo, as many as 87% people do not support any kind of attacks on the accused on the court premises, in the wake of frequent attacks.



Rights activists calls these attacks criminal offence

Rights activists and legal experts also stressed that no cruel, inhuman or degrading behaviour is warranted with a person who has been arrested in a criminal case. There is no scope to inflict any physical or mental torture to a person after arresting for trial. Such torture or harassment of an accused constitutes a criminal offense, he added.



“Recently, we have witnessed some disturbing incidents where accused politicians affiliated with Awami League were attacked when they appeared in court, or came out of it. This is quite alarming. If there is any place where the rule of law must prevail, it is within the courts which are considered sacrosanct. While violations of rights are unacceptable anywhere, for such incidents to occur on court grounds is an affront not only to the judiciary, but also to Bangladesh’s commitment to the supremacy of law”.



In an editorial titled “Stop politically motivated attack in court premise, The Daily Star in an editorial wrote

How Legal advisor issued false promise to stop attacks, no action against attackers

In midst of attacks and outcry from rights bodies, the legal advisor Dr Nazrul, told media “Government is considering various strategies and ideas to prevent such incidents’, shows report published on August 28. But no reported action has been taken against attackers and politicians were subjected to attack even on October 8, almost two months after the pledge of Asif Nazrul.



The Daily Star view on

**ATTACKS ON
ACCUSED AL
POLITICIANS
ON COURT
GROUNDS**



Purging judges and placing politically involved lawyers to conduct trial: Total politicization of judiciary under reform

Within days into taking charge, the unelected regime forced five judges including chief justice to resign under the pretext of reform. But prior to the purge, a mob was allowed to besiege the court premise with a demand of immediate expulsion of judges without following any legal procedure. Importantly, lawyers with proven credentials of involvement and defend certain political parties including Bangladesh Nationalist Party and Jamaat e Islami were appointed to run the judiciary and even act as representative of state in International Crimes Tribunal, that has been tasked to render justice to victims of July August violence.

BNP leader appointed as Attorney General

Bangladesh Nationalist Party's Human Affairs Secretary was appointed as the attorney general, that serves as legal advisor of the interim regime.

Lawyers who defended Jamaat e Islami and held political ranks were appointed as prosecutors

According to new age, Mohammad Tajul Islam, known for his role in defending leaders of Bangladesh Jamaat-e-Islami in war crimes cases during the rule of Sheikh Hasina-led Awami League governments, has been appointed as the chief prosecutor of the International Crimes Tribunal. According to The Daily Star, Md Tajul Islam, also held rank as joint convener of Amar Bangladesh Party (AB Party), before his appointment. Another, Mizanul Islam, who had also defended top Jamaat leaders, has been designated as an additional attorney general. Moreover, a total of 23 judges have taken oath as additional judges of the High Court (HC) Division under the country's apex court for two years on October 9.

Second mob led siege to facilitate further purge in judiciary

On October 16, once again judiciary has been held hostage as a mob with pre announcement laid a siege on the court in demand of removal of at least 12 judges without following any procedure. Giving in the demand of mob, the supreme court later barred these judges from conducting duties without following due course of action.



Legal experts slam move to remove judge with siege

A report by DW Bangla titled as “forcing judges to resign with siege is a crime and violates constitution”, quoted several legal experts on the precedence.

“The way of forcing judges to resign and the process of taking away their judicial power can be described very much saddening. Judiciary should not compared with other government offices. What we have been seeing (laying siege with mob to purge judges), will no way uphold independence of judiciary rather further undermine independence of the key organ”.

According Monjil Morshed, a supreme court lawyer told DW

“If there is any allegation against any judge, that can be addressed in complaiance with code of conduct as stated in constitution. Circumventing constitutional procedure, removing judges based on siege can not be accepted”

according to Monjil Morshed, advocate of Supreme Court told DW



“the removal of judges from judiciary on the basis of mob led siege totally violates constitution. Stepping down of judges just on the basis of a demand contravenes legal system and stands against the concept of civilized society”

Ahsanul Karim, senior lawyer in Supreme Court tells BBC



Jamaat leader's son hails appointment of lawyers earlier defended the outfit in the tribunal under purge,

“ICT tribunal is ready. Now come (Awami league) we will play”, how son of a Jamaat leader Masud Sayedee posted on facebook in reaction of appoinement of judges in the tribunal. Political analysts assert such exclamation from politically aligned person over judiciary after purge and threat to his political rivals mostly leaders and activists of Awami League is a marker of further politicization of the tribunal.



Left aligned parties publicly decried appointments in partisan people in judiciary

“Appointment of controversial people on judiciary specially International Crimes Tribunal that has been tasked to conduct justice for victims of July August will make this regime questionable”

Ruhin Hossain Prince, general secretary of Communist Party of Bangladesh at a press conference.



