

BRIEFING NOTES



13 August 2013

Subject: Spokesperson for the UN High Commissioner for Human Rights: Liz Throssell

Location: Geneva

Subject: Bangladesh

We are concerned about the recent arrest of Adilur Rahman Khan, a prominent human rights defender in Bangladesh and urge the Government of Bangladesh to secure his immediate release.

On 10 August, Mr Khan, the director of Odhikar, a well-known human rights organisation in Bangladesh, was arrested at his home in Dhaka by plainclothes officers reportedly acting without a warrant. He is reported to have been arrested under section 54 of the Code of Criminal Procedure and section 57 of the Information and Communication Technology Act, accused of publishing false information about violence by Government forces during demonstrations on 5 and 6 May by the Islamist movement, Hefazat-e-Islami. Odhikar reported that 61 people had died during these protests, challenging the government's version of events.

On 11 August, Mr Khan was denied bail and ordered to be held on remand for five days. He was allegedly denied access to a lawyer before his court hearing.

We are calling on the Government of Bangladesh to guarantee the physical and psychological integrity of Mr Khan, whose arrest might be linked to his work as human rights defender.

ENDS

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The report further suggests that *the complainant shall not be permitted to withdraw a complaint once made so as to ensure that all cases of sexual harassment are properly dealt with under the law of the land. We apprehend that permitting either mandatory conciliation, even if at the instance of the complainant, or permitting the complainant to withdraw her complaint will negatively impact the ability of women to bring valid complaints before the Tribunal. It cannot be gainsaid that the myriad pressurizing influences that are brought to bear upon women in our society may act to disable her from pursuing a valid complaint.*

- The employer will be free to set up internal complaint redressal mechanism but the complainant cannot be forced to take the aid of the same. Further the employers may undertake any steps to educate/ sensitize the employees.
- Further it has been laid down that the liability cannot be saddled on the employers in every case except where “ *the employer has (a) by an act or omission facilitated the specific act of sexual harassment complained of; (b) permitted the creation of an environment at the workplace where acts of sexual harassment have become widespread and systemic; or (c) been found in breach of any other obligation under the Act, including but not limited to, the proper disclosure of the sexual harassment policy and the mode of filing of a complaint or the forwarding of any complaint received by either the employer, or by any person appointed by the employer on its behalf, to the Tribunal at the instance of the complainant.*”

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