

To, Ms. Margaret Sekaggya,

UN Special Rapporteur on HRD,

Dear Madam Sekaggya,

Mr. Adilur Rahman Khan, a lawyer, Secretary of Odhikar, Bangladesh and also an Executive Committee Member of Forum Asia and closely associated with other regional and international human rights organizations such as OMCT, FIDH, ICJ, Frontline Defenders etc. was picked up two minutes ago today 10th August 2013 by 8 or 9 Detective Branch of Police (DB) at 10.20 PM from his house. They brought a white microbus apparently belonging to United Commercial Bank and a blue and silver coloured Mitsubishi Pajero. Adilur Rahman Khan was returning home with his family. As his car entered his home, as he got out, 8 or 9 men claiming to be from the DB surrounded him and requested him to come with them.

We anticipate danger to his life and would be happy if there could be an urgent intervention in this matter at your end in this regard.

With kind regards and solidarity,

Henri Tiphagne

FORUM-ASIA *Asian Forum for Human Rights and Development*
Asian Solidarity and Human Rights for All

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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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