

In defence of the human rights defender: FMA Razzak's story told

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States and state agents have historically used violence to stifle public debate, and silence their critics. In many countries around the world today, states no longer rely heavily upon overtly coercive methods and instead acknowledge the need for authentic debate. But in many others, states and state agents continue to resort primarily to coercive methods.

In such countries, some persons try to break the silence on matters of importance that threaten repressive systems for social control. These persons we honour with the title, "human rights defender". Oftentimes, the efforts of these persons seem small, especially to people in countries where authentic debate is taken for granted. Yet, such efforts necessarily begin small, and build up only with years of hard work.

Despite their appearance of smallness, such efforts challenge fundamental principles on which the state's power is based. For this reason, human rights defenders in these countries inevitably become targets for violence. Sometimes the violence seems arbitrary. Sometimes it seems grossly disproportionate to the small efforts of the person.

People unfamiliar with the milieu in which the human rights defender has been working naturally have trouble seeing how apparently small efforts to change society can provoke savagery. At such moments, those people who work with the human rights defender have a special responsibility to delineate the person sharply from his social and political environment, and in so doing, to set out some features of that environment, so that others can also understand why the person has been made the subject of violence.

For this reason, the Asian Human Rights Commission is issuing this short narrative on the work of a Bangladeshi human rights defender, FMA Razzak.

The story of how members of an army officer's family barbarically attacked and almost killed Razzak, gouging at his eyes and breaking his limbs, is now internationally known. The AHRC has set up a campaign webpage, which it is updating constantly, providing the latest details on the case and on subsequent events.

The purpose of this narrative is not to iterate all the contents of statements and appeals on the attack against Razzak, but to explain what motivated the attack, and to show how the police, judiciary and National Human Rights Commission in Bangladesh are working not to defend this human rights defender but to enable the continuance of violence and impunity in their country. To do this, we must begin with the story of Razzak, the human rights defender. That story, although specifically the story of Razzak, is more generally the story of the human rights defender as Bangladeshi; the story of anyone who sincerely believes and fights for human rights in such a country.

A life thrice endangered

Three times FMA Razzak has been in imminent danger of losing his life because of his work as a human rights defender.

The first time that Razzak escaped with his life was in 2002. Razzak by then had been taking an interest in human rights issues for five or six years. His interest had been sparked by a visit to his district of Khulna, on the western seaboard of Bangladesh, by a retired appellate division judge of the Supreme Court, Justice KM Subhan. The former judge, a firm human rights advocate, had spoken to a group of local journalists, Razzak among them. The journalists had given a commitment to the senior jurist that they would do their best to work on human rights issues in the region.

Razzak took this commitment seriously. He began documenting and reporting on human rights abuses in and around his home area. This task was not a minor one. With a populace of over two million in Khulna district alone, stories of abuse were all too easy to hear. Yet, too few people were listening, let alone doing anything about them. Most people with stories to tell were poor and socially isolated. Hardly any journalists took an interest in them. Some considered the stories trivial, others deliberately ignored them, preferring to ally themselves with money and power.

If they were going to be serious about their commitment to Justice Subhan, Razzak and a few others realized, they would have to take the work to the next level. They set up and registered a new organization, the Human Rights Development Centre.

In Bangladesh, a country with a current population of over 160 million, groups like the Human Rights Development Centre are integral links in the chain of human rights defenders from the village to the national level. Professional organizations in the capital, like the Bangladesh Rehabilitation Centre for Trauma Victims, or BRCT, depend on human rights defenders in the districts for information and support.

Razzak and his colleagues took to the work in Khulna enthusiastically, devoting what spare time they had to the human rights cause. They documented cases and wrote petition letters to BRCT and other groups in Dhaka. They took poor victims of assault to hospital, and collected money with which to purchase medicines for them.

The work continued in this way up to 2002. Then the government initiated a notorious drive to capture “wanted criminals”. Codenamed Operation Clean Heart, the 86-day campaign provided a perfect opportunity for people nursing grudges to point their fingers at others. The army received an anonymous letter accusing Razzak of belonging to a banned political party. Razzak got wind of the letter and went into hiding. By the time that soldiers arrived at his house, he was gone. His family paid a high price for his absence. Soldiers ransacked the house. They tied up and beat Razzak’s father and younger brother. His wife they also assaulted and kicked, and stomped on her feet, crushing her toes. Then they poured cold water over her body and forced her to stand in the winter’s night for over two hours. Razzak’s seven-year-old daughter witnessed the assaults and suffered trauma as a result. Later, the army again came and took Razzak’s father into custody. They sent him to the local police station. The police held him for a month.

Only once Clean Heart ended was Razzak able to return home. During the operation, the army held and brutalized at least 11,000 persons. Fifty-eight of them died in

custody. Had Razzak not escaped capture, he might have become another statistic.

Rather than frightening Razzak away from his work as a human rights defender, the threat of possible death in custody and the vicious attacks on his family only hardened his resolve. He went from being a human rights defender in his spare time to a fully dedicated participant in the struggle against impunity. He cultivated his contacts with national-level groups, and became actively involved in fact-finding missions around his region.

The BRCT took interest in Razzak's work. He went for training, and became the organisation's first point of contact in Khulna and surrounding districts. Now Razzak had to travel widely across an area of some 20 million people, visiting the victims of custodial torture, investigating and making preliminary reports as part of a small unit of professionals. Being a journalist, he had a knack with words. The BRCT appreciated the clarity and quality of his writing.

But beyond his professional skills, what distinguished Razzak's work in this period was his heartfelt concern for the plight of the victims. Although his home was 60 kilometers distant from Khulna city, he became better known within the city limits than people there that represented themselves as human rights activists. He never failed to take responsibility for a case that was brought to his notice, and travelled around neighbouring districts with the same unflagging energy. He took people to hospital, helped them to get treatment, to get medical certificates and to file cases against perpetrators. Anyone in need received Razzak's assistance, no matter age, gender, religion or social standing.

The second time that Razzak narrowly escaped with his life was during 2004. In June of that year, the government set up the Rapid Action Battalions. The battalions, which comprise of both military and police personnel, adopted the extralegal practices of Operation Clean Heart, making them a permanent feature of law enforcement in Bangladesh. The RAB quickly became notorious for killing arrestees in staged "crossfires". In the first days of the RAB, few persons who were taken into their custody returned home alive.

When a RAB unit took Razzak away, witnesses frightened for his safety promptly contacted the BRCT. Someone at the organisation got through to the unit's commander. They impressed on the officer that witnesses had seen the RAB personnel taking Razzak and that the details of his arrest and other facts had already been documented. The BRCT's quick work probably saved Razzak's life. Realizing that the man in their custody was known, after just a couple of hours, the RAB handed him over to the police. A case against him failed in court, and he walked free.

Again Razzak proved his credentials as a human rights defender, redoubling his efforts to document and report on torture cases. He also brought victims personally to the BRCT in Dhaka, where professionally trained staff gave them treatment. Sometimes he organized for them to go to the centre with others.

In this period he documented a number of important cases. Soldiers beat a street vendor to death on the roadside. Apart from Razzak, nobody published news of the case. Another time, army personnel tied two men to a tree and assaulted them to

extract information on the whereabouts of a wanted criminal. He also investigated and reported on corruption among officialdom; about police backing of illegal land grabbers, and about sectarian attacks on the minority Hindu community that the local authorities failed to halt or address.

A link with abroad

Around this time, in 2006, Razzak began voluntarily sending cases directly to the Asian Human Rights Commission. Soon, the AHRC was issuing urgent appeals on cases from Khulna that Razzak had documented. The following February, Razzak himself became the subject of an appeal, when he and his father were forced into hiding after an army officer falsely accused them of extortion. Observing his strong energy and efforts, the AHRC subsequently invited Razzak to its office in Hong Kong, where he participated actively in a programme for human rights defenders from across Asia.

Razzak had become a major pain to the local military and police. From his beginning as an interested but relatively inactive journalist he had become a tireless advocate for victims' rights. He had gone from being a local activist to a point of contact for a major national organisation. He also had found an international voice through the AHRC. Earlier attempts at frightening the troublemaker off or quietly getting rid of him had not succeeded. Now the police and military resorted to a systematic campaign, which continues to the present day, aimed at blackening Razzak's name by painting him as a criminal. They also camouflaged attacks motivated by his work as a human rights defender, characterizing them as mere personal disputes.

In 2008, police brought a fabricated case against Razzak, alleging that he had abducted a young girl. The case was motivated by Razzak's support for a widow who had lost her costly trees and was about to lose her land to illegal interlopers. The interlopers had the backing of the officer in charge of the local police station. When the facts of the case came out in court, the police transferred the officer in charge as punishment. The punishment, although mild, encouraged local reporters and other human rights defenders. The newspapers began publishing more stories about the officer's role in other land grabbing incidents, and his part in various illegal enterprises.

Embittered, the police manufactured the case against Razzak. Because the fake case was the work of the police themselves, it fell to Razzak's family and fellow rights defenders to search for the girl and bring her to court, where she testified that nobody had abducted her. This time, Razzak and another rights defender spent three weeks in detention. The Asian Legal Resource Centre documented the case in the March 2009 edition of its quarterly periodical, article 2. The article on the case includes tabulated details of the amounts of money that the families of both men had to spend to secure their release, including by way of bribes to various officials.

During 2009, Razzak came back to Hong Kong, this time for a four-month internship. Basil Fernando, director of programmes and policy at the AHRC, remembers him well:

“When Razzak came for the internship, his capacity to use the computer, to use the Internet, was basically zero. As a journalist he had been writing in longhand, using couriers to send his stories for print. Up to then, to send information to us also he had been relying on outmoded technology. I saw a tremendous fighter, but one frustrated by an inability to do more, and a man demoralized at the repeated attempts to silence him.

“In Hong Kong he gradually began to participate, to learn new techniques and new skills. He got into dialogue with people from around our region facing similar problems, and he shared ideas and experiences. I watched as some of the strength that had gone out of him after recent events returned. He regained his belief in his own ability, and on top of that realized how much more he could do.

“So, Razzak went back to Bangladesh invigorated, and also more skilled and knowledgeable than he was before. He went back to Khulna and in this new phase of his development as a human rights defender, whenever he took up an issue it went out faster and got even more backing than ever before. So he had by now become much more of a nuisance than earlier. And this would have caused a lot of confusion and annoyance among the fellows responsible for attacking him. For years they had been escalating the campaign to stop his human rights activities, to the point of beating his family members and perhaps intending to kill him, yet still he had kept fighting, and each time had bounced back stronger.

“The whole point of these attacks on Razzak was to force him to give up, or to get rid of him completely. When the police or army attacks, the person is supposed to realize that whatever they are doing, they should stop it. But this fellow did not stop. So it is this atypical aspect of his behaviour that confused the perpetrators of abuses and their allies, and which led to the madly brutal attempt on his life in 2011.”

The ceaseless efforts of Razzak for human rights, which had begun in a small way some 15 years earlier, now provoked a response of such savagery that it has shocked people all around the world.

A savage attack with state agencies' complicity

The 2011 attack was the third time that Razzak escaped with his life. On this occasion, the escape was narrow.

After returning to Khulna from Hong Kong, Razzak immediately set about looking for new ways and new opportunities to promote human rights. The publisher of a local fortnightly newspaper had decided to give up the business. He offered it to Razzak, who took up the paper, both as publisher and chief editor.

In the meantime, Razzak had gone back to study. After years of entanglement with the legal system, he had decided to learn the law, so as to be better equipped to work on human rights cases. At the time, he explained to a friend that although his region had many good lawyers who were sympathetic to the victims of rights abuses, they lacked the enthusiasm needed to travel long distances and represent people with no money to pay for their services.

Razzak successfully completed a bachelor of law through a private university in Dhaka, and began working with a senior advocate in Khulna, drafting legal documents. The quality of Razzak's written skills combined with the legal knowledge he had obtained from the LLB proved formidable. His senior was very much impressed by the quality of the work, and did not make changes to Razzak's drafts before submitting them to court, as he would have done ordinarily. Meantime, Razzak set about trying to obtain a licence to practice.

All this was a bridge too far for the local police and military. In February 2011, they conspired to make yet another fabricated criminal case against Razzak and his family. This time, the complaint was of arson and destroying of property. With this new case underway, mobs led by the brother of an army major began a series of concerted attacks on Razzak's family and his property, culminating in the eye gouging assault in which he nearly lost his life.

On February 18, the brother of the army major led a mob to attack Razzak's house and its occupants, injuring his wife, brother and sister-in-law. The entire family went into hiding. On February 28 a mob led by the same man came to the unoccupied house, damaged property and carried off timber from the yard. In early March, someone apparently poisoned poultry owned by the family. And, on March 14 the officer's brother broke into the house with a group of others and looted it, carrying off a laptop, camera, jewelry and even a refrigerator.

Throughout this time, the police and courts took no action to stop the perpetrators. On the contrary, the function of the criminal justice system was to terrorize the family and enable the attacks to continue if Razzak refused to give up. The state agencies were fully arrayed against this human rights defender and his loved ones, including children and the elderly. The prelude to the third attempt on Razzak's life was, in hindsight, a portent of what would come after the attack. The prerequisites for impunity were already in place. In fact, the major attack could not have occurred without guarantees that the attackers would be protected.

The attack, when it came, was horrific. After some time in hiding, Razzak and his younger brother had again ventured out into public, and on April 29 had been travelling to meet with police and other local authorities, to appeal for help and to try to resolve the latest concocted case against them. Perhaps because they had been travelling to meet state officials, rather than trying to evade them, the men had not expected that the attack would come when it did.

The attack is described in full on the AHRC website. Briefly, according to Razzak, around 40 men surrounded the two brothers as they were trying to hire a car to travel for meetings with officials the next day. Razzak recognized them as men attached to the family of the army officer who had led the attacks of the previous two months. Kazal, the major's brother, was again present to coordinate the assault. Razzak vividly describes what happened next:

“Immediately, the gang jumped on me. They began to indiscriminately hit me: my head, back, chest, hands, legs--every part of the body. Kazal and his gang tried to push fingers into my eyes to gouge the eyes out. I tried to block the eyes with my hands. Then, they severely pressed on my testicles. I was about to die! I had to move

my hands from the eyes to the testicles at that moment. Immediately, they pushed fingers and a rod into my eyes and kept moving the rod inside the eyes. They tried to take out my eyeballs.

“Simultaneously, many others were hitting me with rod and stick. I cried out for help. But nobody responded to my cry. Only my younger brother tried to rescue me. But the gang caught him and brutally beat him, taking him a few yards far from where I was being beaten. I had no scope to follow or understand what was happening to my brother. I could do nothing to save myself. They knocked me down to the ground and jumped on my body and hit me as they wished.

“They constantly hit my right leg, which broke on the scene as I fell. When I tried to block the hits with my right hand, they hit my right hand, which also broke. I became completely motionless. They took away my mobile phone and some money that I had in my pockets. I was almost dead there.”

At this moment, what saved Razzak was his own sense to feign death. Had he continued to fight or cry out, the mob would surely have killed him. But knowing that nobody would come to help him, that the arrangements had already all been made to get rid of him once and for all, he lay still and listened to the men talk. Kazal called his brother, Major Mustafizur Rahman Bokul. He put the phone on speaker so the others could listen, and Razzak also heard the exchange. It began with Kazal:

“Brother, the kuttar bachha (son of dog) is caught in our hands now!”

“Only caught? What do mean? Break his legs and hands! Take out his eyes!”

“We have already taken out his eyeballs making him blind and have broken his hands and legs!”

“Where are you now?”

“We are in front of the paribahan (long route bus) counter.”

“Throw his body into some ditch!”

Instead of following the order, Kazal and the mob took Razzak in a van to a place where other members of the officer’s family and more people were present. The group again assaulted him. They again called the major on speaker phone, who said that he would arrange for the RAB in Khulna to take the body and make it look as if Razzak had been killed in crossfire. But, his brother advised that it would take too long and that the matter had to be sorted out before then. Kazal instead called the officer in charge of the Paikgachha police, OIC Enamul, who asked,

“Kazal, what are you doing now?”

“We have already taken out his eyes and broken his hands and legs.”

“Very good! Bhalo kaz korecho (a great job)! Don’t kill him on the scene; I am sending police there.”

After two police arrived, they began coordinating with the attackers. Neither the police nor the family wanted to take Razzak's body away. Finally, the police agreed to escort the attackers to the hospital, with the latter bringing Razzak by van. At this time it seemed that he was dead, or would soon die. Hospital staff kept him on the verandah and offered no help. Later, they sent him on to Dhaka, where at last he received treatment, and from where he could tell his story. According to medical tests, Razzak has lost 75 per cent of his right vision.

The most elementary things not done

Let us now take a moment to consider the role of state agencies during and following the attack on this human rights defender. What we find is that across all of these agencies, even the most elementary things that should have been done have not been done.

The role of the police in enabling the attack and colluding with the attackers is obvious. After the attack, with a large amount of national and international news on the incident, it would be reasonable to expect that the police would feign an investigation. But even this seems to be unnecessary. A month on from the assault, no police officer has yet recorded Razzak's testimony. The police did record a First Information Report about the incident, which listed 38 persons as accused, Kazal at the top of the list. Despite this, to date no charges have been brought against any of the 38. By contrast, on top of the fabricated case against Razzak pending from February, in April and May the police lodged two further concocted cases against him, his brother, wife and some other relatives and supporters. One journalist implicated in these cases they detained.

The local judiciary has so far done its job to protect the perpetrators. Although some of the accused it initially placed in custody, because Razzak's lawyers could not bring a proper medico-legal certificate to court in time, the judge released 14 out of the 15 persons detained. Whereas the criminal justice system has the responsibility to see that official medical examinations are recorded according to procedure and evidence brought to court, in this case the judge transferred his own duty onto the victim as a means to enable some of the accused to walk free.

The army for its part has seen no reason to suspend, investigate or even comment upon Major Bokul. He continues in his post as usual, despite requests for him to be suspended coming from high levels inside the country and abroad, and despite public rallies in Khulna calling for his dismissal.

Perhaps the most scandalous part in the business following the attack has been the role played by the National Human Rights Commission. Despite repeated requests from the AHRC, as well as from other persons and groups in the country and outside, it has failed to act on the case. The NHRC chairman, Professor Mizanur Rahman, in a discussion with AHRC staff iterated the lies of the army major: that Razzak was a criminal, and the attack related to a personal dispute rather than human rights work. Although he promised to visit Razzak in hospital, the chairman failed to appear, and his commission failed to record a statement from the victim. The NHRC, in short, has joined the ranks of the propagandists for the perpetrators of this heinous attack.

Yet, none of this is exceptional to Razzak's case. On the contrary, these are the routine methods of the criminal justice system in Bangladesh: precisely the methods against which Razzak had been fighting for years. The police give various excuses for being unable to complete an investigation. The court puts the onus on the victim. Other agencies that in principle should come to his aid instead rally around the perpetrators. This is the milieu into which Razzak first tentatively took steps as a human rights defender in the 1990s. It is the system of violence against which he has struggled since, and against which he is today forced to struggle for his own survival.

The violence continues

Within days of the attack on Razzak, the threats of further violence spread. Two of the attackers visited eyewitnesses who had joined rallies to call for the arrest of the perpetrators, and brandishing long knives told the witnesses that they would be killed if they did not remain silent. The eyewitnesses and families were forced into hiding.

That the attack on Razzak was motivated by his human rights work, and not a personal dispute--as people attached to the perpetrators have tried to portray it--is painfully obvious from what has since happened to two of his colleagues. Both of the two had been working closely with the AHRC on the campaign for Razzak following the attack of April. Both were in recent days abducted and threatened with death by unidentified members of the state security forces. One has suffered trauma from his experience and has gone into hiding. The other has spoken out.

That young man, Dipal Barua, was returning from a friend's house on May 24 when a group of men pulled him into a waiting car. They blindfolded and handcuffed him, drove him to an unknown place, and stripped him naked. The men locked him in a room for about seven hours, without food, water or a toilet.

After this time, men took Dipal to another room. He thinks that the time was midnight or early morning. There were, he thinks, seven to eight persons inside this room, judging by the voices he heard. They questioned him: why had he visited Razzak in hospital many times? Why was Razzak shifted from the Dhaka Medical College Hospital to a private hospital? How much money was paid to Razzak by the AHRC? How long he has been engaged in the work of the AHRC? Who are the other persons working for the AHRC in Bangladesh? Where do these persons reside and where are they based? Are the persons currently living in Bangladesh or not? Who is the boss of the AHRC's Bangladesh work? When does that boss visit to Bangladesh? When is the boss coming to Bangladesh for the next visit? Who came from Hong Kong to visit Razzak after his hospitalization? Whom did the AHRC team meet during their visit? Had not ten million Taka (about 1.4 million USD) been sent to Dipal and his friends from abroad for human rights work and where is the money?

Similar questions were repeatedly asked for an hour or so. Thereafter, the interrogators told Dipal that they were going to kill him. He got frightened and told them that he has aged parents and appealed to them not to kill him. He said that he is willing to do whatever they ask and asked them to spare his life.

Then the men told Dipal to sever all connections with the AHRC. They mentioned the names of several other persons, and told him not to have any contact with them either.

They told him that they were going to give him a chance and that he should use it, that if he again had contact with those persons, he would not have such a chance. Then they put him back in the room until the afternoon time, when they took him back to the same place from where they had picked him up on the previous day.

Dipal's terrifying story speaks for itself. Not only are the attacks on human rights defenders in Bangladesh organized, systematic and life threatening, but they are also targeting persons connected to the AHRC because of the pressure of the campaign for Razzak.

No other strategies

Today, not only FMA Razzak and his family but also all human rights defenders in Bangladesh who have rallied to his side face real danger. One reason that the danger has spread is that the system has no strategies to deal with a man like Razzak, who will not stop his fight. The system's methods are premised on the idea that the person against whom they are directed will eventually give up. When a person refuses to give up, they system is bereft of alternative strategies. Its personnel know only to escalate and widen the violence.

Others will be subjected to harassment and also possibly to further abductions and interrogations. In a country where extrajudicial killings are commonplace, we can also assume that the persons responsible for these threats are prepared to make good upon them. For these reasons, the solidarity of the international human rights community is vital for the human rights defenders of Bangladesh at this precarious time.

But it is also vital that this solidarity be informed by an understanding that the violence ultimately is rooted in centuries of oppression, and in the struggle, oftentimes seemingly small, to break open the silences which enable oppressive structures. In a society where most people are inert or disinterested in the plight of the ordinary victim of state violence, when the voice of a person like Razzak is heard, it echoes through the empty space that in another society may be filled with many disparate voices. It attracts the notice of many people, including those who do not want to hear such a voice, and will go to lengths to silence it again.

In this sense, the attack on Razzak must be understood not as an attack upon an individual but as an attack upon society. Its objective is to silence many by silencing one. The attackers know full well that if such a man as Razzak can be forced into quietude, others also will remain that way. In response to such an attack, the duty of all other persons who identify themselves human rights defenders, both in Bangladesh and around the world, is to ensure that this objective does not succeed.

Suggested Actions:

1. Write to the Government of Bangladesh requesting the appointment of a special investigating team to investigate into the attack on FMA Razzak;
2. Request for an immediate judicial medical examination of FMA Razzak;
3. Request for the arrest and prosecution of the main instigators and perpetrators of the attack against Razzak and his family;
4. Request for adequate medical treatment for Razzak;
5. Request for ensuring security for Razzak and his family.

