

Detention of student coordinators: Was it really for their security?



Collage: STAR

On Friday, plainclothes policemen forcibly took three key coordinators of the Students' Movement against Discrimination—Nahid Islam, Asif Mahmud and Abu Baker Majumdar—from a hospital in Dhaka city. Nahid and Asif were receiving treatment for injuries sustained after being picked up allegedly by law enforcers several days ago. Family sources have reported that the trio was dragged to the vehicles and subsequently taken to an unknown destination. The plea of hospital authorities against apprehending two under-treatment patients fell on deaf ears. Cell phones of all three detainees and of a sibling of theirs were seized. On that evening, the student activists were scheduled to brief the media about the ongoing movement.

In response to the burgeoning criticism of the detention of the three activists, the Home Minister claimed that they were picked up "to find out who were threatening them". Further explaining the situation, the head of the detective branch (DB) said, "They (the coordinators) spoke on social media about feeling insecure... We think it's our responsibility as law enforcers to provide safety and security to those who say they're feeling insecure." He also said that the state would solicit clarification about telephone communication of the detainees with others.



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Two more protest organisers, Sarjis Alam and Hasnat Abdullah, were also taken to custody by the authorities in Dhaka on Saturday. The additional deputy commissioner of the DB of police said the move was to "to ensure their security and to get information about recent incidents."

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The claims of the senior state functionaries tasked with law enforcement that the students were detained principally "for their safety" raises some important questions.

Firstly, at least two among those detained are on record claiming that they were subjected to involuntary disappearance and torture only days ago. In their posts, they made amply clear about the source of their insecurity. Have the police and other law enforcement agencies had any discussion with the activists about who inflicted such unlawful detention and torture on them? If so, people have a right to know what actions the authorities have taken to bring the perpetrators to account.

Secondly, did the activists explicitly state in their social media posts that they felt unsafe in the medical facility they were lodged in? If not, what made the authorities assume they would opt for state protection (in an unknown premise, possibly the DB office) over the security of their homes with their loved ones, or that of a hospital to recover from their bodily and mental wounds?

Thirdly, were those detained informed about the reason within three hours of detention, as per the Supreme Court guidelines? Was not the failure of the authorities to produce them before the nearby magistrate's court within 24 hours a violation of the law? Were the individuals acting on behalf of the state not obliged to produce their identity documents?

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Fourthly, if indeed the intention was as benign as to grant the activists safety and security, why then would the activists be hauled to the vehicles against their wishes? And why were their next of kin not informed of the place they were being taken to? What precluded the DB authority to grant the group of university teachers a brief meeting with those being "provided protection" when the former went to the Minto Road office of the DB on Saturday?

And finally, Article 37 of the Constitution grants every Bangladeshi "the right to assemble and to participate in public meetings and processions peacefully and without arms...." Under Article 43, citizens also enjoy the right to privacy of correspondence and other means of communication. Does the current political leadership, particularly those responsible for law enforcement, not believe that those engaged in the quota reform movement enjoy the rights under granted under those articles? If so, why would they need to explain whom they have been in touch with to organise these events? Why do they have to explain the contents of such communication?

Under the law, abduction is a criminal offence, and no one can arbitrarily be picked up and detained. "If they (the police) want to arrest anyone, they have to comply with the directives of the Supreme Court," Barrister Jyotirmoy Barua was quoted saying in a [report](#) published in this paper. In this case, it is clear that there was a serious breach of the apex court's directives.

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In addition to undermining the constitutionally guaranteed right to free expression and assembly, the state actions against the organisers of the quota reform movement also manifest uncanny transgression of the fundamental right to secure medical treatment by the wounded and the sanctity of a medical premise. Such tactless measures will only contribute to further deterioration of the already charged political environment. The government should immediately halt detaining and harassing the students for their role in the quota reform movement and instead take stern and visible action against those involved in wanton killing of hundreds of students, protestors, and bystanders.

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Views expressed in this article are the author's own.