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## Overpowering the law enforcing agency and human rights challenges

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### Abstract

*This research seeks to explore and understand the extent of human rights is violated by an elite force in Bangladesh. The constitutional right to life should not be derogated or suspended, and no person should be stripped of his or her basic human rights. (Number) of victims and human rights activists were recruited via snowball sampling and in-depth interviews were conducted. Secondary data was obtained via daily newspapers, magazines and bulletins published by various human rights organizations in Bangladesh. This is due to the elite force ignoring the existing constitutional guarantee of the right to life. The participants views were that the government has to ensure human rights are maintained. It should limit the jurisdiction of the elite force and conform to the Universal Declaration of Human Rights.*

**Keywords:** Human rights; law; Bangladesh; RAB.

### Introduction

Human rights are rights inherent to all human beings, irrespective of the nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. Every single citizen is equally entitled to human rights without discrimination (United Nations, 2016). It is important to keep in mind that these rights are all interrelated, interdependent and indivisible. Human rights scholars, activists and advocates have come to a consensus that, six decades after its issue, the Universal Declaration of Human Rights (UDHR) blatant violations exist in every part of the world. In 81 countries torture and abuse are common, in 54 countries people face unfair treatment and in 77 countries there are restrictions in their freedom of expression (Amnesty International, 2009). Bangladesh has ratified all the core human rights treaties (International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Committee on the Elimination of Racial Discrimination (CERD), Committee on the Elimination of Discrimination against Women (CEDAW), Committee against Torture (CAT), and Convention on the Rights of the Child (CRC) and the Universal

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Declaration of Human Right (UDHR). As with UDHR, the Constitution of Bangladesh has incorporated provisions regarding fundamental rights ranging from Article-27 to 47 to protect and promote human rights of its citizens (Rahman, 2006).

Human rights, deprivation and unequal allocation of resources have been issues for then West Pakistan (now Bangladesh) between 1947 and 1971. Bangladesh struggled for 23 years to establish the rights of its citizens. Finally, Bangladesh gained independence following a nine-month-long war with Pakistan in 1971. The Pakistani army has restricted Bangladeshi's rights throughout its history at different times, causing thousands of civilian and military deaths. This has occurred while the Army has enjoyed full impunity. The independence came as a result of a fight against violations of due rights. The country struggled to overcome significant barriers to the realization of human rights: a repressive police force, poverty, corruption, unequal distribution on of wealth and opportunities, and a slow legal system. The governments deliberately suppressed human rights, extraterritorial actors and the dynamics of regional and global hegemony allowed limited human rights for the people (Halim, 2010).

In 2004, the government of Bangladesh introduced an elite anti-crime force called the Rapid Action Battalion (RAB) following a rise in the rate of crime in the country. This elite force was necessary to form. The criminal justice system has not been adequately applied and policing structure has not been made a complete professional sector. This is primarily because the police are being used politically to suppress and silence the opposition voice. The reduced powers of the police have led to and the growing number of crimes (Figure 1).

In terms of accountability and integrity systems in 31 diverse countries, judicial independence, fairness and citizen access to justice is “weak” in Bangladesh (score of 69 out of 100) (Note: According to the Global Integrity measurement system, a score below 60 is considered to be “very weak”, between 60 and 70 is considered to be “weak”, 70 – 80 is considered to be “moderate”, 80 – 90 “strong” and 90+ is considered to be “very strong”) (Global Integrity, 2010). Corruption in the judiciary system may take a range of forms such as bribery, nepotism, embezzlement of funds, trading of influence and deception. Bribery, however, is the most prevalent form of corruption in the judiciary (Transparency International, Bangladesh-TIB, 2010). TIB goes on to say that among the households who received services from the judiciary, 59.6% paid bribes. Severity of corruption depends on the level of court, for example, highest number of citizens paid bribes in high court followed by magistrate court followed by civil court. Corruption also relates to the fact that the judicial system in Bangladesh suffers from



lack of adequate funding, poor salary allocations for judges, lack of disciplinary and accountability mechanisms.

The RAB was formed on 26 March 2004 by the then ruling Bangladesh Nationalist Party (BNP). It is the first anti-crime and anti-terrorism elite force in Bangladesh which has been made subservient to the Home Ministry (Mehtab & Rahman, 2014; Akash, 2011). An economically promising country, Bangladesh has obtained high-profile achievements in social development sector. Therefore, social and political stability, law and order are required to achieve desired developments. Against this backdrop, Bangladesh Government felt the necessity to form a special force to make the activities of Police Force more effective and dynamic (Mehtab & Rahman, 2014; HRW, 2006). The primary tasks of the RAB have been to maintain: internal security; recover unauthorised arms, ammunitions, explosives and other such articles; apprehend armed gangs of criminals; assist other law enforcement agencies in the maintenance of law and order; gather intelligence; investigate any offence concerning the government; and, any other such duties as the government requires from time to time (RAB, 2005). Seconded members from six services such as the Bangladesh Army, Bangladesh Navy and Bangladesh Air Force, the Bangladesh Police, and members of Bangladesh's other law enforcement groups such as Border Guard Bangladesh and Bangladesh Ansars joined the RAB (Human Rights Watch, 2011). The RAB was created through the "The Armed Police Battalions (Amendment) Act, 2003," and published in the Bangladesh Gazette of July 12, 2003. However, it was done by a unilateral decision made by the ruling government. Opposition was boycotting parliament since the very beginning of the then government. This force has been accorded with special power with special salary and benefit package. They are better equipped than regular police force. For example, in order for them to arrive at the crime scene fast, they are given a helicopter.

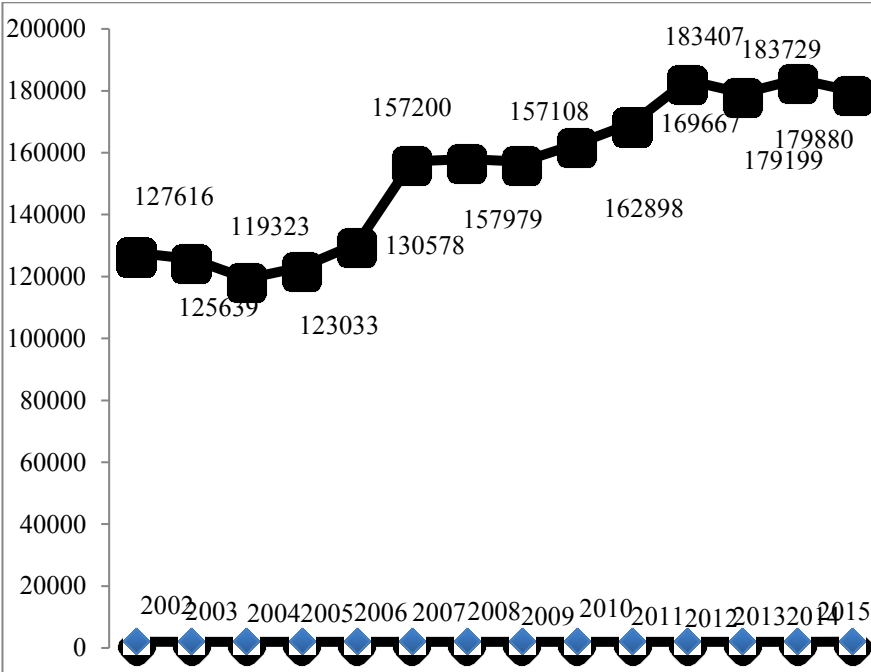
Equality under the law is a basic principle of a democratic society. The police are important in a democratic society to enforce the law that enhances civic trust and social order. A modern state needs the assistance of law enforcing agencies. A paradigm shift took place in recent times with policing as the concept was changed from 'police force' to 'police service'. The Police has been an integral part of the state of Bangladesh and an important branch of the criminal justice system.

A nation's police - the epitome of our nation's values - can best ensure the safety and security everyone is concerned about (Couper, 2012). When they fail in this, a nation stumbles. Those of us who have experienced our nation's civil rights movement know this to be true. Once a nation fails, it takes a long time for them to recover. In such an environment, citizens go



about their daily work and interactions knowing that the police will fairly and effectively attend to any issues. Thus, order and justice will be well-served by fair and effective police officers, that will be cognizant of our society's broader interest (Huda, 2004).

**Figure 1.** Number of recorded Crimes from 2002-2015



\* Dacoity, Robbery, Murder, Riot, Women & Child Repression, Kidnapping, Police Assault, Burglary, Theft and Other. Source: Bangladesh Police, 2016.

The RAB has attracted widespread public attention. Initially, it appeared that people accepted and admired RAB activities as in the past criminals were not punished. This is because the charge made by police by being bribed has been too weak to establish the case. Therefore, trust of general population in law of the land has eroded over the years. In Bangladesh, conviction rate is 15-25 per cent in 2013 (Hamid, 2014). Alleged perpetrators are not imprisoned due to the inefficacy of the criminal justice system. Thus, they continue their criminal activities unabated which endanger security and human rights (Mehtab & Rahman, 2014). The RAB officials argue that courts often grant bail to notorious criminals and criminal trials are lengthy. Moreover, punishment, which often means a short term jail sentence, does not change nor reform a criminal (Mehtab & Rahman, 2014). Human rights activists counter-argue that this does not allow them to extra-judicially kill criminals.



There are claims that in the middle and low income countries, police departments are mainly fraudulent. As a result, trust base has eroded. While these claims may be based on facts, it is as well important to look into the other side of the coin. The traditional police force in Bangladesh seemed to have been inefficient, highly corrupt (TIB, 2015) and insufficient in number as compared to the population i.e. the police people ratio is very high (Table 1). The salary of the police in middle and low income countries is very low, with lower educational qualifications and accountability (TIB, 2004). The police is confronted with the problem of inadequate logistic support. On an average, there are 5-6 police staff sitting in each room of a police station (Mehtab & Rahman, 2014; Karzon, 2008). In most cases, they are not remunerated for the extra services they render related to investigations into cases.

Police reforms have been made in electoral pledges but was not followed through. The collection of “intelligence in crime and criminal activities” and “investigation of offences on the direction of the government” – the two major duties of RAB – could simply be carried out by the police (Momtaz, 2013; Malik, 2010).

**Table 1.** People to police ratio in selective countries

Countries	Ratio
India	1:728
Philippines	1:665
Pakistan	1:625
Japan	1:563
New Zealand	1:416
Singapore	1:295
Malaysia	1:249
Thailand	1:228
Hong Kong	1:220
Bangladesh	1:1138

Source: RAB Data, 2009

The fundamental argument is that killing by law enforcing agency could not be justified by any means, and disappearances must not be a tool for buying silence from opposition parties. The law enforcing agency this paper deals with are unofficially ordered to use any means possible to accomplish the task of getting quick results of curbing crimes. Hence, they sometimes they abuse their power under the name of "Crossfire or Extra judicial Killing".



### **Objectives and methods**

This paper outlines an academic debate on human rights issues in relation to the elite force in Bangladesh. It identifies the extent of alleged human rights have been violated by the elite force. This is assessed against the article 31 of the Bangladesh Constitution, the right to protection under the law, and the Universal Declaration of Human Rights.

In-depth interviews were conducted with families of the victims of torture and killings to understand their experiences with human rights violation. Thus, participants were from a combination of professions. These families lost their household head (primarily males) and or any member (primarily sons). Some of the family members became totally crippled due to torture. They were selected based on snow ball technique. Ten human rights activists were interviewed in order to understand how the activities of the Elite forces are related to human rights violation and what the role of the state should have in order to protect human rights. We met a number of fugitive from Bangladesh in Bangkok and Kuala Lumpur, Malaysia. They left the country for fear of being killed. We interviewed a few of them. They were as well selected for interview based on snow ball. They were mostly young in age and all were males. Most of them were local level leaders of a major opposition party. A checklist was developed for the interviews. Questions in the checklist to the victim families were related to what kind of torture they sustained and what they think was the reason for being targeted by the elite force. These questions were finalized after performing a reconnaissance. Questions to the human rights activists were related to how the actions of the force relate to the basic human rights. Interviews were carried out in person by research assistants who were given training. Privacy and safety of the respondents have been crucial in this research. Therefore, identity (name, location, political affiliation etc.) of the respondents has been kept strictly confidential. It was made clear that they could withdraw anytime from the interview. There exists complete information on the victims, with information including their addresses, recorded by the Human rights organization, Ain O Shalish Kendro (ASK) as well as other human rights organizations in Bangladesh. By this time, a large amount of literature has been produced on this issue. Newspapers and relevant documents of various human rights organizations were also extensively reviewed. There has been a number of challenges in conducting this study. The most important one was the fact that respondents were scared of talking to our researchers. Human rights activists as well were not comfortable talking about the elite force and their extra judicial killing (EJK) issues.



### Human Rights protection in Bangladesh: a legal framework

Bangladesh has ratified all the major international human rights instruments such as the International Covenant on Civil and Political Rights, 1966 (ICCPR) (Article 6, 7, 9, 10), the Convention Against Torture (CAT), Convention on the rights of the Child (CRC), and the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) (ASK, 2015; Ullah, 2014). Bangladesh is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which stipulates that State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture (UNDP, 2002). International Covenant on Civil and Political Rights, 1966 ensures that no one shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment.

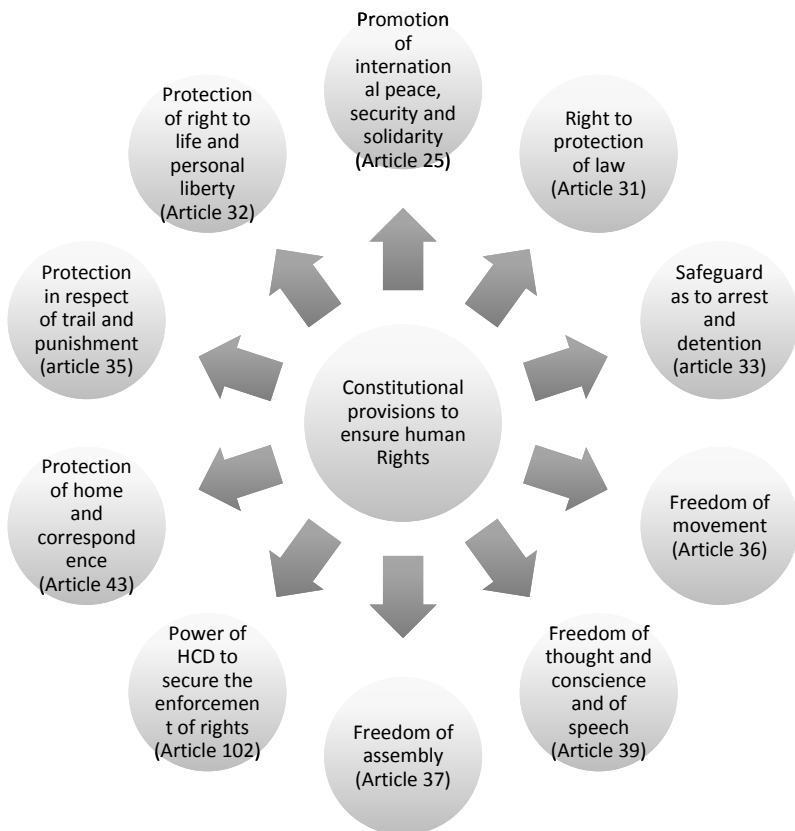
Torture by public officials date back to the period immediately following independence. It appears that torture has become institutionalised, a practice that is perpetrated regardless of the government in power. However, there are only fluctuations in the nature and scale of torture practices (Amnesty International, 2000). The constitution of Bangladesh outlaws any forms of torture (ICG, 2009). The Universal Declaration on Human Rights (UDHR) (Articles. 3, 5, 7, 8, 9, 10, 11) is considered as the *jus cogens* throughout the world from which no derivation is possible. Still 'torture' has not been defined as a crime in Bangladesh. Bangladesh reserved article 14 of the Convention against Torture which states "Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture their dependants will be entitled to compensation. The International Covenant on Civil and Political Rights (ICCPR) which was ratified by Bangladesh in 5th September, 2000 ensures that every human being has the inherent right to life and that this right should be protected by law and no one shall be arbitrarily deprived of his life. The Bangladesh Constitution also provides the provisions to ensure human rights.

According to Article 31, due to the protection of law, there will be no action detrimental to life, liberty, body, reputation or property of any person. Article 32 ensures freedom from arbitrary arrest. That is, if there is any necessity for the deprivation of personal liberty for the security of the State, or to control the law and order situation, the concerned authority must act objectively not subjectively. According to Article 33, the arrested



person will be brought before a magistrate within 24 hours. It excludes the travelling time from the place of arrest to the court of the magistrate. However, recent allegations against the police reveals that despite rampant arrests, the arrestees are only brought to court days or weeks after their arrest. The HCD of Bangladesh held that the detention of prisoners in Jail after they have served out the sentences is a violation of their fundamental rights guaranteed in the Constitution, specially the right to life (Law Help Bangladesh, 2016; Momtaz, 2013). Hence, through this judicial activism, there is potential for a post-trial concession for a prisoner who had been in custody for a considerable time (Momtaz, 2013).

**Figure 2.** Provisions to ensure human rights





## **Rights to life and the Constitution**

The constitutional guarantee of the right to life – the right not to be deprived of life— is given in accordance with the law and cannot be suspended or derogated from under any circumstances. Previously, state security forces reportedly continued to be responsible for extra-judicial killings in the form of cross-fire deaths, death in encounter/encounter killings and custodial killings. These incidents have become frequent, thus, a new term has been coined in the country: death by crossfire. Currently, the most significant human rights problems are enforced disappearances. Human rights groups allege that the country's security forces are involved in the act of enforced disappearances (United States Department of State, 2012).

Crossfire is an extrajudicial execution that is in deliberate defiance of Bangladesh's constitution and the international human rights conventions. Soon after formation of the RAB, the word "crossfire" has been increasingly used by the LEA.

Political crisis in Bangladesh started as a caretaker government (CTG) and assumed power in October 2006 when the term in office of the Bangladesh nationalist party (BNP) was over. Constitutionally, the CTG manages the government during the interim 90-day period and parliamentary elections. A caretaker government is one which normally takes care of state administration for an interim period until the regular new government is formed. In established parliamentary system, there is a convention of transformation of the outgoing government into a caretaker government for the time being before the holding of general election. Such temporary government exists only to perform day to day administrative jobs, and does not deal with policy initiating functions that influence the election results.

On January 11, 2007 the military intervened to support the caretaker government that had declared a state of emergency. They remained in power for two years, thus, breaking the CTG rules. Under this government, a general election was held but without the participation of major party (BNP). The Awami League government had a landslide victory and formed the government. However, this government remains in office without any opposition in the parliament.

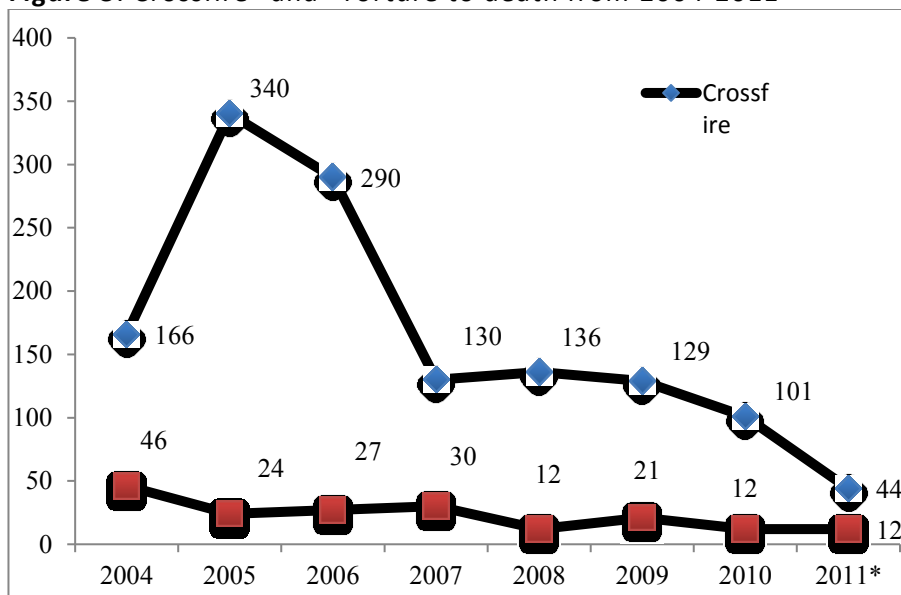
The interviews findings reveal that when governments take a non-democratic path to stay in office or to lengthen the stay in office, they tend to depend on the police forces rather than community support. Law enforcement agencies recognize the government's dependence on them. Thus, they feel empowered and immune to atrocities and corruption.



Within this type of governance system, political persecution is an important weapon to silence the voice of the opposition. Therefore, police supremacy becomes a norm.

Political history of the People's Republic of Bangladesh has experienced constitutional one party system, Military dictatorship through out the cold war period, and after the end of cold war, since 1991 Bangladesh has practiced electoral democracy. Because of the lack of trust among the two largest political parties, a provision of "caretaker" government was inserted in the constitution. Caretaker government enjoyed executive power for 3 months period to hold a free & fair election. After the landslide victory of Bangladesh Awami League in 2008, they amended the provision of caretaker government and decided to hold election under themselves. This created political chaos and resulted in the boycotting of national election by the opposition political parties. Since, the election of 2014, Bangladesh is undergoing of extreme chaos. And, as expected, citizens are paying the price enormously (Institute for Human Rights and Business, 2014).

**Figure 3.** "Crossfire" and "Torture to death" from 2004-2011



\* January to August

Source: Khon, 2011

Some members of the elite force are accused of blatant extra judicial executions of alleged criminals. They continue to perpetrate numerous extra-judicial killings with impunity. From January 6, 2009 when the present



government took office until ~~By~~ May 12, 2010, there were approximately 190 people who had allegedly been extra-judicially killed. Furthermore, extra-judicial killings that were allegedly perpetrated were 240 in 2004; 396 in 2005; 355 in 2006; 184 in 2007; 149 in 2008; 154 in 2009 (ASK, 2010; ALRC, 2010; Khon, 2011). In 2016, about 543 were killed (ASK, 2016). During the first year of AL rule (January – December, 2009), total 229 persons were killed in crossfire. Odhikar' puts the number of extra-judicial killings by law enforcers as 154 during that period. Of these people, "41 were reportedly killed by RAB, 75 by police, 25 by RAB-Police, 3 by Army, 2 by Ansar, 1 by Jail Police, 1 by Forest Guards, 5 under custody of BDR and 1 by the coast guard. Of the 154 killed, 35 were killed while they were in custody of the law enforcement agencies (ASK, 2011; Khon, 2011; Odhikar, 2012). In order to regulate the activities of this law enforcing agency (LEA), the Bangladesh High Court recommended the incorporation of some provisions during arrest and after arrest (Table 2).

**Table 2.** Pre and post arrest provisions

Before and after arrest	Police must disclose their identity to the relatives of the person before arrest from the residence or office Police must inform the relatives of the arrested person over telephone or by sending a special messenger within three hours of arrest from outside the residence or office A medical checkup of the person must also be done after arrest
Detention	No detention after arrest under Section 54 of the Criminal Procedure Code No remand under police custody under section 167 of the Criminal Procedure Code
Interrogation and remand	Only the investigating officer is allowed to interrogate the alleged accused in custody. Use of a separate glass covered room in the jail for interrogation and the relatives or lawyer of the accused. A special diary should be opened after an arrest, during the hearing for the accused. Their lawyers should take into consideration if the magistrate wants to grant remand. The magistrate should reveal the reasons for granting remand.

Source: ASK, 2015; Momtaz, 2013, Khon, 2011.

The magistrate should take action against the investigating officer if there is any allegation of torture to the accused during remand and if the



allegation was proved through medical examination. Therefore, there is enhancement of the punishment for illegal confinement under section 220 and for custodial torture under 248 of the Penal Code from two years to seven years and a fine is levied (Phon, 2011).

### **Culture of impunity and controversies**

A human being— under any circumstance— could never be stripped of human rights. Justice should follow the due process. Human rights activists and civil society members are critical about this elite force in the context of continuous extra-judicial killings and recently emerged phenomenon i.e. forced disappearance (Mehtab and Rahman, 2014). Bangladesh's human rights record has since deteriorated significantly, and the state security forces have been accused by several human rights organizations of grave human rights violation. They have reportedly continued to be responsible for extra-judicial killings in the form of "cross-fire deaths" and abduction including women, and high profile political leaders and activists through the failure to enforce existing laws. Since its beginning, the perpetrators have acted with impunity despite the current government's pre-election pledges to stop extra-judicial killings. In fact, it has been alleged that the Government uses this extra-judicial killing to silence the opposition, and there are allegations of extortion, abduction, rape, drug dealing against the elite force officials.

On 23 February 2003, the Parliament of Bangladesh passed the Joint Drive Indemnity Act barring people from seeking justice through the courts for the deaths and human rights violations that occurred during the "Operation Clean Heart" anti-crime drive. This is because ended in custodial death of 51 persons and involved an unknown number of torture victims (Choudhury, 2008). Despite intervention of the High Court on 13 April 2003 by issuing a show cause notice to the government regarding the legality of the Indemnity Act, the law continues to be in force and therefore no action is maintainable before the court of law. In the few instances where charges are levied, punishment of those found guilty was predominantly administrative. Thus the elite force personnel have similar impunity and the courts can do little about it.

Impunity is widely recognized as one of the greatest threats to freedom (Randall, 1922). In the declaration at the High-level Meeting on the Rule of Law on 24 September 2012, of the United Nations General Assembly delegates spoke about the importance of the International Criminal Court (ICC) and adopted at the meeting, States recognized "the role of the ICC in a multilateral system that aims to end impunity (UN, 2012). Right to justice



implies that all victims shall have the opportunity to assert their rights and receive a fair and effective remedy, ensuring that their oppressors stand trial and that they obtain reparations (Derichs and Thompson, 2013). Impunity means the absence of legal justice, the protection of the perpetrators, mostly assured by impunity laws or other mechanisms to avoid their prosecution. Impunity describes a social phenomenon characterizing and affecting society as a whole. It keeps alive the atmosphere of repression throughout society. By denying survivor's access to the truth, impunity continues the historical interpretation of the repressors and denies the necessary acknowledgement and reparation for victims and survivors (Rauchfuss & Schmolze, 2008).

Indemnity and impunity are not new practices in Bangladesh. Operation Clean Heart was started on the 17th October 2002 as a drive against growing crime; continuing deterioration in law and order, rise in criminal activity, murder, rape and acid throwing. It was one of the most controversial anti-crime operations in the South Asian subcontinent (South Asia Analysis Group, 2003).

There are many publications in favor and against the operation Clean Heart and the indemnity that has been given by the government. The government of the late Khandakar Mushtaque Ahmed had promulgated the Indemnity Ordinance on September 26, 1975, to protect those who were responsible for the August 15, 1975 tragic killings from trial. A bill was passed in the parliament remove the legal hurdle created by the Indemnity Ordinance of 1975 to the trial of those who were responsible for the killing of Bangabandhu Sheikh Mujibur Rahman and other on August 15, 1975.

The consistent incidences of impunity, abduction, torture, arrogance, intimidation, and absolute terror has led people to believe that the government has given the force a mandate to kill suspected criminals instead of bringing them to trial. General justifications of the RAB-led killings have been that the victims were "wanted criminals" or "top terrors" who died when they resisted arrest or were caught in "crossfire" between the force and criminal gangs. The term "death in an encounter" is used in other countries to mean the same thing, but the term "crossfire" is preferred by law enforcement agencies in Bangladesh.

### **Discussions and Conclusions**

There are allegations that the police has been politically used by successive governments. Claims have been that this creates major obstacles to developing professionalism in police services (Mehtab and Rahman, 2014). Although constitutional provisions require detainees to be



brought to court within 24 hours, in reality, they are not allowed to meet with anyone (ASK, 2008). Some people believe that extrajudicial killing of cynical criminals helps ease the problem of “terrorism,” but it encourages lack of control and aggravates “state terrorism.” In different countries across the world, people in power have created a feeling that killing “terrorists” without bringing them to justice can help curb “terrorism,” but such extrajudicial killings, do not bring peace nor eradicate “terrorism” (Alam, 2016).

Article 32 of the Constitution of Bangladesh provides that no person shall be deprived of life or personal liberty. However, the legalization of extra judicial killings has reduced such constitutional guarantees to mere inscriptions (Choudhury, 2008) and challenges constitution and existing laws and judicial department. Data reflecting this suggests that the government must ‘rein in’ the RAB before it turns into a monster (The Daily Star, July 23, 2004). This requires a serious outlook of the activities of an elite law enforcement unit of the country (Huda, 2004).

Human rights organizations, activists, civil society organizations, UN systems, and the international community have been expressing their concerns over this issue while no explanation has been provided by government. There are hundreds of allegations against the elite force officials for being involved in extortion, abduction, rape and dealing in drugs and weapons. Some members of the RAB use organized black mailing rackets to trap innocent people and extract money from the victims through various excuses. The RAB has in four years of their operation since 2004 taken punitive measures against its 535 members for anti-disciplinary activities and around 200 of them either lost their jobs or were sent to jail (Islam, 2008).

One of the ironies of sub-continental law enforcement is that the police, despite its less than-credible status in the eyes of the public, continue to be the principal investigating agency of the state. With that being the reality, is it not the state’s obligation to ensure the healthy growth of a scientific and professionally committed body of investigators? The constitutional commitment of separating the judiciary from the executive, when brought into effect, will act as a complementary factor towards better performance by the police investigators. The truth will be known after an appropriate inquiry is conducted by concerned authorities. However, existing legislation should cause alarm to citizens. Why do we have so many special laws relating to different social vices and malfunctioning in the society when in fact the Bangladesh Penal Code contains punishment for a large variety of offences? This research findings have suggested that we have failed to



apply the procedural law in a judicious and expeditious manner, thereby compounding the misery of justice seekers.

There is no doubt that Bangladesh police has been contributing to the law and order in Bangladesh. However, some controversial activities are tarnishing the image of this force. For example, the International Crisis Group (ICG) says “Bangladesh’s police have a well-deserved reputation for brutality, corruption and incompetence (ICG, 2009).” Governments and politicians have used the Bangladesh Police to defeat political enemies (ICG, 2009). Low police salaries and government control of police promotions and transfers contribute to a cycle of corruption and abuse. The Police Act 1861, passed by the British Parliament governs the Bangladeshi Police. It requires for a police force in each province of British India (Commonwealth Human Rights Initiative, 2013). Operational incompetence, liaison with the terrorists and frequent interference of the politicians in power are the major barriers to developing professionalism and RAB’s successes in eliminating crime. In time, the elite force officials started to encounter the same problems which police officials faced for decades. Moreover, custodial torture, extortion from moneyed people, and corruption became more likely to spread into the elite force (Mehtab & Rahman, 2014).

Human rights should be given priority and demonstrated to every citizen. It is important that democracy is reinstated in Bangladesh with the citizens having their voice heard. The rule of law should be established to avoid corruption. Press freedom should be ensured and sufficient space should be granted for growing civil society.

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