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RRT RESEARCH RESPONSE

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Questions

1. Is there any information indicating that the Rapid Action Battalion, or other security agencies, have continued to pursue members of the Awami League since the victory of the party at recent parliamentary elections?

RESPONSE

1. Is there any information indicating that the Rapid Action Battalion, or other security agencies, have continued to pursue members of the Awami League since the victory of the party at recent parliamentary elections?

No reports were located indicating that the Rapid Action Battalion (RAB), or other government security agencies, has pursued Awami League (AL) members since the December 2008 parliamentary elections. Nevertheless, as noted in several of the sources quoted in this response, the RAB has a reputation for carrying out extrajudicial killings and other human rights violations. The following response contains recent reports on the RAB and post-election violence in Bangladesh, and is composed of three brief sections, assessing information on: the Awami League, Sheikh Hasina and the RAB; post-election violence and the role of the RAB; and a recent RRT research response on the 2008 Bangladesh elections which may be of interest.

Recent media reports suggest that the new AL government of Sheikh Hasina has publicly undertaken to investigate corruption and human rights violations committed under the rule of the previous caretaker government, and during the rule of the Bangladesh Nationalist Party (BNP) that preceded it. Nonetheless, one source is sceptical of such claims, and reports that Hasina is unlikely to take serious action to address human rights violations, and another

reports fear that violent reprisals from the AL against Bangladesh Nationalist Party (BNP) members may lead to further military intervention and the imposition of a state of emergency.

A 12 February 2009 report from *The New Nation* quotes Hasina stating that "[t]he cases of all extra-judicial killings countrywide would be brought under the trial process and legal action would be taken against the members of law enforcing agencies involved in such killings". Nonetheless, Hasina stopped short of claiming that she could stop the RAB "killing people without trial", as "a tiger that has tested blood cannot forget the taste of blood. It takes time to change the old habit":

> Prime Minister Sheikh Hasina has said that her government would publish 'white papers' on corruptions done during the erstwhile BNP-led four party alliance government and the army-backed Caretaker Government regimes.
>
> She also promised in the parliament yesterday to bring the persons involved in extra-judicial killings to book.
>
> …Responding to a supplementary question from Rashed Khan Menon MP the PM said, "The cases of all extra-judicial killings countrywide would be brought under the trial process and legal action would be taken against the members of law enforcing agencies involved in such killings."
>
> "No matter whoever the terrorists or offenders are, they have the right to seek justice. None can take the law into their own hands," the PM added.
>
> Hasina said during the previous BNP rule, 'operation clean heart' was launched when people were caught and killed. This followed the formation of the Rapid Action Battalion (RAB) for killing people without trial.
>
> "I was the first political leader to protest this extrajudicial killing…Many told me that it's a popular operation, but I didn't support this. Then all started realising," she said.
>
> Posing a question as to who created these "terrorists", the Prime Minister observed those who created the terrorists killed them later on. "Such killing cannot be accepted."
>
> However, Hasina said that it may take some times to stop the extrajudicial killing as she cited a proverb 'a tiger that has tested blood cannot forget the taste of blood. It takes time to change the old habit' ('White papers on last 2 regimes soon: Hasina: Persons responsible for extra-judicial killings to be brought to book' 2009, *The New Nation*, 12 February http://nation.ittefaq.com/issues/2009/02/12/news0041.htm – Accessed 12 February 2009 – Attachment 1).

A 12 February report from *The Daily Star* quotes Hasina stating that "the government will form a committee to investigate the repression and injustices inflicted on Awami League activists during the BNP-led alliance regime", and that "members of law enforcement agencies will also be made accountable and tried for their failure to carry out their duties":

> In reply to a query of AL lawmaker also former law minister, Abdul Matin Khasru, the premier said the government will form a committee to investigate the repression and injustices inflicted on Awami League activists during the BNP-led alliance regime. Actions will be taken following investigation, so the victims may get justice, she asserted.
>
> The premier also warned members of law enforcement agencies of stern actions on their failure to protect the lives and properties of the people.

> "Those responsible for committing crimes must be brought to book. But members of law enforcement agencies will also be made accountable and tried for their failure to carry out their duties," the prime minister warned.
>
> …In reply to a question of AL-led grand alliance lawmaker Rashed Khan Menon, the prime minister said she has always been against extra judicial killings.
>
> "The government will remain alert to stop extra judicial killings and those found to be involved in such crimes will be brought to justice," she said adding, the culture of extra judicial killings raised its head during the BNP-led alliance government after it had launched Operation Clean Heart and formed Rapid Action Battalion (Rab).
>
> The premier however added 'it might take some time to change their habit of extra judicial killings' ('White Papers on graft on the cards' 2009, *The Daily Star*, 12 February http://www.thedailystar.net/newDesign/news-details.php?nid=75519 – Accessed 12 February 2009 – Attachment 2).

A January 2009 editorial in the *New Age* takes a different line, claiming that "[i]n just a week since it assumed power, the AL-led alliance had tacitly endorsed one of the most grotesque aspects of Bangladesh's failing record in governance: the disturbing trend of security agencies, especially RAB, killing suspects in their detention". This source claims that "truly meaningful changes in the arena of human rights are not on the agenda" of the new AL government, going on to claim that "Sheikh Hasina's past remarks indicate that RAB will enjoy her unqualified support and her government's tacit nod for their human rights violations":

> In just a week since it assumed power, the AL-led alliance had tacitly endorsed one of the most grotesque aspects of Bangladesh's failing record in governance: the disturbing trend of security agencies, especially RAB, killing suspects in their detention. In the weeks that followed there has been no public assurance by the home minister that the circumstances of Shaheen's death will be investigated because, in reality, no government, elected or otherwise, seems inclined to end this illegal and unconstitutional practice as a law and order weapon.
>
> In fact, while extrajudicial killings were given a near institutional-endorsement under the alliance led by Khaleda Zia's Bangladesh Nationalist Party, last year alone, under the interim government of Fakhruddin Ahmed, there were 149 such custodial killings, and in the four years since the creation of RAB, there have been over 500 such deaths, many of them preceded by inhuman torture, none of them investigated by the government, and almost all of them depicted in the news media as 'encounters' or 'shootouts' or 'ambushes'.
>
> The latest incident is perhaps an appropriate first warning that though the AL-led alliance swept into power through the December 29 elections, promising a radical change in the quality of governance, truly meaningful changes in the arena of human rights are not on the agenda. The rule of law demands that the justice delivery system examine charges or accusations brought against individuals before punishment is awarded by courts of law, as per guidelines set by the parliament. Inherent in this system of trial and punishment are innumerable checks and balances which should prevent abuses of power. What RAB's record of extrajudicial killings – carried out in the name of crime fighting – has done is make a mockery of the justice delivery system, and essentially provide a state equivalent of vigilantism.
>
> …The Awami League has, till now, shown no sign that its record will be any better. In fact, prime minister Sheikh Hasina's past remarks indicate that RAB will enjoy her unqualified support and her government's tacit nod for their human rights violations. 'Many people think

> if Awami League comes to power again, it will abolish RAB. But we will not do so. Rather, RAB will be given a special assignment to capture corrupt people,' Sheikh Hasina is quoted to have said in a March 17, 2006 press release that still adorns the party's website (Haider, M. 2009, 'The new regime's deafening silence on custodial deaths', *New Age*, 23 January http://www.newagebd.com/2009/jan/23/edit.html – Accessed 12 February 2009 – Attachment 3).

An 11 January 2009 report from the *Khaleej Times* quotes an International Crisis Group source who warns that "[t]he challenge for the two main parties is to manage this temptation for revenge", and that "[i]f the violence spins out of control, the military could step in again and it is unlikely to do another softly-softly state of emergency. Martial law is more likely next time":

> But analysts both here and abroad warn that a still-polarised electorate and a deep legacy of corruption have the potential to unleash the sort of violent confrontation that forced the military to step in two years ago.
>
> "To prevent a return to the winner-takes-all style of politics, the government will have to reach out to the opposition and try to work with it for the next five years," said Michael Shaikh, a senior analyst from the Brussels-based International Crisis Group (ICG).
>
> "The challenge for the two main parties is to manage this temptation for revenge."
>
> …Unlike previous elections, the December 29 polls were largely peaceful, but police say there have been four election-related deaths since then, with media reporting at least 11 dead.
>
> "If the violence spins out of control, the military could step in again and it is unlikely to do another softly-softly state of emergency. Martial law is more likely next time," Shaikh said.
>
> …"Sheikh Hasina has made the right noises about reaching out to the opposition but that's different from actually doing it. For all the graciousness we've seen there is still a lot of bitterness."
>
> …The initial statements have been very positive but will they carry on being magnanimous? The fact that Sheikh Hasina won by such a big margin, that has gone to politicians' heads before in Bangladesh," Gareth Price, head of the Asia programme at British-based think-tank Chatham House, said.
>
> "It's just waiting and hoping that lessons have been learnt and that mistakes by the opposition and the government won't be repeated" ('Democracy still fragile in post-election Bangladesh', *Khaleej Times*, (source: *Agence France-Presse*), 11 January – Attachment 4).

Recent media reports from a variety of sources provide information on post-election violence and the RAB.

A 27 January 2009 article from the *Arab News* reports that the United Nations Development Programme representative in Bangladesh has "expressed concern about the post-election human rights situation in Bangladesh as violence escalated after the polls", claiming that "violence has gone almost unabated after the Dec. 29 general election":

> The United Nation yesterday expressed concern about the post-election human rights situation in Bangladesh as violence escalated after the polls, leaving as many as 20 people killed in less than a month's time.

> "Still any violation of human rights is not a good sign. So, we do have some concern on that and we hope that it will improve in the future," Renata Lok Dessallien, UN Development Program resident representative, told reporters after a meeting with Foreign Minister Dipu Moni.
>
> She said that the UN was not happy with the situation as violence has gone almost unabated after the Dec. 29 general election, which was generally peaceful with an overwhelming high voter turnout.
>
> The UN envoy hoped that the new government of Prime Minister Hasina Wajed will take good care of the country's human rights situation ('Post-poll violence in Bangladesh worries UNDP' 2009, *Arab News*, 27 January – Attachment 5).

Reuters Alertnet reported on 22 January that violence during the *upazila* elections "was relatively low" compared to previous elections, but that AL and BNP members attempted "to assert control in the villages where 80 percent of Bangladesh's people live". The report also claims that there was "'spreading infighting'" among the Awami ranks, fuelled by those who failed to run in the Dec. 29 polls"; according to quoted "officials", "[i]n some places, more than half a dozen Awami candidates vied for a single post of sub-district chairman":

> At least 100 people were injured and several polling centres ransacked as rival activists clashed during Bangladesh rural elections Thursday, police and witnesses said, but compared to some past polls that was relatively low.
>
> Analysts and foreign supporters of Bangladesh have been looking for it to achieve a degree of political peace and stability that will help it attract needed investment and aid.
>
> Voting was suspended completely in two sub-districts and at 10 centres elsewhere across the country, and around 20 people were arrested following overnight poll-related violence that killed one man and hurt around 300 others, mostly in southeast areas, police and witnesses said.
>
> However, in most of the 481 rural sub-districts – the focal points of local government in the country of more than 140 million people – voting was going relatively smoothly.
>
> …Though the rural vote was supposed to be a non-party election, poll officials said both Awami League and the BNP fielded their people in large numbers to assert control in the villages where 80 percent of Bangladesh's people live.
>
> Election Commissioner Sakhawat Hossain said "extensive use of political influence in a non-party election led to violence in many places."
>
> However, he also said "the commission viewed (that) the voting was largely peaceful and orderly."
>
> Political observers expect the BNP to fare well in the rural vote, partly because of "spreading infighting" among the Awami ranks, fuelled by those who failed to run in the Dec. 29 polls.
>
> In some places, more than half a dozen Awami candidates vied for a single post of sub-district chairman, officials said ('Violence hits Bangladesh poll, but down from past' 2009, *Reuters Alertnet*, 22 January – Attachment 6).

An 11 February article in *The New Nation* reported on a meeting between a US delegation and Bangladeshi government representatives in which the US offered "assistance in reinforcing the security agencies including the Rapid Action Battalion and the police". The

report also quotes an government minister who states that “a committee had been formed to oversee the issue of cancellation of cases against Awami League and its associate organisations’ leaders and activists, which were filed during the four-party alliance government” and “to review cases the BNP-led government had withdrawn”:

> The US delegation met with law minister Shafiq Ahmed on Sunday and offered to provide Bangladesh assistance in reinforcing the security agencies including the Rapid Action Battalion and the police.
>
> Carr Trevillian, director of the US International Crime Investigation Training Programme, led the delegation team.
>
> …Sahara said a committee had been formed to oversee the issue of cancellation of cases against Awami League and its associate organisations’ leaders and activists, which were filed during the four-party alliance government.
>
> Measures will be taken immediately after getting report from the committee, she said.
>
> The government has formed a five-member committee headed by the law minister to review cases the BNP-led government had withdrawn, she added.
>
> The minister said the government had moved to form new committees cancelling and replacing community policing committees formed during the alliance government, as those were marred by partisan allegations (‘Dhaka asks US to detail anti-militancy aid’ 2009, *The New Nation*, 11 February – Attachment 7).

An article in *The New Nation*, from 7 February, reports that RAB action “has slowed down since the general elections”, noting that some RAB members “have already been returned to their parent departments”, and that “[m]any are likely to follow suit”:

> The intensity of drive against top terrorists, militants, hardened criminals and anti-social elements by the elite force Rapid Action Battalion (RAB) has slowed down since the general elections for a string of reasons.
>
> Transfer phobia has been cited as one of the reasons that has dispirited the members of this elite force in launching vigorous drive against the evil doers for ensuring law and order across the country. Many of the RAB members are smarting from the fear that they might be taken back to their parent departments any time. Fourteen members of the elite force including two additional director generals have already been returned to their parent departments. Many are likely to follow suit, informed sources said.
>
> The sources pointed out that there has been only one major encounter of the RAB with the terrorists during the last one month. In the gun battle with the terrorists one militant was gunned down and one RAB officer of the major rank sustained injuries.
>
> Many wonder over the lack of initiative by the RAB in the sensational break in case at the railway headquarters in Dhaka last month. Sudden slow down of the RAB activities across the country have also surprised many people of different professional groups (‘Transfer phobia hits elite forces: Law and order situation deteriorates’ 2009, *The New Nation*, 7 February – Attachment 8).

A Human Rights Watch letter to the new government of Bangladesh, carried by *Targeted News Service* on 29 January, recommends that the new AL government take action on

"extrajudicial killings, torture, arbitrary detention, corruption, and the role of the Rapid Action Battalion and Directorate General for Forces Intelligence":

> The new Awami League government of Bangladesh has a unique opportunity and the responsibility to address major human rights problems that have been ignored by successive governments, Human Rights Watch said today in a letter to Prime Minister Shekh Hasina.
>
> The letter makes specific recommendations for reform on subjects such as extrajudicial killings, torture, arbitrary detention, corruption, and the role of the Rapid Action Battalion and Directorate General for Forces Intelligence ('Bangladesh: New Government Should Act on Rights' 2009, *Targeted News Service*, 29 January – Attachment 9).

A recent research response provides pertinent information on post-election violence in Bangladesh. Question 2 of *Research Response BGD34262*, of 19 January 2009, provides links to media reports relating to post-election violence between supporters of the Awami League and the Bangladesh Nationalist Party (BNP). Question 3 of this response provides information on alleged abuses carried out by the RAB and other government security forces, and Question 5 quotes reports from the media and NGOs relating to the post-election security situation in Bangladesh (RRT Research & Information 2009, *Research Response BGD34262*, 19 January – Attachment 10). Relevant extracts follow:

- An article published in *The Daily Star* on 4 January 2009 reports on continuing election-related violence, stating that "[a]t least 71 people were wounded in post-election clashes between the supporters of Awami League (AL) and BNP and its front organisations over the last two days as more reports pour in of violence across the country ('71 injured as post-election clashes on' 2009, *The Daily Star*, 4 January http://www.thedailystar.net/story.php?nid=69950 – Accessed 9 January 2009 – Attachment 11).

- An article published by *The New Nation* on 19 January indicates that according to media reports '[a]t least 20 people have been killed and more than 1000 injured in different post-election violence across the country between supporters of the country's two main political parties" while noting that according to police "there have been four election-related deaths" since the December 29 election (Rashid, Manumur 2009, 'Stop violence for peaceful Upazila election', *The New Nation*, 19 January http://nation.ittefaq.com/issues/2009/01/19/news0019.htm – Accessed 19 January 2009 – Attachment 12).

- An article published on the *Daily Times* website on 2 January 2009 reports on comments by security officials warning of the possibility of continuing election related violence:

> Officials have, meanwhile, warned that post-poll violence was still possible after a ban on political activity was lifted on Thursday.
>
> "Security to Sheikh Hasina is a top priority," the head of the elite Rapid Action Battalion (RAB) security force, Hasan Mahmud, said, adding that more than 50,000 troops deployed for the election would stay in position. Election Commissioner Shakhawat Hossain said voters should be cautious about public celebrations.
>
> "They should not go around being very jubilant. So far so good, but there were incidents of violence that happened in the last election in 2001" ('Khaleda accepts

defeat in 'rigged' Bangladesh poll' 2009, *Daily Times*, 2 January http://www.dailytimes.com.pk/default.asp?page=2009\01\02\story_2-1-2009_pg20_1 – Accessed 8 January 2009 – Attachment 13).

- An article published by *The Daily Star* on 15 January 2009 reports statements by the Bangladesh Election Commissioner, who "said some quarters are trying to influence the upazila parishad elections" , and "expressed his dissatisfaction over the law and order situation ahead of the January 22 upazila parishad elections as post-polls violence still continues in the country" ('EC warns against influencing upazila polls' 2009, *The Daily Star*, 15 January http://www.thedailystar.net/story.php?nid=71405 – Accessed 15 January 2009 – Attachment 14).

- A statement published on 4 January 2009 on the website of the NGO Ain O Salish Kendra (described as "a national legal aid and human rights organisation, established in 1986") expresses "grave concern" over incidents of violence occurring in Bangladesh after the 29 December 2008 election:

> Ain o Salish Kendra (ASK) expresses grave concern over the incidents of attack on the leaders, workers and supporters of different political parties by their rivals at different parts of the country since after December 29 parliamentary election.
>
> According to information collected by ASK in last few days, several people were killed in post-election violence in different places of the country. Many leaders and workers of different parties have been injured while the condition of many is said to be critical.Besides, mischievous incidents like, attacks and setting fire on houses and shops are also taking place. Review of the news published in different newspapers show that in most places the wokers and supporters of the defeated parties are being the subjet to violence by the workers or supporters of the winning party or alliance. Again, in many places the workers and supporters of the winning part are also falling victims to the losing party. We apprehend that the continuation of such incidents will have impact on deteriorating law and order situation of the country.
>
> The situation reminds us the massive violence experienced just after the 2001 national election which catalyzed in creating chaotic and disorderly situation nation wide and worsened the human rights situation. ASK thinks that the administartion should take effective measures to stop the recurrence of post election violence ('ASK's Concern over Post Election Violence' 2009, Ain O Salish Kendra website, 4 January http://www.askbd.org/web/?page_id=924 – Accessed 8 January 2009 – Attachment 15).

- An article published by *The News International* on 12 January 2009 reports that "analysts both here and abroad warn that a still-polarised electorate and a deep legacy of corruption have the potential to unleash the sort of violent confrontation that forced the military to step in two years ago":

> 'To prevent a return to the winner-takes-all style of politics, the government will have to reach out to the opposition and try to work with it for the next five years,' said Michael Shaikh, a senior analyst from the Brussels-based International Crisis Group (ICG).
>
> 'The challenge for the two main parties is to manage this temptation for revenge.' This is Hasina's second stint at the premiership after ruling between 1996 and 2001.

…'There is a danger with any government that has an absolute majority,' said Manzoor Hasan, director of BRAC University's Institute of Governance Studies in Dhaka.

'The possibility is that it will steamroll the opposition and do whatever it wants to do.'

Unlike previous elections, the December 29 polls were largely peaceful, but police say there have been four election-related deaths since then, with media reporting at least 11 dead.

'If the violence spins out of control, the military could step in again and it is unlikely to do another softly-softly state of emergency. Martial law is more likely next time,' Shaikh said ('Democracy still fragile in post-election Bangladesh' 2009, *The News International*, 12 January http://www.thenews.com.pk/daily_detail.asp?id=156636 – Accessed 13 January 2009 – Attachment 16).

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FACTIVA (news database)
BACIS (DIAC Country Information database)
REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

List of Attachments

1. 'White papers on last 2 regimes soon: Hasina: Persons responsible for extra-judicial killings to be brought to book' 2009, *The New Nation*, 12 February http://nation.ittefaq.com/issues/2009/02/12/news0041.htm – Accessed 12 February 2009.

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4. 'Democracy still fragile in post-election Bangladesh', *Khaleej Times*, (source: *Agence France-Presse*), 11 January.

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