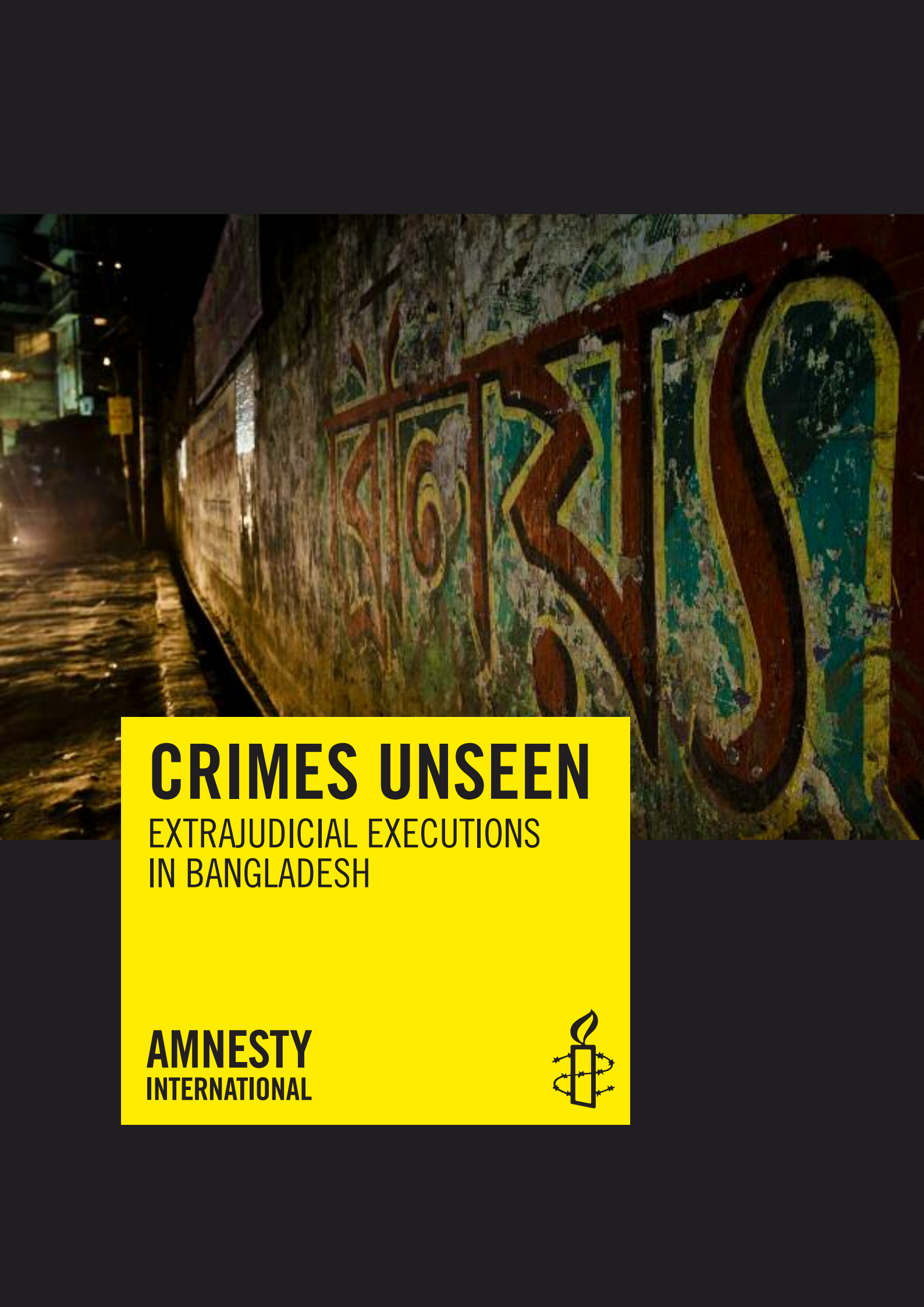


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CRIMES UNSEEN

EXTRAJUDICIAL EXECUTIONS
IN BANGLADESH

AMNESTY
INTERNATIONAL



Rahima Khatun was shot in the head by Rapid Action Battalion officers on 3 June 2011 in a slum near the central Bangladesh district of Narsingdi. Rahima, aged 35, had objected when officers tried to arrest her husband. Seconds later, she was seriously injured by a bullet fired from one of their weapons. Now out of danger after receiving intensive medical care and detained allegedly for dealing in drugs, she is the first woman known to have been shot by the Rapid Action Battalion.

Hardly a week goes by in Bangladesh without people being shot in Rapid Action Battalion (RAB) operations. RAB is a special police force, created, to much public acclaim, to combat criminal gang activity throughout the country. But since its inception in 2004, RAB has been implicated in the unlawful killing of at least 700 people. At least 200 of these killings have occurred during the tenure of the current Awami League government, despite the Prime Minister's pledge to end extrajudicial executions.

Such deaths are typically explained away as accidental or as a result of RAB officers acting in self-defence as victims are said to have been killed in "crossfire". In many cases, victims were killed following arrest. Nevertheless, investigations carried out

either by RAB or a government-appointed judicial body have not resulted in judicial prosecution. While the outcome of judicial investigations has remained secret, RAB has consistently denied responsibility for any unlawful killings. RAB officials say other wrong-doings have been addressed through administrative action against offending RAB personnel. By failing to take judicial action against RAB, Bangladeshi governments past and present have effectively endorsed RAB's claims and conduct in such cases.

Reports that RAB has widely used torture and excessive force have similarly gone nowhere. Despite persistent allegations, Bangladeshi authorities have taken no action to prosecute RAB personnel.





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Since its inception in 2004, RAB has been implicated in the killing of at least 700 people.

Above: RAB officers clash with a garment worker during a protest in Dhaka, June 2010. Reports that RAB has systematically used torture and excessive force have been ignored by the government.

Cover: Image from Shahidul Alam's *Crossfire*, a photographic exhibition highlighting extrajudicial executions in Bangladesh. The exhibition was initially banned by the authorities when it opened in March 2010. © Shahidul Alam/Drik/Majority World

LIMON HOSSAIN

“There is none but the prime minister from whom I can seek justice at this moment.”

Limon Hossain, shot by RAB officers when he was 16, speaking to Amnesty International in June 2011



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On 23 March 2011, Limon Hossain, a 16-year-old student, was shot in the leg by RAB officers in Jhalakathi. His injuries were so severe that four days later his leg had to be amputated. Limon Hossain's family said that he had been shot while bringing the cattle back from the fields. Like the families of many other victims, they said that RAB had no reason to shoot Limon, and that the officers involved should be brought to justice.

At a press conference immediately after the incident, the Director General of RAB admitted: “Limon Hossain was not a notorious criminal but rather a victim of a shoot-out between the RAB and criminals.” But RAB officials later backtracked on this statement, saying that the shooting had been justified, and that Limon was a member of a criminal gang. They claimed that

the gang had opened fire first and that Limon Hossain had been hit when RAB returned fire. Limon has consistently denied that he was a criminal or member of a criminal gang.

Government officials, including the Home Minister, endorsed RAB's findings, despite the conclusions of a separate government inquiry – never made public – which reportedly found that neither Limon nor his family was involved in criminal activity.

“There is none but the prime minister from whom I can seek justice at this moment,” Limon told Amnesty International. “I want punishment if impartial and independent investigation finds me guilty. If not, I want punishment for those who held me by the collar of my shirt before shooting me holding the gun against my leg.”

From the outset, the police investigation appeared biased. Police investigated RAB allegations that Limon was involved in terrorist activities, while refusing to file Limon's mother's complaint against RAB. According to Henoara Begum, RAB personnel deliberately ignored her plea to take her son to hospital immediately following the shooting. Had they done so, she says, his leg might not have needed amputation.

With police refusing to accept her complaint, Henoara Begum sought and received a court order on 26 April obliging the police to register the complaint, but it is not known whether they have taken any further action.

RAPID ACTION BATTALION

RAB was created in March 2004 as the government's response to a breakdown in law and order, particularly in western and central Bangladesh. In Rajshahi, Khulna and Dhaka districts, armed criminal groups or powerful mercenary gangs colluded with local politicians to run smuggling rings or extort money from local people.

Within months of its creation, RAB's operations were characterized by a pattern of killings portrayed by the authorities as "deaths in crossfire". Many of the deaths had the hallmarks of extrajudicial executions. They usually occurred in deserted locations after a suspect's arrest. In some cases, there were witnesses to the arrests, but RAB authorities maintained that victims had been killed by "crossfire", or in "shoot-outs" or "gunfights".

IMPUNITY

Nearly all alleged instances of unlawful killings by RAB have gone unpunished. Successive governments have persistently resisted calls from national and international human rights bodies to end such killings. Widespread public support for RAB makes it easier for the government to evade responsibility on this issue.

A web of impunity prevents investigation of RAB abuses through the criminal justice system. More than 20 families of victims have told Amnesty International that police refused to file their complaints against RAB, unless the family applied for a court order. Even then, police have failed to conduct a thorough and impartial investigation. No such cases have ever led to prosecution.

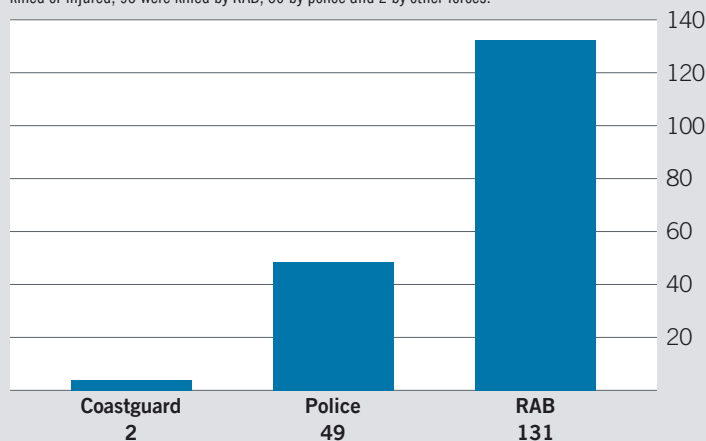
On the evening of 10 July 2009, RAB officers took four men – Tapan, Kamal, Pappu and Hridoy – to Dhaka Medical College Hospital. All four had been shot. RAB claimed they had been injured during a gunfight with their officers, but family members and local witnesses say they were arrested by RAB hours before they had been injured. Tapan died from his injuries. The other three men were reportedly sent to jail, charged with illegal possession of firearms. One of the survivors told a human rights organization that RAB had forced them to stand in front of a tree before shooting them, some just below the knee.

Impunity for RAB actions may have contributed to an environment in which other security agencies, such as the police, believe they, too, can avoid accountability for violations they commit. At least 30 people have been killed in police-only operations since early 2010, with the police also portraying them as deaths in "shoot-outs" or "gunfights".

RAB and the police must be investigated for suspected extrajudicial executions and, if found responsible, held accountable. By failing to take action to stop them, Bangladeshi governments past and present are ultimately accountable for the violations they have committed.

Number of victims killed/injured per law enforcement agency January 2010 – June 2011

Based on Amnesty International's review of newspaper reports for that period. Out of a total of 182 people killed or injured, 93 were killed by RAB, 30 by police and 2 by other forces.





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“CROSSFIRE”, “SHOOT-OUT”, “GUNFIGHT” OR EXECUTION?

From the start, many RAB “crossfire” stories were difficult to believe, and were contradicted by persistent accounts that many of those whom RAB claimed to have died in crossfire had been arrested by RAB first.

Responding to questions about the credibility of “crossfire” stories, a RAB spokesperson told Amnesty International in May 2010 that the force was now reluctant to use the term “crossfire” because it created “misunderstanding in the sense that it portrayed the person killed as almost a bystander”. He said the majority of people killed were criminals who had opened fire on RAB forces.

RAB has now adopted this as its media approach. Out of 88 shooting incidents carried out by RAB between January 2010 and June 2011, just four were attributed to “crossfire” and the rest to “shoot-outs” or “gunfights”.

However these deaths may be described, they remain suspected extrajudicial executions.

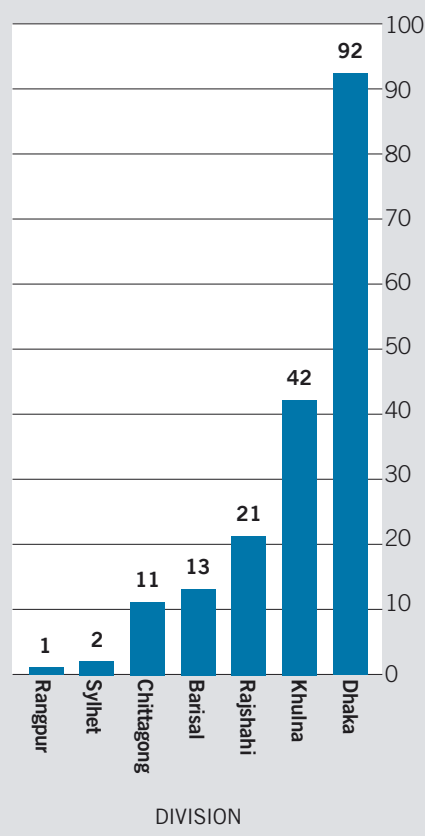
UNEXPLAINED DEATHS

In some cases, RAB has not even explained how people, whom witnesses say were detained by RAB, were later found dead.

Nazmul Huq Murad, Forkan Ahmed and Mizanur Rahman went missing on 17 April 2010. Murad, an absconding suspect in a murder case, had arranged to meet his brother on 17 April, but never made it. On 18 April, Murad’s brother received an anonymous phone call saying that Murad was in RAB custody. A lawyer defending the accused in the murder case also told the family on 18 April that Murad was in RAB custody. The family’s inquiries brought no news of him until 27 April when his body was found in the Mohammadpur area of Dhaka. It was buried in a ditch with the other two men, Forkan and Mizanur. The bodies bore severe injuries including knife wounds. Ligature marks on their wrists showed that they had been tied with rope. The families of Mizanur and Forkan had also received messages that the two had been arrested by RAB on 17 April. RAB has not acknowledged that the men were in their custody, and no credible investigation has ensued.

Number of people reported killed or injured in police/RAB operations January 2010 – June 2011

Based on Amnesty International’s review of newspaper reports for that period.





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TORTURE

Former detainees have told Amnesty International that RAB routinely tortures detainees. Torture methods include beating, kicking, suspension from the ceiling, food and sleep deprivation, and electric shocks to the genitals.

Detainees have been tortured until they “confessed” they were criminals. More than a dozen such victims have told Amnesty International that they were threatened with “crossfire” if they did not confess. After “confessing”, victims were handed over to the police, who then filed criminal cases against them based on RAB’s claims.

Arrest dates in these cases have been recorded as the day the victim was handed over to the police and not the day RAB made the arrest. In this way, the police have helped RAB distort the records and cover up the human rights violations it has committed.



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Above from left: Nasir Ahmed, Asaduzzaman Rubel, Mohammed Asadul Hauque Shahin, all killed by RAB in crossfire; Mohammed Idris, tortured to death by police; Bangladeshi journalist Masum Fakir in a Dhaka hospital. Masum said that he had been tortured by RAB officers after being arrested on 22 October 2009.

“I was kept hanging from the roof and I was told that if I didn’t agree with what they were saying then they would kill me.”

Rabiul Islam, describing his torture by RAB officers to Amnesty International

“I FELT LIKE I WAS DYING”

Rabiul Islam, aged 31, was arrested by plain-clothes officers at a hotel in the western city of Khulna on 24 October 2009. Blindfolded and handcuffed, he was taken to a RAB office in the Khalishpur area of the city. There, officers interrogated him. This included beating him, suspending him from the ceiling and applying electric shocks to his penis.

He spoke with Amnesty International in Khulna.

“

I was made to sit in a wheelchair. My hands and feet were tied. First the wheelchair was swirled to make me go dizzy after which I was beaten in that sitting position. The beating started in a small room about 10 minutes after we reached RAB 6 office. Three were beating me: one, the Captain, gave orders; one beat me; and the third person helped in the beating. I was blindfolded. I was tortured for about half an hour. Then I was left on the floor, handcuffed and blindfolded. Then they opened my blindfold and gave me some food. After I finished eating they blindfolded and handcuffed me again and left me on the floor.

The next morning at about 7am they gave me two minutes to eat breakfast. After this they blindfolded and handcuffed me again and took me to another place. They kept saying ‘we know you have arms so just admit it’. I was kept in that second place for about 16 days. There my hands were tied above my head and attached to the roof. I was kept hanging like that from the roof and I was told that if I didn’t agree with what they were saying then they would kill me. In this place, I was interrogated two or three times, but mainly I was hung from the roof for about one and a half hours at a stretch. At some point they attached wires to my

penis and gave me electric shocks. I felt like I was dying. I took it for granted that I would soon die. My whole body became rigid, followed by extreme shaking.

After many days, I was taken to Mohammadpur Police Station on 9 November 2009. Police filed a criminal case against me saying: ‘Look, there’s nothing we can do. RAB has told us to file this case against you.’

After they filed this case, I was taken to court but my file showed 9 November 2009 as the date of my arrest, even though I had actually been arrested on 24 October 2009 and was in RAB custody. I objected but no one listened. Several days later, I was taken to court again and then sent to Dhaka Central Jail.

Although I was arrested in Khulna, police documents showed Mohammadpur Police Station in Dhaka as the place where I was arrested. I was held in Dhaka Central Jail for about six and a half months. Then the court gave me bail.

Every month I have to travel from Khulna to the Dhaka court. This is a huge financial burden on me.”

”



Image from Shahidul Alam's *Crossfire*, a photographic exhibition highlighting extrajudicial executions in Bangladesh.

“We are not carrying out any crossfire right now. No such incident has taken place since our government assumed office.”

Bangladesh Home Minister, November 2009

STATE ACCOUNTABILITY

Bangladesh's two main political parties – the Bangladesh Nationalist Party and the Awami League – have shown no commitment to limiting the powers of RAB.

As a candidate running in the latest general elections, the current Prime Minister, Sheikh Hasina, pledged to end extrajudicial executions. In the first couple of months of her coming to office, the Prime Minister spoke of a “zero tolerance” policy towards extrajudicial executions. Other government authorities repeated her pledge. These hopes were dashed in late 2009 when the authorities, including the Home Minister, claimed that there were no extrajudicial executions in the country.

This denial has shielded RAB from justice, and released the Prime Minister from her pledge. It amounts to a renewed lease of impunity for RAB.

SHAM INVESTIGATIONS

Prime responsibility for investigating deaths during RAB actions has so far fallen to RAB itself. This is a clear conflict of interest. When the accused is tasked with investigating an accusation against it, the basic principles of independence and impartiality are compromised. The accused is free to destroy the evidence, distort the records and engineer the outcome. The content of RAB inquiries

remains secret; their results have repeatedly been the same. None of the publicly available RAB investigations have ever blamed RAB personnel for an extrajudicial killing; rather, these investigations, where they have occurred, have blamed the victims, calling them criminals and portraying their deaths as justified.

Home Ministry officials have told Amnesty International that “in all cases of eventual deaths, judicial inquiries as required under the law had been carried out. None of the judicial inquiry reports found opening of fire by RAB as unjustified”.

Even when the findings of judicial inquiries into deaths involving security forces have been leaked to the press, and the leaked information has contradicted RAB claims, government officials have endorsed RAB findings.

In November 2009, the High Court ordered the government to explain the suspected extrajudicial execution of a detainee in RAB custody, which had been reported in the media. The government denied that the victim was killed in custody. In fact, the Home Minister said: “We are not carrying out any crossfire right now. No such incident has taken place since our government assumed office.”

The right to life must be respected and protected at all times. There are specific

procedures that Bangladesh should follow to ensure that security forces do not commit extrajudicial executions. These are contained in international human rights law and standards, which include the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

A UN General Assembly resolution adopted on 12 November 2010 reminds states of their duty to “conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions”, and bring those responsible to justice in fair and public hearings. The resolution also urges states to give victims and families adequate compensation and ensure that such crimes are never repeated.

Available information shows that these principles have not been applied to the investigations of suspected extrajudicial executions by RAB and other security forces in Bangladesh.

ARMS TRANSFERS TO BANGLADESH

Despite their record of extrajudicial executions, torture and excessive use of force, Bangladesh's police and RAB continue to receive supplies of a wide range of military and police equipment,



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including pistols, machine guns, toxic agents (tear gas), grenade launchers and helicopters, from many arms manufacturing countries. These countries include Austria, Belgium, China, Czech Republic, Italy, Poland, Russian Federation, Slovakia, Turkey and the USA.

In addition, secret diplomatic cables from the US Embassy in Dhaka, obtained and released by Wikileaks in December 2010, alleged that UK police have been training RAB officers. In Amnesty International's view, any country that

knowingly sends arms or other supplies to equip a force which systematically violates human rights may itself bear some responsibility for those violations.

Image from Shahidul Alam's *Crossfire*, a photographic exhibition highlighting extrajudicial executions in Bangladesh.



© AP Photo/ Pavel Rahman

Above: Students protest against the arrest and alleged torture of journalist Masum Fakir by the Rapid Action Battalion, in Dhaka, Bangladesh, October 2009. See page 7.

RECOMMENDATIONS

To the Government of Bangladesh

- Set up an independent and impartial body to promptly, thoroughly and effectively investigate all allegations, since 2004, of extrajudicial executions, torture and unacknowledged detention.
- Make public the findings of such investigations.
- Bring those found responsible to justice in a fair trial, regardless of their rank or position.
- Disclose the truth and ensure reparations to victims of human rights violations.

To the international community, particularly donors to Bangladesh:

- Bring to Bangladesh government's attention Amnesty International's concerns about extrajudicial executions in the country, and encourage the government to stop them and bring those responsible to justice in a fair trial.
- Refrain from supplying arms to Bangladesh that will be used by RAB and other security forces to commit extrajudicial executions and other human rights violations.

**AMNESTY
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Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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