

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: 212-290-4700
Fax: 212-736-1300; 917-591-3452

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May 13, 2014

Prime Minister Sheikh Hasina
Prime Minister's Office
Old Sangsad Bhaban
Tejgaon, Dhaka-1215
Bangladesh

Re: Rapid Action Battalion

Dear Prime Minister,

I am writing to welcome your government's commitment to bring to justice those responsible for the recent killing of seven people in Naryanganj and to investigate allegations that members of the Rapid Action Battalion (RAB) and police were involved.

Human Rights Watch further welcomes the statement made by the State Minister for Home Affairs, Asaduzzaman Khan, that you have ordered law enforcement agencies to ensure that all those responsible are found and punished, regardless of their positions. Your stated commitment to resolving these murders has already led to three senior RAB officers being dismissed from service.

We urge your government to establish an independent, external, accountability entity to conduct prompt, impartial, and independent investigations into all allegations of violations by RAB and other law enforcement agencies. Any trials of RAB officers should be conducted in civilian courts to ensure that the process is independent and impartial. Military courts and RAB's internal accountability mechanisms have long failed to ensure accountability for previous serious human rights violations.

RAB Impunity

The longstanding impunity that RAB has enjoyed under successive governments has resulted in large numbers of killings and other violations. Though overdue, we believe that this is a good opportunity for your government to deliver on its longstanding promise of zero-tolerance for human rights violations by Bangladesh security forces. In opposition you and your Awami League Party issued harsh criticisms of RAB for extrajudicial killings, but in government the killings have continued, as has impunity for RAB officers and members responsible. Even in notorious cases, such as

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the 2011 wounding of teenager Limon Husain, who had his leg amputated as a result, RAB members have gone unpunished.

While your government has already established an investigating committee on the orders of the High Court, the investigations should not be limited to the Narayanganj incident. Human Rights Watch has long documented abuses by RAB, including arbitrary arrests, torture, and extrajudicial killings, often masked as “crossfire” deaths.

To send a strong message that your government will not tolerate human rights violations and is determined to end the culture of impunity, we urge you to order independent investigations into credible allegations that RAB members were involved in extrajudicial killings, disappearances, torture, and other abuses.

In our April 30 report, “Democracy in the Crossfire: Opposition Violence and Government Abuses in the 2014 Pre- and Post-Election Period in Bangladesh” (<http://www.hrw.org/reports/2014/04/29/democracy-crossfire>), Human Rights Watch documented six instances where RAB was implicated in “crossfire killings” of members of the Bangladesh Nationalist Party or Jamaat-e-Islami. We documented a further five cases where members of the opposition were illegally arrested by people who witnesses claimed identified themselves as RAB. Reports from Bangladesh media and human rights groups implicate RAB in many other cases.

Human Rights Watch also researched 10 cases where individuals were illegally arrested by people who witnesses claim identified themselves as police or RAB. In some cases, witnesses said that victims were taken away in vehicles marked as RAB vehicles. In seven of the ten cases the victims’ bodies have been found, often by the roadside. The others have disappeared.

Please also see our previous findings on human rights violations by RAB in our reports:

“Blood on the Streets: The Use of Excessive Force during Bangladesh Protests”:
<http://www.hrw.org/reports/2013/08/01/blood-streets>

“‘Crossfire’: Continued Human Rights Abuses by Bangladesh’s Rapid Action Battalion”: <http://www.hrw.org/reports/2011/05/10/crossfire-o>

“‘The Fear Never Leaves Me’: Torture, Custodial Deaths, and Unfair Trials after the 2009 Mutiny of the Bangladesh Rifles”:
<http://www.hrw.org/reports/2012/07/04/fear-never-leaves-me>

Time to Disband RAB

Based on our findings that RAB has frequently carried out targeted killings and is used as a “death squad,” Human Rights Watch has long recommended that RAB be disbanded and replaced with a fully accountable civilian law enforcement agency dedicated to fighting crime and terrorism.

Members of your party have long cited political risks in disbanding RAB, fearing opposition parties would say that your party is soft on crime. However, disbanding RAB is now being openly discussed in Bangladesh. The leader of the Bangladesh Nationalist Party, Begum Khaleda Zia, who established RAB while in government, has now called for the force to be disbanded.

Recommendations

In summary, we urge your government to:

1. Establish an independent, external accountability entity to conduct prompt, impartial, and independent investigations into all allegations of violations by law enforcement agencies including the police, Rapid Action Battalion, and Border Guards Bangladesh.
2. Ensure that all those responsible for abuses are investigated and prosecuted in an independent, transparent, and credible manner. Investigate and prosecute commanding officers and others in a position of authority who knew of abuses and failed to take action to prevent or punish abuses. The report of the mechanism should be made public. This entity should be charged with receiving complaints from the public.
3. Make clear and strong public statements, at the highest political and institutional levels, condemning unlawful killings, arbitrary arrests, and other violations by law enforcement agencies and committing to holding accountable those involved in planning, ordering, or carrying out violations.
4. Disband RAB and in its place create an entirely civilian institution which puts human rights at its core in leading the fight against organized crime and terrorism. The new agency’s officers and other members should no longer be drawn from the military, which is not properly trained in law enforcement.
5. Until RAB is disbanded:
 - Immediately replace all members of the armed forces presently deployed to RAB.
 - End the practice of seconding members of the armed forces to RAB and make necessary legal changes to prohibit the future use of serving soldiers for law enforcement duties.

- Establish an independent commission to assess RAB's performance, to identify all those plausibly deemed to be involved in serious violations such as extrajudicial killings who should be excluded from a reformed RAB and prosecuted, and to develop an action plan to transform RAB into an agency that operates within the law and with full respect for international human rights norms.

We urge you to take these decisive measures to protect the rights of Bangladeshi citizens and reinforce the rule of law in Bangladesh.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Brad Adams".

Brad Adams
Executive Director
Asia Division