

# Crossfire and Violation of Human Rights in Bangladesh: A Critical Review

11

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## INTRODUCTION

This paper depicts the violation of human rights caused by law enforcing agencies in Bangladesh. The law enforcement agencies of Bangladesh are universally appreciated for their patriotic and courageous efforts to combat terrorism inside the country. The law enforcing agencies are mainly responsible for maintaining the law and order, protection of life and property of the citizens and prevention and detection of crime to establish rule of law in a state. However, the violation of human rights by the law enforcing agencies in Bangladesh has been increasing severely for the last few years. Why the protectors become perpetrators has also explored in this paper by highlighting the pattern of violations made by the law enforcing agency and their impact upon the law and order situation in Bangladesh. The existing legal framework of governing the law enforcing agency has also been critically examined and finally pinpoint some recommendations for the eradication of the pitfalls of security forces. The paper is qualitative in nature and case study on Bangladesh.

## BACKGROUND

This section focuses on the major elementary issues and background of the violation of human rights in Bangladesh. Primarily, crossfire and violation of human rights was a media term in Bangladesh, however, now widely used to express the murder of a criminal or accused in a gunfight event between members of law enforcement agencies and criminal groups. It alleged by the media, opposition political parties and civil society that law enforcing agencies are pressured to get quick results, often with unofficial guarantees that they may use any means possible to accomplish the task at hand. This occurrence is facing enormous criticisms in the home and abroad and considered as a violation of human rights.

## Human Rights

The definition of human rights is a debating issue but it has been discussing as a burning issue from time immemorial. Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. Every single citizen is equally entitled to human rights without discrimination (United Nations, 2016). Human rights, deprivation and unequal allocation of resources have been issues for then West Pakistan (now Bangladesh) between 1947 and 1971. The people of Bangladesh struggled for 23 years to ensure and establish their rights. In 1971, Bangladesh was independent but three million people lost their lives, ten million

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fled across the border to India and 200,000–400,000 women were raped, leading to approximately 25,000 pregnancies (Linton, 2010:194). Could anyone imagine how brutally human rights are violated in Bangladesh? Though 47 years of independence have passed, however, violation of human rights is still continuing in Bangladesh. The country struggled to overcome significant barriers to the realization of human rights: a repressive police force, poverty, corruption, unequal distribution of wealth and opportunities, and a slow legal system. The state apparatus deliberately suppressed human rights, extraterritorial actors and the dynamics of regional and global hegemony allowed limited human rights for the people (Halim, 2010).

## **Rapid Action Battalion**

In 2004, the government of Bangladesh introduced the elite anti-crime force called the Rapid Action Battalion (RAB) following a rise in the rate of crime in the country. The RAB was created through the “The Armed Police Battalions (Amendment) Act, 2003,” and published in the Bangladesh Gazette of July 12, 2003. The primary tasks of the RAB were to maintain internal security; recover unauthorised arms, ammunition, 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. 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). This force has been accorded with special power with special salary and benefits package. They are better equipped than the regular police force. For example, in order for them to arrive at the crime scene fast, they are given a helicopter.

## **Crossfire and Extra-Judicial Killing:**

The term ‘crossfire’ is synonymous of the term ‘death in an encounter’ which is used by law enforcement agencies in Bangladesh. The government justifies the killings by using the term “crossfire,” which it refers to as gunfights between any alleged criminal group or terrorist and the RAB or police (Habib, 2016). The term ‘extrajudicial killing’ means killing someone without following the legal justice system, laws, and constitution (Kamruzzaman, Khan, and Das, 2016). Killings committed outside the judicial process by or with the consent of public officials, other than as necessary measures of law enforcement to protect life or as acts of armed conflict carried out in conformity with the rules of international humanitarian law is called extrajudicial killing (Rodley, 2009). Such killings are prohibited by Bangladesh’s Constitution and national laws, as well as by various international instruments that Bangladesh has ratified. However, the extrajudicial killing has been made an integral part of the law-enforcement system of Bangladesh for many years by “crossfire” or “encounter” with few other synonyms like “gunfight”, “in the line of fire” etcetera (Kamruzzaman, Khan, and Das, 2016). The overall human rights situation in Bangladesh is still at an alarming level in the first six months of 2018 due to a rapid increase of extra-judicial killings, a high number rapes and sexual assault of women and custodial deaths across the country.

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