

Is recruitment the real problem for RAB?

PM's call to BCL Put her words into action

WE laud Prime Minister Sheikh Hasina's call to the BCL leaders and activists to prioritise education above all else, and stay away from the path of drugs, militancy and terrorism. The premier reinforced that the global menace of terrorism and militancy has no place in Islam, during a discussion on the occasion of the reunion of Bangladesh Chhatra League at Suhrawardy Udyan, marking its 69th founding anniversary. She also said that the government would take strong actions against those who misguide the country's youth.

We appreciate the Prime Minister's calls urging the BCL youths to the right path at a time when the country has seen itself being gripped by the claws of militancy and terrorism. Her statement urging the BCL to set their priorities straight was much needed in light of the acts of violence perpetrated by unruly BCL activists over the years. It goes without saying that in no way do the destructive activities of BCL men speak well of the student wing. Despite a glorious past, BCL's present is checkered and the infighting within the organisation, resulting in several deaths, has tarnished its image.

The PM's call is unambiguous, and it is not the first time she has articulated her views on how the student wing of the party should behave. What we want to see is that her directive is implemented. And the AL leadership must also ensure that individuals and groups within BCL that transgress the dotted line are dealt with a heavy hand to set examples and create disincentives for the other members of the BCL.

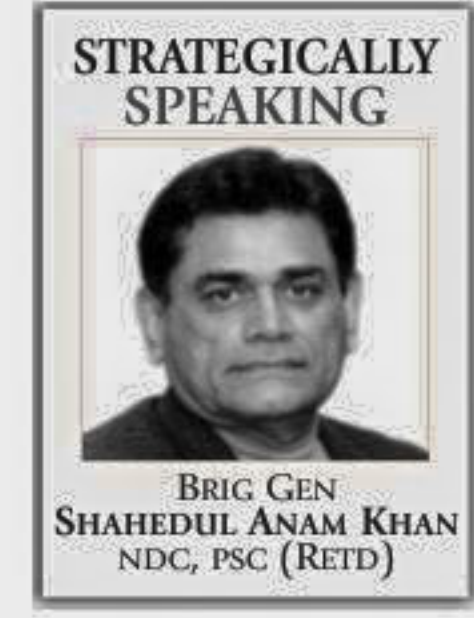
Misuse of climate funds

Allocation considerations sullied by partisan prejudice

TRANSPARENCY International Bangladesh (TIB) released a report on January 23 stating that due to lack of good governance, projects are approved for areas that are less endangered than others. The report is a study of six of the 108 projects that involve Tk 353 crore which are being implemented by various government bodies such as the city corporations, district councils and municipalities.

Irregularities in both financing and the presence of graft in implementation point to a very grim picture for projects undertaken, and that too without proper evaluation or following the established procedures of undertaking government projects and using public funds. If nepotism and political considerations are going to take precedence in selecting and financing projects under the Climate Change umbrella, and if these allegations hold up, then we are spelling trouble for a lot of affected communities nationwide.

Good governance is one area this paper has advocated for and will continue to do so. Graft has always been a major impediment to our development and now political considerations and nepotism appear to have been added to our list of woes. We are particularly concerned by the fact that authorities deemed it necessary to not make information public on four of the six projects covered by the study. We wonder why that is so. Information swept under the carpet have a nasty tendency to surface and we hope that the authorities would take the report as an inspection report and take prompt action to bring the management of the fund under the established norms.



STRATEGICALLY SPEAKING

MANNING and recruitment of RAB has come to the limelight, once again. And the focus of this piece will be only on the secondment of officers and soldiers from the three services since the bulk of those accused and sentenced in the Narayanganj killings belong to the military. The Rapid Action Battalion has never ceased to be in the news ever since it was established in 2004, most of the time, unfortunately, for the wrong reasons. It is a matter of regret that a force, whose employment in the very seminal stages of its birth had inculcated a sense of confidence in the minds of the common man, would in the course of a short time come to be feared by the same public. It is a pity too that a force whose contributions in combating the religious extremists and terrorists are singular, should have to countenance calls for its disbandment from international human rights groups.

There cannot be a more undesirable situation where security forces, created for the purpose of providing safety to the people, would come to be considered by many as a source of their insecurity. And this has come about primarily because of the way the elite force has been employed since its inception, and the way its standard modus operandi has been flouted to combat societal violence resulting in the breach of the rule of law. Fingers have been pointed at the force for many of the "encounter killings" and enforced disappearances. And I repeat what I said two years ago in this regard; the circumstances of these deaths have been so repetitive and the explanations so absurd and implausible that it was difficult to take them at face value. RAB's descriptions of the situations were the same as those churned out and recycled by the other law enforcing agencies. And this brings out a very fundamental element of good governance which is that there cannot be a negative correlation between security and individual wellbeing; more security of the citizens cannot mean fewer rights for them.

The recent focus on the elite force has been caused by the verdict of the trial court on the Narayanganj-seven murders. And while one

cannot paint a broad brush of guilt on the entire force for the crimes of a few of its members (in this case quite a few), the matter does besmirch the image of the force in as much as the higher authorities of the offenders had failed to monitor the activities of officers and men in their charge. While a higher command can never be held guilty for the offenses or transgressions of the under command, it cannot, by the same token, shun the moral responsibility for the same.

The trial judge in his verdict has invoked carefulness and caution on the part of the authorities while recruiting personnel for the elite force. And he has hit the nail on its head. However, the term 'recruitment' is not quite applicable here, particularly for those from the

latter is true.

And I reaffirm my view that RAB per se is not the problem but the way they are employed. The fact is, and I restate what I have said in this regard in the past, RAB has been invested with unlimited powers that has caused it to become larger than itself. For such a force, unlimited powers with no accountability can be a dangerous mix. Narayanganj bears out our fear.

I have said in the past too that extrajudicial killings, later substituted by enforced disappearances, demonstrated lack of trust in the judicial system, its long winded process and the loopholes were exploited by the criminals to escape punishment or evade it, endlessly. And in

So where is the flaw? When the crème de la crème from all the three services are supposed to be selected for employment in the special force, how is it that we find many of them indulging in behaviour unbecoming of their calling?



three services, since all the military personnel seconded to this outfit are 'selected' from the three services and there are very stringent recruitment procedures for induction into the services and selection for secondment.

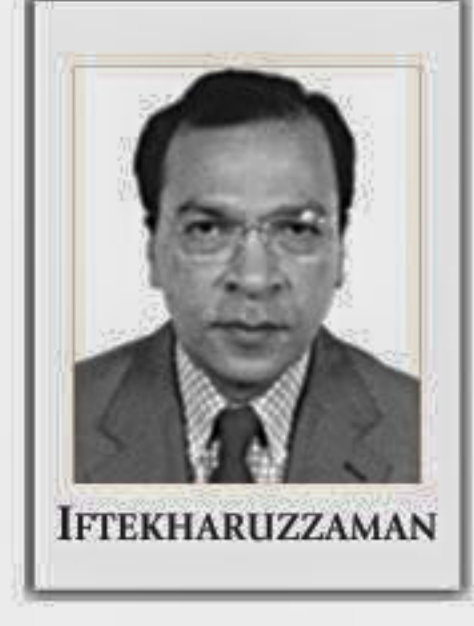
So where is the flaw? When the crème de la crème from all the three services are supposed to be selected for employment in the special force, how is it that we find many of them indulging in behaviour unbecoming of their calling? It is either that the selection is flawed, which means that the initial recruitment is flawed too, or that it has to do with the new environment that the military personnel find themselves thrust in, and succumb to the various pulls and pressure associated with the type of tasks they are deployed in, such tasks, I dare say, that had not been envisaged initially when the force was established. I believe the

process of combating criminals, the method employed by the agencies replicated that of the criminals. Regrettably, along with the criminals, political opponents were also made victims of the illegal tactic.

It must be restated that when an elite force with specific tasks is employed to circumvent the legal process in administering 'justice' the rule of law becomes rule of men. And in that particular situation, when a law enforcing agency acts on illegal partisan biddings, the moral grip of the administration starts to slacken, and command becomes ineffective. Therefore, while selection of personnel for such forces is important, of equal importance, if not more, is exactly how the elite force is employed.

The writer is Associate Editor, The Daily Star.

BANGLADESH IN CPI 2016 We deserve better



BANGLADESH has scored 26 on a scale of 0-100 according to the Corruption Perceptions Index (CPI) 2016 released by Transparency International (TI) on January 25, 2017. Bangladesh's score in 2016 is one point higher than in 2015 and 2014. In a list of 176 countries Bangladesh is ranked 15th from below, which is two steps higher than in 2015. In the descending order from top we are at 45th, which is 6 steps lower than 2015. Bangladesh remains well below the global average of 43 which indicates moderate success in controlling corruption. Among the eight South Asian countries we continue to be the second worst performer after Afghanistan.

As in previous years, Bhutan is the best performer in South Asia with a score of 65, ranked 27th from the top in the global list, followed by India ranked 79th with a score of 40, Sri Lanka and Maldives jointly ranked 95th with 36, Pakistan ranked 116th with 32, Nepal ranked 131st with 29, and Afghanistan ranked 169th with 15. At the lowest position in the world is Somalia having scored 10. Other countries that scored lower than Bangladesh include Sudan (11), North Korea (12), Syria (13), and Libya and Yemen (14). The scores of all South Asian countries other than Bhutan are less than the global average of 43, meaning that corruption remains a key regional problem.

Launched in 1995, CPI provides international comparison of countries by perceived prevalence of corruption understood in terms of abuse of entrusted power. It is a survey of surveys (13 in 2016) conducted by reputed international organisations. Information used in CPI relates to corruption in the public sector, particularly political and administrative; conflict of interest; unauthorised payment in the delivery of government functions, and in justice, executive, law enforcement and tax collection. The government's capacity to control corruption is also considered.

Only sources that provide internationally comparable data are considered. No nationally generated data, including TIB's research or that of any other national chapter of TI, goes into CPI. At least three international surveys are needed for a country to be

included in the index. CPI is produced by the research department of TI Secretariat in Berlin. CPI methodology has been designed by experts from Departments of Statistics and Political Science of Columbia University and Department of Government of London School of Economics & Political Science. Scores are validated by the German Institute of Economic Research.

Data for Bangladesh came from: Economist Intelligence Unit Country Risk Assessment, World Economic Forum Executive Opinion Survey, Bertelsmann Foundation Transformation Index, Global Insight Country Risk Ratings, Political Risk Services International Country Risk Guide, World Bank Country Policy and Institutional Assessment, and World Justice Project Rule of Law Index. Data period was

The overall global performance has worsened in 2016 compared to 2015. 30 countries have scored the same as 2015. In 2015, 65 countries scored higher than 2014 whereas 63 did so this time. The number of countries that scored lower than the previous year increased from 49 in 2015 to 71 in 2016 (about 40 percent). Netherlands, a consistently high performer, has worsened by four points. Japan's score has worsened by three points and that of USA by two. Even the top performer Denmark's score has gone down by one point. The worst losers are Qatar (10), Kuwait (8), and Bahrain (8). The best gainer is Suriname having scored nine points more than 2015, Belarus with eight points and East Timor with seven points more than 2015. In South Asia the score of Bhutan has remained unchanged while that of

performance include persistent deficit in delivery consistent with pronouncements against corruption. Barring a few rare exceptions, those who are involved in corruption especially those in, or linked with, powerful positions, are hardly brought to justice. Status, identity and linkages are often more important determinants than merit of allegations while protection of the corrupt coupled with a denial syndrome is promoting a culture of impunity. During the period for the data used in the index (January 2015-September 2016) there was much to be desired with respect to vibrancy, professionalism and effectiveness of the Anti-Corruption Commission (ACC). The institutional structure of accountability under the national integrity system has been weakened by monopolisation of the political space.

Direct or indirect links with politics and power give impunity to unauthorised capture of land, forest, river and water bodies, practice of loan-default and irregularities in banking and financial sector. Unauthorised payments in the service delivery sectors have become a way of life. Bangladesh also continued to be prominent in the list of countries affected by illicit financial outflow.

The silver lining is that during the recent several years Bangladesh's legal, institutional and policy structures have been strengthened by new laws, policies and strategies. The prospect of doing better in CPI will depend on their application and enforcement. Corruption must be a punishable offence not only on paper but in practice without fear or favour. Institutions of accountability and rule of law must be allowed to function independently and effectively free from partisan influence. The Parliament must be able to discharge its mandated role to hold the government to account effectively. Conducive environment must be created for people at large, particularly media, civil society, and NGOs to raise and strengthen the demand for accountability. The values of anti-corruption and freedom of speech are two sides of the same coin. Restricting freedom of speech is not only counterproductive to democratic practice, but it also promotes institutionalisation of corruption and culture of impunity. On the other hand, the more the space for people's voice and demand, the better is the prospect of corruption prevention and control.

The writer is Executive Director, Transparency International Bangladesh.



LETTERS TO THE EDITOR

The Torture and Custodial (Prevention) Act

There is no denying the importance of the role a police force can play in maintaining peace and protecting the people of a state. Even when it comes to giving them the authority to use weapons, it is done so for the purpose of restoring peace and security within the boundaries of the state. All law enforcement agencies should recognise and understand that their primary obligation is to ensure the security of life for all citizens of the state that they are a part of.

It is disheartening to see cases of torture in remand and extrajudicial killings at the hands of our law enforcers which are horribly impacting our social and cultural environment. It creates an atmosphere where, quite frankly, no one can ever feel safe.

Although these malpractices are not always visible, the Torture and Custodial Death (Prevention) Act, which the Jatiya Sangsad passed in 2013, acts as a safeguard against torture in remand and extrajudicial killings. It is meant to be a preventive measure and a reminder for our law enforcement officers to work diligently and within the boundaries of the law.

And most importantly, it is supposed to ensure that those who have been authorised to protect us do not ultimately turn out to be our antagonists. It is a law which should not be scrapped. And it should be law enforcers themselves who should be the first to understand why that is the case.

Mobarak Hossain
Chapai Nauabganj