

The Daily Star

FOUNDER EDITOR: LATE S. M. ALI

## Accountability key to any police reform

### Independent oversight body needed to investigate police crimes

There is no denying the importance of reforms in police force to prevent a repeat of police excesses witnessed during the 15-year rule of Awami League, particularly in its final days when cops indiscriminately shot anti-government protesters, killing hundreds and leaving many more with life-altering injuries. But how to bring about change? It helps that there is a consensus across the political spectrum on the need for reforms. The Police Headquarters (PHQ) also seems to be on board, and the 44 reform proposals it has submitted to the home ministry address some major concerns. But one key area that it has overlooked is the question of transparency in accountability mechanisms if the police are allowed to conduct investigations against their own members.

The PHQ, as per a report, wants the power to investigate complaints against all officers regardless of their rank. Currently, the home ministry, with assistance from PHQ, investigates complaints when an accused officer is of the rank of ASP or higher. If he or she is an inspector or of a lower rank, the PHQ can conduct the investigation. Unfortunately, both variations of internal investigations have consistently failed to deliver justice throughout the Awami League period, especially in cases of custodial deaths and use of excessive force. How can we trust in this process again? Can colleagues investigate colleagues with absolute impartiality? This may work in an environment free from political influence and internal bias—something we can ill-afford to rely upon given past experience.

Ensuring that complaints against police members are investigated impartially is crucial to upholding justice and establishing public trust. If police or even home ministry officials conduct the investigation, it risks compromising the process. This is why independent oversight is crucial. We support the call for establishing a high-powered, independent oversight body to investigate police crimes, similar to those in countries like the United Kingdom or Sri Lanka, which can help establish accountability in the force. That said, many other things also need to change to ensure its success, including depoliticising decisions related to recruitments, promotions, postings, and punishments. Police performance also needs to be evaluated regularly and objectively to ensure they only serve the public, and serve better.

Some of the reform proposals forwarded by the PHQ do deserve consideration, such as formulating a proper policy on arrests, detention, searches, and seizures by police; incentivising honesty and competence; amending outdated laws; preventing sexual harassment and gender discrimination against female officers; providing proper training on human rights, crime investigations, etc; enhancing logistics to combat transnational and organised crimes; and introducing eight-hour workdays, overtime pay, risk allowances, etc. Currently, the police are still reeling from the disruptive consequences of regime change, but we must not wait any longer to initiate long-term reforms to build a modern, competent, and accountable police force.

## Stop destruction of Tangail Sal forest

### Illegal factory operations exposing locals to harmful toxins

The way in which the once-pristine Sal forest in the Sagardighi area of Tangail's Ghatail upazila is being choked and destroyed is alarming. According to a report in this daily, two factories are illegally burning batteries inside the forest, releasing harmful toxins and slowly poisoning both the forest and its surroundings. The environmental damage is clear: patches of the forest floor have been blackened by waste, while piles of debris have marred the landscape.

Our report further reveals that the air in the area remains thick with pollution, with fumes from these operations threatening the health of local residents. Locals have alleged that prolonged exposure is causing respiratory illnesses and other health problems, but when they protested it, they were assaulted by goons hired by three individuals suspected to be supervising the factories. Interestingly, the factories' ownership remains unclear. Before the fall of the Awami League government, those were supervised by individuals connected to the former ruling party. But since then, three local figures claiming ties with the BNP have allegedly taken over control.

According to the Sagardighi Union Parishad chairman, the factories were temporarily shut down before August 5, but resumed full operations after Awami League's fall. Given that they are still operating, in clear violation of environmental laws, it shows ongoing governance failure that continues to allow destruction of our environment. The Department of Environment (DoE) and local administration should have intervened long ago to stop these harmful activities. If previously their excuse for failure was political patronage from Awami League hindering action, what is it now?

Reportedly, a complaint was recently filed with the DoE, district commissioner, superintendent of police, and UNO for the eviction of the factories, yet no action has been taken. An official from the Tangail DoE has said that they are investigating the matter and will take appropriate action. We urge the authorities to treat this situation with the importance that it demands. The investigation must be prioritised, followed by decisive measures to stop the factories from further damaging the environment. Most importantly, their owners and enablers must be identified and held accountable.

## THIS DAY IN HISTORY



### Alfred Nobel born

On this day in 1833, Swedish chemist, engineer, and industrialist Alfred Nobel, who invented dynamite and other more powerful explosives and who also founded the Nobel Prizes, was born in Stockholm, Sweden.

# Some concerns about proposed changes in int'l crimes tribunals



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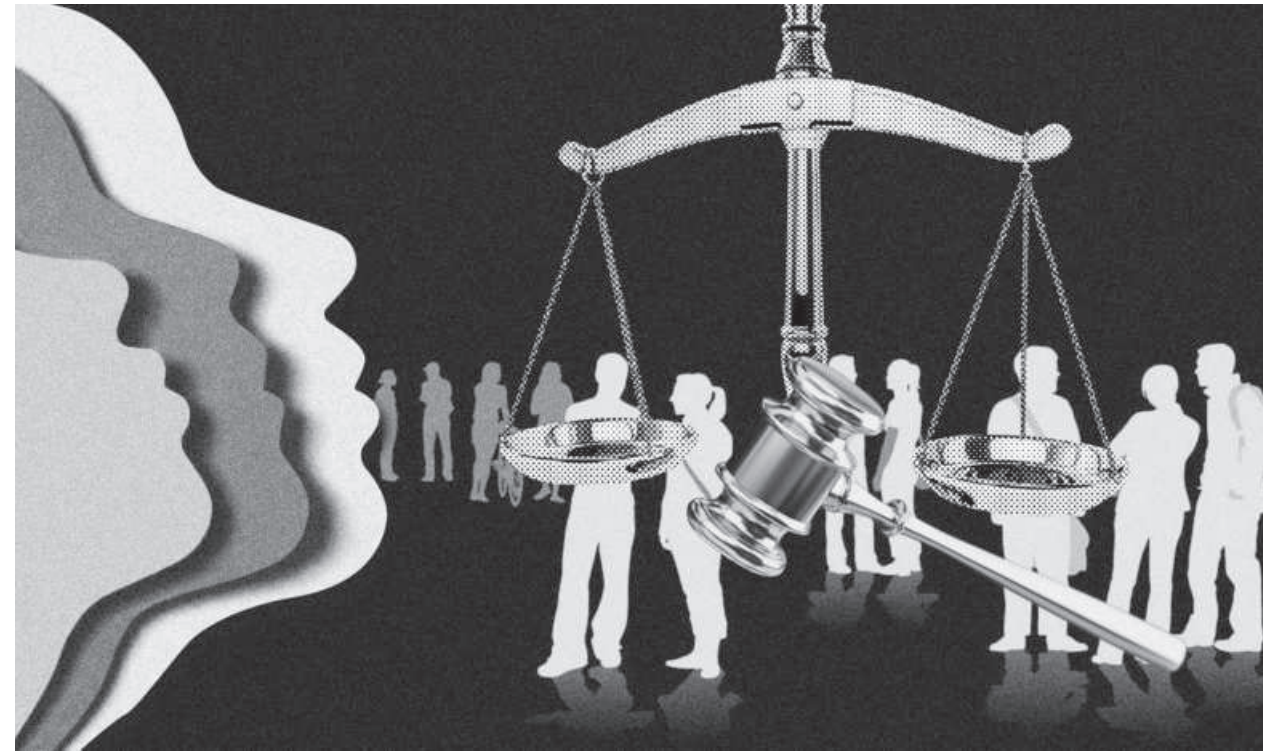
While presenting a draft amendment to the International Crimes (Tribunals) Act, 1973—during a recent stakeholder discussion aimed at improving transparency in trial proceedings to prosecute crimes committed to suppress the mass uprising that toppled Sheikh Hasina's autocratic regime—a few concerns have arisen about the law's alignment with international standards, along with some laudable propositions.

The good news is that, at the invitation of the interim government, a fact-finding team from the United Nations Office of the High Commissioner for Human Rights has already launched an independent investigation into human rights violations that occurred between July 1 and August 15 this year during the student-led protests. Newspaper reports indicate that the team will investigate 15 categories of human rights violations, including crimes against humanity and extrajudicial killings, with the investigation report expected to be submitted to the interim government by the last week of November. The fact-finding team is mandated to establish facts, identify responsibilities, analyse root causes, and make concrete recommendations for Bangladesh to address past human rights violations and prevent their recurrence, according to a UN statement.

Meanwhile, the central health committee of the anti-discrimination student movement, in its latest estimate, reported that 1,583 individuals had been killed and over 22,000 injured during the July-August unrest. This information was shared by the chief adviser of the interim government in a post from his verified Facebook page on October 6.

Speaking at the brainstorming session on the amendment to the law, Law Adviser Prof Asif Nazrul made the government's intentions clear, saying, "We no longer want wounds or divisions in this society. Through these trials, we want to initiate a process of reconciliation. Everyone should agree that the trial conducted is fair and that the punishment, if given, is fully deserved."

However, the provision for death penalty in Bangladesh's justice system is a major roadblock to bringing the process in line with global standards, especially when democracies around the world are calling for complete abolition of capital punishment. At the end of 2023, as many as 112 countries were fully abolitionist and 144 in total abolished the death penalty in law



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or practice, according to Amnesty International. The proposed changes to the law in Bangladesh, regrettably, fall short of embracing the principle of abolishing the death sentence. And since the UN opposes the use of the death penalty, there is no scope for UN endorsement in this matter. Death penalty is irreversible, leaving no room for correction in the event of judicial errors, and it has proven ineffective as a deterrent to crime. Its most troubling aspect, however, is its frequent misuse to suppress dissent, whether political, religious or otherwise.

The judiciary has the critical responsibility of preventing

miscarriage of justice and ensuring that no innocent person is wrongfully convicted or punished. As the saying goes, "It is better to let a hundred guilty persons go free than to convict one innocent person."

Another eyebrow-raising aspect of the proposed changes to the 1973 law is the call for the introduction of a provision that would allow banning political parties for up to 10 years if found guilty of crimes against humanity or genocide. If implemented, this provision risks treading a fine line between justice and the violation of fundamental rights. It is worth noting that no political party's charter or constitution endorses acts such as murder, violence, discrimination of any kind, or crimes against humanity, raising the question of whether a political party as an entity can truly be held criminally responsible. In practice,

other country; or if its formation and objectives are inconsistent with the constitution. According to Section 18 (1) of the Anti-Terrorism Act, 2009, the government, based on reasonable grounds, may issue a gazette notification to include an individual in the schedule or declare an entity banned and list it in the schedule for being involved in terrorist activities. Therefore, the authorities' task is to prove that the entity to be banned is involved in terrorist activities. Is doing so as simple as it sounds?

Appointments of foreign lawyers in court proceedings, along with the recording and broadcast of trials via the internet or other mediums are commendable measures. Moreover, the decision to allow representatives from foreign governments, non-

governmental organisations, and international organisations to attend public hearings, trials and other proceedings reflects a commitment to openness and accountability.

With Bangladesh embarking on broader reforms across all spheres of governance, these trials to prosecute those responsible for upholding and promoting a fascist regime of 15 years must meet international standards of transparency. Only through such rigorous legal processes and appropriate punishments can the country hope to eradicate the roots of autocracy and fascism altogether.

# The curious case of vanishing gold



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In a land where financial institutions occasionally resemble scenes from a Shakespearean farce, the recent revelation of 12,000 bhoori of gold mysteriously vanishing from Bangladesh Samabaya Bank Ltd could not have come at a more opportune moment. Like the climactic unmasking of a villain in a Jacobean play, the public finds itself leaning forward in their metaphorical seats, waiting for the inevitable punchline.

Let's start at the beginning: the bank's acting general manager and chief executive officer, Ahsanul Ghani, stands before the audience—excuse me, the public—and, with all the gravity of Polonius expounding on the perils of love, declares that "a bank gang was involved" and that "they have been identified through investigation." This revelation is met not with gasps of shock, but with the bemused smiles of a populace well-versed in the tragicomedy of institutional malfeasance.

It seems that at some point in 2020—no doubt while the world was preoccupied with the unfolding drama of a pandemic—members of the Narayanganj Cooperative Credit Limited decided to play the roles of enterprising rogues, borrowing against gold they had mortgaged to the bank. As if they had read too much Jonsonian comedy, they devised a plan so clever that it could only fail due to its own ridiculousness: they would return the loan money, withdraw the

gold, and vanish into history as one of the most bizarrely successful heists ever perpetrated.

But alas, as in all comedies of errors, the plan was doomed by the hubris of its perpetrators. A group of "fake customers"—clearly more suited to the roles of court jesters than criminal masterminds—collaborated with bank officials to falsify documents and withdraw the gold. It is here that the tragedy of the situation gives way to humour. Who could take seriously a scheme that reads like an Elizabethan play within a play? Like the bumbling artisans of *A Midsummer Night's Dream*, these conspirators seem more likely to trip over their own lies than to execute a flawless robbery.

Of course, in true Shakespearean fashion, the plot thickens. After all, what is a comedy without a few mistaken identities? The fake customers, posing as members of the bankrupt Narayanganj Cooperative Credit Limited, made off with 8,000 bhoori of gold, leaving behind a trail of confusion that only the Bard himself could untangle. And much like the misunderstood lovers in *Much Ado About Nothing*, the bank officials were caught in a web of deceit so convoluted that even the Anti-Corruption Commission (ACC)—playing the role of Dogberry, the bumbling constable—was left scratching its collective head.

At this point, it's worth pausing to reflect on the sheer theatricality of the situation. Imagine, if you will,

a production of this farce set on the grand stage of Bangladesh's financial institutions, where each act reveals yet another layer of absurdity. In Act I, LGRD Adviser AF Hasan Arif delivers a solemn speech at the annual planning conference of the Bangladesh Academy for Rural Development (BARD), announcing that 12,000 bhoori of gold have disappeared.

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Act II introduces our hapless bankers, who, much like the protagonists of a Restoration comedy, find themselves in the middle of a scandal that is equal parts outrageous and hilarious. They claim the incident occurred three years ago and that the ACC has been diligently investigating ever since. One can almost hear the voice of Lady Bracknell from Oscar Wilde's *The Importance of Being Earnest* exclaiming, "Three years! How careless of them!" Indeed, it is difficult not to be reminded of Wilde's biting satire on the absurdities of Victorian society, where appearances mattered more than substance, and even the

gravest matters could be reduced to a punchline.

But Act III, the climax of this farce belongs to the fake customers themselves. Like the wily Sir John Falstaff from *Henry IV*, these impostors managed to swindle the bank, pocketing nearly Tk 11.5 crore's worth of gold before anyone realised what had happened. And, as in all good comedies, the audience is left wondering whether to laugh or cry at the sheer audacity of it all. While Falstaff may have charmed his way out of trouble with wit and humour, our modern-day tricksters seem content to rely on the incompetence of their marks.

As we approach the denouement, one can't help but marvel at the absurdity of it all. How did so much gold simply vanish? How did a group of impostors manage to deceive an entire bank? And, perhaps most importantly, how has this farce played out for so long without anyone crying foul? The ACC, much like the ineffectual constables of *The Comedy of Errors*, seems content to file cases and issue statements, while the rest of us watch with a mixture of amusement and disbelief.

As in the comedies of old, where kings and courtiers are often revealed to be as flawed as the common man, so too do we find that even the most august institutions can be undone by the simplest of errors. The Samabaya Bank, like the characters in any good farce, is ultimately a victim of its own hubris, and we, the audience, are left to wonder whether this play will ever reach its final act.

In the meantime, we can only hope that the ACC—much like the ever-hopeful Dogberry—manages to bring the culprits to justice, if only for the sake of preserving the dignity of the stage on which this comedy has unfolded.