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October 31, 2012

ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME

Urgent Appeal Case: AHRC-UAC-190-2012

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31 October 2012

BANGLADESH: To release an exfiltrated abductee the RAB demands bribes from the family

ISSUES: Enforced disappearance; abduction; right to life; impunity; rule of law

Dear friends,

The Asian Human Rights Commission (AHRC) has received information from local human rights organisation *Odhikar* that the Rapid Action Battalion (RAB) caused a man to disappear. After his abduction, they ex-filtrated him from among a group of criminals. The reason for this was the failure of the family to pay bribes. Officers of the RAB-2 demanded Taka One Hundred Thousand in cash on condition of releasing Mr. Mohammad Imam Hassan to his father, Mr. Ruhul Amin. The family paid Taka Forty Thousand to RAB's Sub- Inspector Raju, who insisted the rest of the amount be paid for returning Imam home. The victim's father was threatened that failure would result in the death of his son. The family had been denied access to the country's mechanism for registering a complaint. Now, seven and half months later, Imam has still not materialized. No official institution in Bangladesh has helped the victim's family to locate and bring back their family member. Of the RAB officers involved, not one has been held accountable by the judicial or the administrative authorities in this serious matter.

CASE NARRATIVE:

Mr. Mohammad Imam Hassan also known by his nickname of Badal, is a 24 year-old worker in a shutter and grill-making factory at the Tejgaon industrial area in the city of Dhaka. Imam lives in a rented mess at 250 Tejkunipara under the jurisdiction of the Tejgaon police station of the Dhaka Metropolitan Police (DMP). He comes from Rajnagar village under the jurisdiction of the Sadar police station in Panchagarh district, the farthest district town in Northern Bangladesh.

On 5 March 2012, Imam was abducted by a group of people from the Anwara Park at the Farmgate area of Dhaka. The abductors phoned Imam's father Mr. Ruhul Amin to inform him that they had abducted his son. One of the abductors, Babul, claimed that he acted upon instructions from a person named Zahid. Ransom demands were then made for releasing his son. Mr. Ruhul Amin recorded his conversations with the abductors and the cell phone numbers used to make phone calls. He immediately gave this detailed information regarding the telephone conversations and cell phone numbers to the officers of the Rapid Action Battalion (RAB)-2. This is a composite paramilitary force which is officially termed as the country's 'elite force' for controlling law and order, although mostly using illegal means. The RAB-2, is responsible for the jurisdiction in Dhaka from where Imam was abducted. After the abductors cited the RAB-2 as the responsible agent in the abduction, Ruhul Amin phoned the officers of the RAB-2 to check on his son's whereabouts.

On the following day, 6 March, the RAB-2 officers phoned Ruhul Amin that they had exfiltrated Imam from his abductors. The RAB claimed that they arrested two men, Mr. Babul and Mr. Zahid at this time. The officers suggested that Ruhul Amin go in person to Dhaka to receive his son from custody. The RAB officer asked Ruhul Amin not to come empty handed, suggesting that he bring Taka one hundred thousand, as a ransom, for receiving his son back.

Mr. Ruhul Amin, a street hawker by occupation, unfortunately had another son sick at the same time. With utmost effort, he arranged Taka forty thousand for the treatment of the other son. But, Instead of going ahead with the treatment of the sick son, Ruhul Amin and his wife Mrs. Minara Khatun went to Dhaka to rescue their elder son Imam.

On 12 March, Ruhul Amin, and his wife arrived in Dhaka and went to the office of the RAB-2 to receive Imam. The officers of the RAB-2 suggested that he should lodge a case against the abductors prior to receiving his son. Accordingly, Amin and his wife went to the Tejgaon police station to register their case. It was refused by the Officer-in-Charge (OC) Mr. Mahbubur Rahman, who allegedly forced the parents to leave the police station without accepting their complaint. Later, on the same day, Ruhul Amin succeeded in registering a General Diary (No. 740) entry with the Tejgaon police regarding the abduction of his son.

In order to comply with the instruction of the RAB-2 officials, Amin and his wife further approached the Sher-E-Bangla Nagar police station to register a complaint regarding the abduction of their son. The Sher-E-Bangla Nagar police also refused without giving any explanation.

Ruhul Amin and Minara then went to the Office of the Deputy Commissioner (DC) of Police of the Tejgaon Zone of the Dhaka Metropolitan Police (DMP) to seek the police officer's assistance in registering a complaint to meet the prescribed criterion set by the officers of the RAB-2. The DC Mr. Mohammad Hossain further informed Amin that his son Imam Hassan was kept in custody by the RAB-2 and suggested he go there and pick up his son.

On the following day, 13 March 2012, Mr. Ruhul Amin again went to the office of the RAB-2 following the suggestions given by Mr. Mohammad Hossain. Sub Inspector Mr. Raji a.k.a. Raju, the on duty officer at the RAB-2, suggested Mr. Amin sign an application seeking recovery of his son. As soon as he signed, the RAB SI Mr. Raju demanded Taka one hundred thousand on condition of returning his son. Any failure of paying the demanded amount of money would result in the death of his son. Ruhul Amin paid the Taka forty thousand to SI Raju, in RAB uniform at the office of the RAB-2. A colleague of SI Raju told Ruhul Amin that the bribery money was required to secure signatures from higher authorities of the RAB.

Meanwhile, the wife Mrs. Minara Khatun pleaded with one of the officers of the RAB-2. She called him 'brother' during their conversations. This particular officer, on condition of suppressing his original identity in public, agreed to arrange meetings between parents and son. On four occasions, the 13, 14, 15 and 16 March, Minara and Ruhul met with their son Imam. He was brought blindfolded to the gate of RAB-2 battalion headquarters. However, Imam Hassan was not handed over to the family.

On 19 March, Ruhul Amin related his situation to Mr. Nurul Islam Sujon, Member of Parliament (MP) from Ruhul's constituency at Panchagarh-2 and also a Member of the Parliamentary Standing Committee on the Ministry of Home Affairs, seeking the lawmaker's help in returning his son to the family. Mr. Nurul Islam Sujon MP, who is also a Supreme Court lawyer by profession, wrote a letter to the Commander of the RAB-2 asking the paramilitary force to "take necessary action" to return Imam to his family. Once the letter of the lawmaker reached the RAB-2 officials, Ruhul Amin was told that his son was transferred from the custody of the RAB-2.

It was at this point that Mr. Amin became utterly hopeless in rescuing his son. He wrote letters to the chairperson of the National Human Rights Commission (NHRC) seeking help. The NHRC, on 5 May 2012, wrote to the Senior Secretary of the Ministry of Home Affairs requesting "necessary action" through investigation by 30 May. The Ministry of Home Affairs assigned the RAB to investigate the same complaint, which was brought against its officials. Nothing is yet known about the progress of that investigation. Whenever Amin contacted the officials of the national rights body, the NHRC would always blame the Ministry of Home Affairs for not sending the report or updates on the investigation.

After two more months, Ruhul Amin received a phone call from number: +8801911316900. The caller claimed to be Mr. Saiful Islam Shanto, Superintendent of Police in the Detective Branch of the RAB and asked Ruhul Amin to go to RAB headquarters in Dhaka. Amin refused. After a few days, Ruhul Amin received another call from a number: +8801678020025 on his cell phone. The caller, who claimed to be Mr. Saiful Islam Shanto, asked Amin to go to the RAB camp in Rangpur district. Accordingly, on 26 June 2012, he went to the Rangpur RAB Camp where a RAB member, who claimed to be the investigating officer of his son's case, showed photographs of three officers of RAB and asked him to identify the alleged perpetrators. He identified SI Raju's photo for receiving money from him, RAB members Mr. Soleman and Mr. Solaiman for harassing and intimidating him. Ruhul had to report in writing about his identification of the three alleged perpetrators, who were officers of the RAB. Thereafter, Mr. Saiful Islam Shanto, assured Ruhul Amin by phone that his son Imam will be returned to the family within a week. Despite this assurance, Imam Hassan had not yet returned home from RAB custody.

On 18 September, human rights defenders from Odhikar, a human rights organization based in Dhaka, contacted Mr. Ziaul Ahsan, a Lieutenant Colonel of the Bangladesh Army seconded to the RAB as Director of its Intelligence Wing. They wanted to know about any developments in the case of Mohammad Imam Hassan's disappearance and his current whereabouts. Lt. Col. Ziaul Ahsan responded by saying that as far as no complaint of disappearance has yet been lodged with the RAB regarding the matters related to Imam Hassan the RAB headquarters did not have any information regarding the person's whereabouts or progress of the case.

On 30 October, when phoning the RAB-2 battalion's headquarter at Sher-E-Bangla Nagar in Dhaka, Mr. Iqbal Shafi, Assistant Superintendent of Police seconded to RAB-2 as its Assistant Director, said that he had been the acting in-charge of the investigation of Imam Hassan's case. The original investigator, Mr. Fazlur Rahman, Additional Deputy Inspector General of RAB-2, was on leave. Responding to a question regarding the progress of handing over Mohammad Imam Hassan to his family, Mr. Iqbal Shafi said that the whole staff setup of their battalion (RAB-2) had been replaced with new staff for unspecified reasons. As a result, the present RAB-2 staff was not aware of the developments of the case dealt with by their predecessors.

Mr. Ruhul Amin stated that his son Mohammad Imam Hassan (Badal) remains missing. He alleged that the country's elite force' has deliberately caused the disappearance of his son. He said, "Both kidnapers and RAB demanded ransom for releasing my son. As a street hawker I sell bananas as the breadwinner of my family. I paid Taka forty thousand to the RAB officers crossing what I could afford. And as a result, my family has been suffering from unimaginable trouble and pain." He asked, "What is the difference between the RAB and the terrorists in the country if the RAB causes my son to vanish for my failure to pay a ransom?" He also stated that SI Raju of RAB-2 posed this threat. If the story of Imam's arbitrary detention and bribery is disclosed then the whole family would face "dire consequences" including the disappearance of Imam forever. Mr. Ruhul and his family are confused and petrified for the life of Imam and his fate.

SUGGESTED ACTION:

Please write to the authorities of Bangladesh urging them to release Mohammad Imam Hassan (Badal) immediately. Please ask them to ensure a credible investigation by competent judicial officers so that the law-enforcement agencies are prevented from covering up their habitual crimes. The alleged perpetrators of RAB and police must be punished through a fair and speedy trial. The family should be afforded adequate protection by the authorities. Monetary compensation to be paid by the perpetrators, for severely harassing the family, which has endured unimaginable suffering through these series of incidents.

The AHRC has written a separate letter to the UN Working Group on Enforced and Involuntary Disappearance and Working Group on Arbitrary Arrest and Detention calling for their interventions into this matter.



To support this appeal, please click here:

SAMPLE LETTER:

Dear _____,

BANGLADESH: To release an exfiltrated abductee RAB demands bribes from the family

Name of victim: Mr. Mohammad Imam Hassan Badal, aged 24, employed in a shutter and grill-making factory at Tejgaon Industrial Area, a resident of 250 Tejgunipara under the jurisdiction of Tejgaon Industrial Area Police Station in Dhaka, originally hailed from Dakkhin Rajnagar village under the jurisdiction of

Sadar police station of Panchagarh district

Names of alleged perpetrators:

1. Mr. Raju, Sub Inspector, attached to the Rapid Action Battalion (RAB)-2, at Sher-E-Bangla Nagar, Dhaka
2. Mr. Mahbubur Rahman, Officer-in-Charge of Tejgaon police station
3. Mr. Mohammad Zakir Hossain Mollah, former Officer-in-Charge of Sher-E-Bangla Nagar police station, currently OC of Sadar police station of Gopalganj district
4. Mr. Mohammad Hossain, Deputy Commissioner, Tejgaon Zone, Dhaka Metropolitan Police
5. Mr. Saiful Islam Shanto, Superintendent of Police of Detective Branch of the RAB
6. Mr. Ziaul Ahsan, a Lieutenant Colonel of the Bangladesh Army seconded in the RAB as its Director of the Intelligence Wing at the RAB Headquarters
7. Mr. Soleman, Member of RAB-2
8. Mr. Solaiman, Member of RAB-2
9. Mr. Fazlur Rahman, Additional Deputy Inspector General of RAB-2, assigned for investigating the case of Imam Hassan
10. Mr. Iqbal Shafi, Assistant Superintendent of Police seconded to RAB-2 as its Assistant Director, acting in-charge of the investigation of Imam Hassan's case
11. Officers of the RAB-2 since the incident of abduction

Date of incident: Since 5 March 2012 to the present

Place of incident: Offices of the RAB-2 and the police stations at Dhaka Metropolitan City area

I am writing to express my serious concern regarding the disappearance of Mr. Mohammad Imam Hassan (Badal) who was exfiltrated by the Rapid Action Battalion (RAB)-2 from a group of abductors in March 2012. I am outraged to learn that the RAB officers, an "elite force" in Bangladesh, did not hand over Imam because of his family's failure to pay a specified amount in bribes. I demand the immediate release of the missing man and prosecution of the perpetrators for the crime followed by credible investigation by competent authorities.

I have received information from the Asian Human Rights Commission that Mr. Mohammad Imam Hassan a.k.a. Badal, a 24-year-old worker of a shutter and grill-making factory at Tejgaon industrial area in the city of Dhaka, lives in a rented mess at 250 Tejkunipara under the jurisdiction of the Tejgaon police station of the Dhaka Metropolitan Police (DMP). He comes from Rajnagar village under the jurisdiction of the Sadar police station in Panchagarh district, the farthest district town in Northern Bangladesh.

On 5 March 2012, Imam was abducted by a group of people from the Anwara Park at Farmgate area of the city of Dhaka. The abductors phoned Imam's father Mr. Ruhul Amin to inform him about his son's abduction. Babul, one of the abductors claimed that he took Imam upon instructions of a person named Zahid. The abductors claimed ransom from Ruhul Amin for releasing his son. Mr. Ruhul Amin recorded his conversations between the abductors and the cell phone numbers used to make phone calls to him. He immediately gave the detailed information regarding the phone conversations and cell phone numbers of the abductors to the officers of the Rapid Action Battalion (RAB)-2. This is a composite paramilitary force, officially termed as the country's "elite force" for enforcing law and order, although mostly using illegal methods. The RAB-2, is responsible for the jurisdiction in Dhaka from where Imam was abducted. One of the abductors called Ruhul Amin to inform him that his son Imam was taken away by the RAB. Therefore, Ruhul Amin called the officers of RAB-2 by phone to check on his son's whereabouts.

On the following day, 6 March, the RAB-2 officers phoned Ruhul Amin that they had exfiltrated Imam from his abductors. The RAB claimed that they arrested two abductors, Mr. Babul and Mr. Zahid at the time of recovering Imam. The officers suggested Ruhul Amin go to Dhaka in person to retrieve his son Imam from RAB custody. The officer asked Ruhul Amin not to come empty handed, suggesting he bring Taka one hundred thousand, as ransom, for receiving his son from custody.

Mr. Ruhul Amin, a street hawker by occupation, had another son sick at the same time. With utmost effort, he arranged Taka forty thousand for the treatment of the other son. Instead of going forward with the treatment, Ruhul Amin and his wife Mrs. Minara Khatun went to Dhaka to rescue their elder son Imam.

On 12 March, Ruhul Amin, and his wife, arrived in Dhaka and went to the office of the RAB-2 to pick up Imam. Officers of the RAB-2 suggested that Ruhul Amin lodge a case against the abductors prior to receiving his son. Accordingly, Ruhul Amin and his wife went to the Tejgaon police station to register their case. It was refused by the Officer-in-Charge (OC) Mr. Mahbubur Rahman, who allegedly forced the parents to leave the police station without accepting his complaint. Later, on the same day, Ruhul Amin succeeded in registering a General Diary (No. 740) entry with the Tejgaon police regarding the abduction.

In order to comply with the instruction of the RAB-2 officials for the sake of taking Imam Hassan home Ruhul Amin and his wife further approached the Sher-E-Bangla Nagar police station to register their complaint regarding the abduction. The Sher-E-Bangla Nagar police also refused to register their complaint without offering any explanation.

Ruhul Amin and Minara then went to the Office of the Deputy Commissioner (DC) of Police of the Tejgaon Zone of the Dhaka Metropolitan Police (DMP) to seek the police officer's assistance to register the complaint to meet the prescribed criterion set by the RAB-2. The DC Mr. Mohammad Hossain informed Ruhul Amin that his son Imam was kept in the custody of the RAB-2 and suggested he go there and pick up his son.

On the following day, 13 March 2012, Mr. Ruhul Amin went to the office of the RAB-2 following the suggestions given by Mr. Mohammad Hossain. Sub Inspector Mr. Raji a.k.a. Raju, who was the RAB-2 duty officer, suggested Ruhul Amin sign an application seeking recovery of Imam. Once he signed, RAB SI Mr. Raju demanded Taka one hundred thousand from Ruhul Amin on condition of returning his son to him, threatening that any failure would result in the death of Ruhul's son. He paid Taka forty thousand to SI Raju, who was in uniform at the office of the RAB-2. A colleague of SI Raju told Ruhul Amin that bribery money would be required to secure signatures from higher RAB authorities..

Meanwhile, Ruhul Amin's wife Mrs. Minara Khatun pleaded with one of the RAB-2 officers. She called him 'brother' during their conversations. This particular officer, on condition of suppressing his original identity in public, agreed to arrange meetings between parents and son. On four occasions, the 13, 14, 15 and 16 March Minara and Ruhul Amin met their son Imam, who was brought blindfolded to the gate of RAB-2 battalion headquarters. However, Imam Hassan was not handed over to the family.

On 19 March, Ruhul Amin spoke of his situation to Mr. Nurul Islam Sujon, Member of Parliament (MP) from Ruhul's constituency at Panchagarh-2 and also a Member of the Parliamentary Standing Committee on the Ministry of Home Affairs, seeking the lawmaker's help in returning his son. Mr. Nurul Islam Sujon MP, who is also a Supreme Court lawyer by profession, wrote a letter addressing the Commander of RAB-2 asking the paramilitary force to "take necessary action" to return Imam to his family. Once the letter of the lawmaker reached the RAB-2 officials Ruhul Amin was told that his son was transferred from the custody of the RAB-2.

It was at this point that Ruhul Amin became utterly hopeless in rescuing his son. He wrote letters to the chairperson of the National Human Rights Commission (NHRC) seeking help. The NHRC, on 5 May 2012, wrote to the Senior Secretary of the Ministry of Home Affairs requesting "necessary action" through investigation by 30 May. The Ministry of Home Affairs assigned the RAB to investigate the same complaint, which was brought against its officials. Nothing has yet been made known about the progress of that investigation. Whenever Ruhul Amin contacted the officials of the national rights body, the NHRC blamed the Ministry of Home Affairs for not sending the report or updates.

After two more months Ruhul Amin received a call from number: +8801911316900. The caller claimed to be Mr. Saiful Islam Shanto, Superintendent of Police in the Detective Branch of the RAB and asked Ruhul Amin to go to RAB headquarters in Dhak. Ruhul Amin refused to go. After a few days, Ruhul Amin received another call from number: +8801678020025 on his cell phone. The caller, who claimed to be Mr. Saiful Islam Shanto, asked Ruhul Amin to go to the RAB camp in Rangpur district. Accordingly, on 26 June 2012, Ruhul Amin went to the Rangpur RAB Camp where a RAB member, who claimed to be the investigating officer of his son's case, showed him photographs of three RAB officers and asked him to identify the alleged perpetrators. He identified SI Raju's photo as receiving money from him, RAB members Mr. Soleman and Mr. Solaiman for harassing and intimidating him. Ruhul had to report in writing about his identification of the three alleged perpetrators, who were RAB officers. Thereafter, Mr. Saiful Islam Shanto, Superintendent of Police of RAB's Detective Branch, assured Ruhul Amin over the phone that his son Imam will return to the family within a week. Despite this assurance Imam Hassan did not return home from RAB custody

On 18 September, human rights defenders from Odhikar, a human rights organization based in Dhaka, contacted Mr. Ziaul Ahsan, a Lieutenant Colonel of the Bangladesh Army seconded to the RAB as its Intelligence Wing's Director. They wanted to know the developments of the case of Mohammad Imam Hassan's disappearance and his current whereabouts. Lt. Col. Ziaul Ahsan responded by saying that as far as no complaint of disappearance has yet been lodged with the RAB regarding the matters related to Imam Hassan the RAB headquarters did not have any information regarding the person's whereabouts or progress in the case.

On 30 October, when contacting the RAB-2 battalion's headquarters at Sher-E-Bangla Nagar in Dhaka by phone, Mr. Iqbal Shafi, Assistant Superintendent of Police seconded to RAB-2 as its Assistant Director, said that he had been the acting in-charge of the investigation of Imam Hassan's case while the original investigator of the case Mr. Fazlur Rahman, Additional Deputy Inspector General of RAB-2, was on leave. Responding to a question regarding the progress of handing over Mohammad Imam Hassan to his family, Mr. Iqbal Shafi said that their entire staff battalion (RAB-2) had been replaced by new staff for unspecified reasons. As a result, the present RAB-2 staff is not aware of the developments in the case dealt with by their predecessors.

Mr. Ruhul Amin stated that his son Mohammad Imam Hassan (Badal) still remains missing. He alleged that the 'elite force' of the country has deliberately caused the disappearance of his son. He said, "Both the kidnapers and the RAB demanded ransom for releasing my son. As a street hawker I sell bananas as the breadwinner of my family. I paid Taka forty thousand to the RAB officers crossing my limit. In addition, my family has been suffering from unimaginable trouble and pain." He asked, "What is the difference between the RAB and the terrorists in the country if the RAB causes my son to vanish for my failure to pay ransom?" He further stated that SI Raju of RAB-2 posed this threat. If the story of Imam's arbitrary detention and bribery is disclosed then the whole family would face "dire consequences" including the disappearance of Imam forever. Mr. Ruhul and his family are confused and petrified about the life of Imam and his fate.

I request the authorities of Bangladesh to release Mohammad Imam Hassan (Bada) immediately. The authorities must ensure a credible investigation by competent judicial officers so that the law-enforcement agencies are prevented from covering up their habitual crimes. The alleged perpetrators of the RAB and the police must be punished through a fair and speedy trial. The family should be afforded adequate protection by the authorities. Monetary compensation to be paid by the perpetrators for severely harassing the family. It has born great suffering because of these series of incidents.

Yours sincerely,

PLEASE SEND YOUR LETTERS TO:

1. Mrs. Sheikh Hasina
Prime Minister
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Thank you.

Urgent Appeals Programme
Asian Human Rights Commission (ua@ahrc.asia)

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