



A law and a tribunal needed to fight enforced disappearances

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POLICE investigators saying that they have found no evidence of any criminal gang being involved in the abduction of North South University teacher Mubashar Hasan Caesar, which took place on November 7, points to a pertinent, yet concerning issue. The teacher, who is an anti-extremism analyst, was picked up from in front of the IDB Building in the capital city 10 minutes after he had left the building. The incident, like any other incidents of enforced disappearance, caused a stir, with family, friends, rights and civic groups demanding that the government should find him out. He still remains untraced. But now that the police have found no 'criminal gang' being involved in the incident, it is the duty of the government and the law enforcement agencies to find out who the people were that have criminally picked him up and where he has been kept. On the other front, Aniruddha Kumar Roy, a businessman and honorary consul of Belarus to Bangladesh, who went missing on August 27, has finally reached, or has been reached, near his house at Gulshan in the capital. Aniruddha seems to be one of the few of about 402 people who, as rights group Odhikar puts it, disappeared between January 2009 and October 2017 and returned.

Of the people who went missing during the period, 52 were later found dead, 198 could return alive or were shown arrested and 152 still remain untraced. But what is mysterious about those who have so far returned is that none of them said anything about their going missing or disappearances. This eerie silence is also gravely concerning. But someone somewhere knows, or should know, what have been the cases of disappearances of such a huge number of people, their being found dead, returning alive or remaining untraced, and, on their return, remaining silent. The government, in such a situation, has to pull up its socks, look deeply into the cases of disappearances and resolve the mystery and tell people about it as any kind of ambiguity in these cases would ultimately roll into impunity of a sort for the people who are behind enforced disappearances. Such a failure of the state not to know what happens to people who go missing could pave the way for an increase in the number of enforced disappearance. With the government washing its hand of any such incidents, routinely describing them 'abduction' by unnamed 'miscreants', if citizens at large start believing in this, the nation could tread certainly tread a dangerous trail in no time.

The government should think of enacting a law criminalising enforced or involuntary disappearances and there could be an independent tribunal to deal with enforced disappearance cases with powers to investigate any individual, or organisation suspected to be behind such crimes and take action against anyone engaged in such dangerous practice. The government, as manager of the state, must ensure that all past and current allegations of enforced disappearances are investigated — early, thoroughly, independently and impartially — so that the menace could be stopped with proper enforcement of the law and proper functioning of the tribunal.

<http://www.newagebd.net/article/28709/a-law-and-a-tribunal-needed-to-fight-enforced-disappearances>