

Parties call

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Moudud, former law minister of the BNP-led four party alliance government, said the August 15, 1975 killing is a huge tragedy for the nation. After 21 years of the brutality the trial process of the killing started in 1996 and the verdict from the Supreme Court came 13 years after lodging the case.

Replying to a question regarding the allegation of Ziaur Rahman's involvement in Bangabandhu killing, Moudud said, "The allegation of Zia's involvement in the atrocity is baseless. The accusation is made on political ground."

Jatiya Party (JP), a key component of the Awami League grand alliance, said this judgement is a major step forward in establishing the rule of law in the country.

Talking to The Daily Star over telephone JP Chairman HM Ershad said, "We are very happy and congratulate the verdict. The nation had been waiting long for it."

"Justice has been done through the verdict," he added.

Congratulating the Awami League government, Ershad said, "They [AL] could try the killers through special court but they did not. Even Prime Minister Sheikh Hasina did not interfere in the trial process."

"The verdict has fulfilled the aspiration of the nation. Anti-liberation forces have been defeated and their intention to destroy the spirit of the Liberation War failed through the verdict," Anisul Islam Mahmud, senior presidium

member of the party told The Daily Star.

Jamaat-e-Islami Secretary General Ali Ahsan Mohammad Mojahid said, "Bangladesh Jamaat-e-Islami believes in the rule of law. We are respectful to the verdict of the highest court after a long hearing."

Workers Party President Rashed Khan Menon and its General Secretary Anisur Rahman Mollik in a written statement demanded quick implementation of the verdict. "Justice has been established and the verdict will be a history against the politics of killing and conspiracy that took place after 1975," said the statement.

Expressing deep satisfaction over the judgement JSD President Hasanul Haque Inu and its General Secretary Syed Zafar Sajjad said it is a historical step of upholding the rule of law and human rights.

They also demanded swift implementation of the verdict and said it proved that killers and criminals have to face trial no matter how powerful they are.

Monjurul Ahsan Khan and Mujahidul Islam Selim, president and general secretary of the Communist Party of Bangladesh said people are now waiting to see the implementation of the verdict.

Restoration of 1972 constitution, nabbing the local and foreign conspirators involved in killing Bangabandhu and his family and ensuring punishment of the killers have now become a must to complete the trial process of the nation's biggest tragedy.

Lone sacrifice

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Bangabandhu's Dhanmondi residence to counter the killers.

Afroza Jamil Kanka, one of the four daughters of Jamil, drew attention of many at the courtroom as she became very emotional hearing the verdict in the Bangabandhu murder case.

Introducing herself to The Daily Star correspondent as Jamil's daughter, she said, "Justice has finally been delivered for which we had to wait 34 years."

Afroza thinks the army should hold a trial for the killing of her father but she was happy with yesterday's landmark judgment.

"This verdict gives me a feeling that our family also got a kind of justice," said Col Jamil's daughter.

"I think the army should take initiative to hold a trial for the killing of my father on August 15, 1975. My father was an army officer who was killed by a few other army personnel," said Afroza.

"The army has not taken any initiative to hold the trial. They did not even give a gun salute to my father when he was buried in Dhaka," she said.

When Col Jamil was on his way to Bangabandhu's Dhanmondi residence to save the Father of the Nation, some army men intercepted his car in front of Sobhanbagh mosque and gunned him down.

She said her father had set a heroic example by sacrificing his life for Bangabandhu.

"My father's role saved the whole nation from shame as he came forward to save Bangabandhu on that fateful night," Afroza said.

"I'm very proud of him."

19 killed

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of the dead were police.

"These attacks will not deter us in our fight against these beasts who are killing our children," said Bashir Ahmad Bilour, senior minister of the North West Frontier Province.

The army launched its offensive against the Pakistani Taliban in South Waziristan in mid-October. It has retaken many towns in the region, but the militants say they avoided fighting and will now begin a guerrilla campaign.

The United States has welcomed the assault, but wants the army to do more against the insurgents in the border area blamed for violence across the border in Afghanistan.

Pakistan officials flagged the offensive in South Waziristan several months before it actually began, something Bilour claimed allowed the militants to escape and plan the current wave of terror.

"Unfortunately the announcement of the operation in Waziristan prior to the actual operation caused this problem," he said. "They (the militants) are hiding in villages surrounding Peshawar and make their way in despite security."

Since the beginning of October, more than 300 people have been killed in bombings and militant raids on government, civilian and Western targets in the country, most of them in the northwest.

Prime Minister Yousuf Raza Gilani insisted most of the militant commanders were either killed or on the run.

Hundred day's

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After the 1975 killings, evidences were destroyed deliberately under different governments. Amid such a challenging situation, how I could finish the investigation within 100 days now makes me really surprised," Akand said while talking to The Daily Star at the Supreme Court premises yesterday.

During his investigation, Akand had interrogated around 1000 persons and examined dozens of witnesses.

"I even had to fly to Thailand to bring back convicted murderer Major Bazul Huda (in 1998) several times and provide proofs and evidences to the Thai authorities that Huda was an escaped convict," Akand said.

"Within the country, I have received many death threats over phones and through letters. I still have a letter from America that threatened me with death. They threatened not only me, but also my family members. I had hard times with my family during those days," he said.

"Yet I feel I am very fortunate to be a part of such a historic trial," he pointed out.

Akand lost his job in 2002 after the BNP-led alliance assumed power in October 2001. He got his job back in January 2009 through a lengthy legal process.

"Many of the convicts are now absconding. They must be brought back and punished. The government has already issued red notice through the Interpol in this regard. The government is active, but it needs a strong drive. As IO of this case, I am eager to see the implementation of the verdict."

Killers to walk gallows

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The other members of the five-member bench were justices Md Abdul Aziz, BK Das, Md Muzammel Hossain and SK Sinha. They heard submissions of the appeals for 29 days beginning on October 5.

When the delivery of the verdict was finished, the courtroom got filled with cheerful buzzes only to be hushed into silence within a few moments. After the nerve-racking silence, some of the relatives of Bangabandhu, including grandson Fazle Noor Taposh, burst into tears.

Soon the judges left the courtroom.

The emotional outburst continued for another 15 minutes. Bangabandhu's relatives, lawyers, the complainant and investigation officer of the case, and a few Awami League leaders were seen hugging each other, tears still in their eyes. They came out of the room but stayed on the court premises for a while.

"The nation has got justice," Chief State Counsel of the case advocate Anisul Huq told The Daily Star at that moment.

Attorney General advocate Mahbubey Alam said, "This verdict will be considered as the best historic judgment of the nation."

Barrister Abdullah Al-Mamun, who represented the convicts, told The Daily Star, "According to the law, we will file a review petition with the Supreme Court as soon as we get the certified copy of the judgment."

In general, most lawyers considered the verdict to have freed the nation from the shame of killing the father of the nation and set the example that no matter how powerful a killer is, they are not beyond the purview of the law.

According to lawyers, if the review petition fails to produce any result, the convicts could seek the president's mercy.

If the president refuses their mercy petitions, the convicts will get 21 more days before they are hanged within the next week, said defence lawyer barrister Abdullah Al-Mamun.

In case of absconding convicts, whenever one is arrested he will be sent to jail. He will have the right to file a petition with the Supreme Court through the jail. The court may either entertain the petition or reject it. The convict can then seek the president's mercy.

The court wore a different look yesterday with closed circuit cameras installed at two points and several metal detectors set up. Security staffs from all agencies of the government were seen everywhere in the court. They checked the chief justice's room before the court opened.

People started pouring in the Supreme Court as early as 8:00am. By 11:00am, there were so many people in the corridors of the court building that it became very difficult even to walk. Hundreds of curious onlookers were seen waiting on the footpath outside the Supreme Court boundary.

Soon after the verdict, a small group of people chanted slogans and held a rally on the court premises for a short time expressing their joy.

The whole country remained glued to TV sets for live telecasts from the court to hear the final verdict.

Many schools in the capital were kept closed. The traffic movement in the city was unusually thin for any given Thursday.

Bangabandhu Sheikh Mujibur Rahman's personal assistant Mohitul Islam, who had survived the attack by a gang of army officers on the night of August 15, 1975, filed the case for the killings on October 2, 1996.

On January 15, 1997, the charge sheet was filed against 20 living and four dead persons—Khandaker Moshtaque, Mahbubul Alam Chashi, Capt Mustafa and Risdal Sarwar.

As all except the dead were brought to trial, the court examined 61 witnesses and heard submissions for 151 days.

On November 8, 1998, the trial court handed death sentence to 15 of the 20 accused.

On December 14, 2000, a two-member High Court bench gave a split verdict on the trial court's judgment: one judge upheld the death sentences of all 15 convicts while the other upheld that of 10. The judges were also divided on which section of the Code of Criminal Procedure to be followed for the death sentence of one convict.

On April 30, 2001, a third judge of the High Court

resolved the matter and finally gave death sentence to 12 killers. Of them, the following are now in jail: Lt Col Syed Farooq Rahman, Lt Col Sultan Shahrar Rashid Khan, Maj Bazul Huda, Maj (Lancer) AKM Mohiuddin Ahmed and Lt Col (Artillery) Mohiuddin Ahmed, who appealed with the Supreme Court against the High Court verdict.

The six absconding are: Lt Col Khandaker Abdul Rashid, Lt Col Shariful Haque Dalim, Lt Col SHMB Nur Chowdhury, Lt Col AM Rashed Chowdhury, Capt Abdul Mazed and Risdal Mosleuddin Khan. The other convict Lt Col Abdul Aziz Pasha died in Zimbabwe in June 2001 where he took political asylum.

Of the jailed convicts, Huda was brought to Dhaka from Bangkok in 1998 while AKM Mohiuddin Ahmed was brought from USA during the last caretaker government's rule. The other three were arrested in Dhaka.

According to sources, the absconding convicts took refuge in Pakistan, Libya, USA and Canada.

Soon the convicts in jail filed leave-to-appeal petitions with the Supreme Court against the High Court verdict.

But its hearing was stalled with the change in government in October 2001. After the BNP-led alliance government came to power, the Supreme Court did not hear the case even for a single day.

The hearing of the leave-to-appeal petitions finally took place on August 7, 2007, and the appeals were granted on September 23 the same year.

The hearing of the appeals against the High Court verdict began on October 5, 2009.

The killers murdered Bangabandhu and seven of his family members and three security personnel at his Dhanmondi residence on August 15, 1975. Soon after the killing, their accomplice Khandaker Moshtaque took over power as president and framed an indemnity ordinance to protect the killers.

Later, subsequent military governments led by Ziaur Rahman and HM Ershad had rewarded the killers with various diplomatic posts.

AL hails verdict

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"We welcome the verdict. The nation got rid of disgrace after waiting for 34 years. It has been proved that no one is above law, no matter how influential he or she is," said Ashraf, also spokesperson of the AL.

"The trial process [of Bangabandhu murder case] has been accepted worldwide, and world leaders have welcomed it. So, the countries, where the killers of Bangabandhu are staying, should send them back to Bangladesh," he said at the briefing, also attended by other AL leaders.

"We must bring the killers to book no matter where they are staying and how much time it needs," said Ashraf, also LG and cooperatives minister.

Replying to a question, he said, "Although we do not have extradition treaty with them (countries concerned), we will bring the killers back."

"We waited 34 years for the verdict in Bangabandhu murder case, and we will wait another 34 years, if necessary, to get the killers back."

The AL general secretary blasted former president Ziaur Rahman, BNP Chairperson Khaleda Zia and Jatiya Party Chairman HM Ershad for 'patronising' and 'shielding' the killers.

When a reporter pointed out that Ershad's Jatiya Party is a key partner of the AL-led grand alliance, he said, "We did not hide this. We have spoken the truth."

Explaining the party reaction, Ashraf said completion of the trial of Bangabandhu murder case has greatly contributed to establishment of rule of law. "But it is not a matter of rejoicing because we will not get back Bangabandhu and others killed on August 15."

AL does not believe in revenge, he said. "We wanted to establish rule of law in the country, and the verdict paved the way for it."

He also said his party will change the trend of politics, established by the killers and their beneficiaries, by materialising Bangabandhu's dream for Sonar Bangla.

While reading out the written statement containing the party reaction, the AL leader reiterated that the killers of four national leaders will also be tried.

He also said the AL government will try the killers involved in August 21 grenade attack, BDR mutiny, SAMS Kibria murder and all other killings in the country.

Firearms seized from IU

OUR CORRESPONDENT, Kushtia

Police recovered three LG guns, five bombs and five swords from Bangabandhu Sheikh Mujib Hall at Islamic University (IU) yesterday.

On information that outlawed Gono Bahini deposited weapons at the hall through a factional leader of Bangladesh Chhatra League's (BCL) IU unit, a team from Kushtia Detective Branch led by Assistant Police Super Alamgir Hossain raided the hall around 2:45pm.

Police said they recovered the weapons kept in separate bags from a room with the help of university administration.

According to police, the BCL faction leader, also a younger brother of a top Gono Bahini leader, now is hiding in India.

When contacted, provost of the hall Dr Mahbubur Rahman said police can arrest anyone as per law if there is any specific allegation.

Different sources said Gono Bahini men killed three people, by chopping off the head of one and dumped the bodies and head inside the campus on June.

Hasina

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remembering her family members and others who were brutally assassinated during the August 15 coup," said Awami League General Secretary Syed Ashrafur Islam.

Sheikh Hasina and her sister, Sheikh Rehana, survived the attack that took place in their family home in 1975 because they were abroad at the time.

Islam, who accompanied Sheikh Hasina to her official residence to hear the verdict, added, "She demanded justice and she got it. She does not believe in revenge."

The state-run news agency Bangladesh Sangbad Sangstha (BSS) reported that Sheikh Hasina recited from the Holy Quran as she was conveyed the verdict.

She also expressed gratitude to Almighty Allah by offering prayers and called upon her people to offer their own prayers at mosques, temples, churches and other places of worship.

The prime minister had returned from Rome yesterday morning after attending the World Summit on Food Security 2009, in Rome.

On Thursday afternoon she met with cabinet members, advisory committee members, presidium and central leaders of the Awami League and its associated organisations in Jamuna.

Among the AL members were Syeda Sajeda Chowdhury, Amir Hossain Amu, Suranjit Sengupta, Abdul Razzak, Abdul Latif Siddiqui, Syed Ashrafur Islam and Chief Whip Abdus Shahid.

The Supreme Court handed down death sentences to the twelve retired and dismissed army men for their role in the assassination of the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman.

Attorney general

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Meanwhile, police detained two youths at the High Court amid tight security yesterday a few hours before the announcement of the verdict in Bangabandhu murder case by the Supreme Court.

The detainees were Mahbubul Alam, 28, of Nabinagar upazila in Brahmanbaria, and Ashraf Iqbal, 26, of Begumganj in Noakhali.

They work as computer operators on the third floor of the court building, they said.

Shahbagh police held the youths around 8:30am as they were scaling an iron fence to enter the High Court ahead of the verdict defying the tight security in place, police said.

They were taken to Shahbagh Police Station for interrogation.

Iqbal said, on Wednesday, law enforcers recorded everyone's name who work in the court compound and all were given identity cards to enter the court on the day of the verdict.

As they failed to collect their identity cards, they tried to scale the gate in an effort to enter the court to do their pending work, he added.

Shahbagh police were interrogating the two and were yet to file any case in this regard, police said.

IFAD grants

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Bangladesh of Tk 280 crore financial assistance for rural agricultural development especially in the coastal belt areas.

IFAD President Kanayo F. Nwanze made the pledge at an hour-long meeting with Food and Disaster Management Minister Abdur Razzaque at the organisation's Rome headquarters. The minister came to Rome with Prime Minister Sheikh Hasina on November 15 to attend the world summit on food security.

"The IFAD will assist Bangladesh with Tk 280 crore for the agricultural development of the coastal belt in the country," Razzaque said.

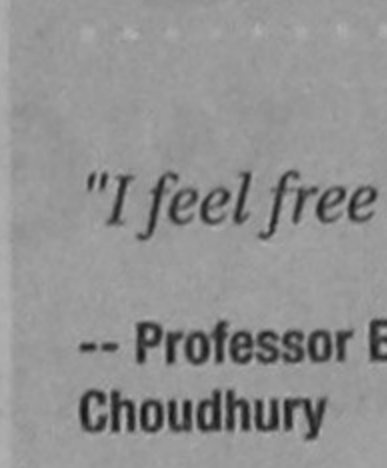
Verdict as they view

FROM PAGE 16



"I feel guilt free today. Now we can move forward with the demand for the trial of war criminals."

-- Prof Muhammad Zafar Iqbal



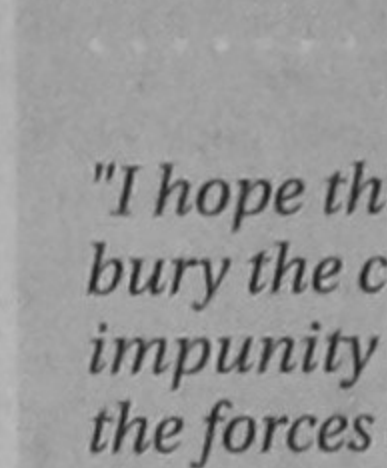
"I feel free of burden."

-- Professor Emeritus Serajul Islam Choudhury



"I pray to God that now the politics of envy ends and we go our regular constitutional way, putting behind all the gloomy days."

-- Dr Akbar Ali Khan



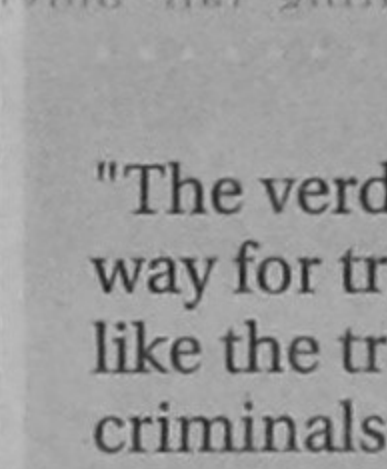
"I hope this verdict will bury the culture of impunity perpetuated by the forces of terror and darkness and uphold the constitution and the justice delivery system, which was held as hostage all these years."

-- Barrister M Amir-ul Islam



"This is a major positive incident in our history that can show ways to other trials like Jail Killing case and extra-judicial killings and ensure justice for all."

-- Advocate Sultana Kamal



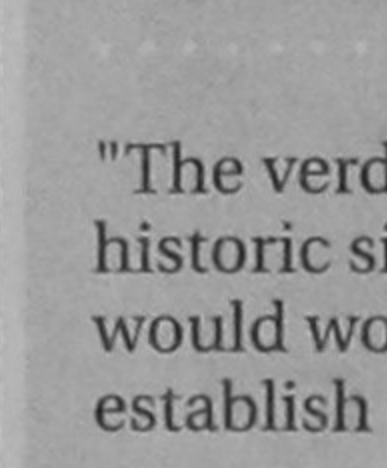
"The verdict will pave the way for trying other cases like the trial of war criminals, jail killing and August 21 grenade attack."

- Prof AAMS Arefin Siddique



"With the verdict, the nation can hope to see an end of the other political killing cases."

-- M Hafizuddin Khan, TIB



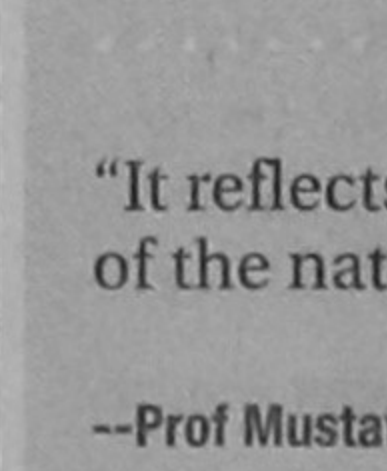
"The verdict, which has a historic significance, would work as a beacon to establish rule of law."

-- Prof Aminul Islam, DU



"The nation was waiting for this day. The nation is now free of the responsibility of history."

-- Prof Muntassir Mamoon



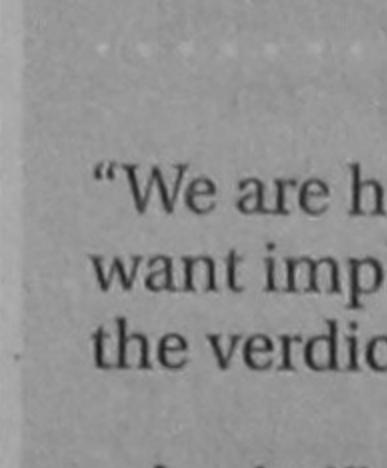
"It reflects the aspiration of the nation."

-- Prof Mustafizur Rahman, CPD



"We got justice for killing of the Father of the Nation along with innocent women and children."

-- Advocate Salma Ali



"We are happy and now want implementation of the verdict."

-- Ayesha Khanam, rights activist.

-- Ayesha Khanam, rights activist.

Convicts to file

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the father of nation. The nation wants justice for such heinous killings but the trial has to be held as per the law.

The counsel said there was no scope for filing any appeal against the SC verdict but the convicts have the opportunity to file review petition within 30 days from the day of receipt of the judgment copy.

"We shall file a review petition right after receiving the certified copy of the verdict," he said.

The review petition has to be submitted within 30 days in line with the Supreme Court Rule No-26. If it gets rejected, they will file clemency petition to the president under Article 49 of the constitution. The 30-day period will be counted after receiving the copy of the judgment, he said.

The president can commute the sentence against the convicts, pardon them, stay or uphold the verdict. If the president rejects the mercy petition, the verdict will be executed after 21 days or before 28 days, Mamun said.

"The prosecution has failed to prove charges against the convicts. The convicts deserve to be acquitted. But the court in its verdict said the prosecution has proved the case beyond doubts. We shall get to know about it in detail after we receive the copy of the verdict," Mamun said.

On holding trial under existing law, Mamun said: "The four

people, killed in the event, were army members. President Sheikh Mujibur Rahman was the commander-in-chief. So, their trial should have been held under Army Act."

Pointing out the SC ruling on the mode of trial for the BDR mutiny, the counsel said, "The Supreme Court said the trial will be held under the law under which the accused fall. In this case, the trial was held under the law under which the victims fell."

"The killers have the right to self-defence. That's why I fought the case. I also want justice but it should be ensured as per the law," he said.

"According to the Supreme Court Rules, the execution cannot be carried out until the completion of all legal procedures including settlement of review petitions," Mamun said.

Of the convicts, the jail officials at around 7:00pm informed those who are in Dhaka Central Jail about the final verdict formally, Jail sources said.

Towhidul Islam, senior superintendent of Dhaka Central Jail, told The Daily Star that a team of jail officials informed the death convicts about the Supreme Court verdict.

On hearing the news, the convicts expressed their desires to talk to their lawyers and family members to file review petitions.

Joy, at long last

FROM PAGE 1
Describing the judgment as a watershed in the judiciary's history, he said it will help establish the rule of law in the country.

This will be one of the most fondly remembered days in the annals of the nation as justice has been served to allow the departed soul of the Father of the Nation rest in peace, he said.

Later in the day, he told The Daily Star that he and his elder brother Sheikh Fazle Shams Parash had a miraculous escape from the carnage at their Dhanmondi residence.

"They killed my parents in a hail of bullets and left, while we were still in the bedroom next to the scene," he said, recounting the horror-filled hours of August 15.

"Later, our aunt (Sheikh Fazul Karim