

CHARGES	1. Killing of 20 people	2. Killing of 13 Hindu people (Genocide)	3. Attack on 13 villages and arson	4. Killing of four Hindu people (Genocide)	5. Killing of three government officials	9. Looting and arson	12. Killing of 14 Hindu people (Genocide)	13. Abduction, torture and killing	15. Killing of 10 people	17. Raping of a Hindu girl	18. Torture and killing of a Hindu girl	20. Confinement, looting and rape
	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty
VERDICT	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty	Not Guilty

Death handed for 2 charges

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to flee to India as refugees and millions more were displaced inside the country during the war in 1971.

In the verdict, the judges of the International Crimes Tribunal-1 said, "The road to freedom for the people of Bangladesh was arduous and torturous, smeared with blood, toil and sacrifices. In the contemporary world history, perhaps no nation paid as dearly as the Bangalees did for their emancipation."

Sayedee was brought to the dock around 11:10am and the tribunal judges started reading out the 56-page summary of the verdict after an introduction in which it was said that the Sayedee of 1971 was being tried, not the MP Sayedee or the Sayedee known for his religious sermons or the political leader Sayedee.

Sayedee, then a 30-year-old grocer, was not involved in politics during the war. He could speak Urdu well as he had obtained the Alim degree from madrasa. He welcomed the Pakistani army at Parerhat Bazar of Pirojpur.

He formed the local Peace Committee and subsequently, as a member of Razakar force (auxiliary force of the Pakistan army), he actively took part in the atrocities committed by the Pakistani army and Razakar force on civilians, the Hindu community and pro-liberation people, the court said.

Later on in life, Sayedee started delivering religious sermons (waaz) in and outside the country. He has a few thousand fans. He used titles like "Allama" and "Moulana". He was elected parliament member twice, in 1996 and 2001. He joined Jamaat and became its nayeib-e-ameer.

In the summary of the judgment based on crimes committed four decades ago, Tribunal-1 Chairman Justice ATM Fazle Kabir said, "As judges of this tribunal, we firmly hold and believe in the doctrine that 'justice in the future cannot be achieved unless injustice of the past is addressed.'"

Even though Tribunal-2 had delivered judgments in two war crimes cases, one against Abul Kalam Azad and the other against Jamaat leader Abdul Quader Mollah, Tribunal-1 delivered its first verdict yesterday.

It was formed in March, 2010, before Tribunal-2 and it is dealing with three other cases.

Sayedee's case was also the first case to get rolling at the tribunals and it took Tribunal-1 18 months to conclude the trial. The trial was troubled by several obstacles: failure to produce witnesses by prosecution and defence, the so-called Skype controversy, and reconstitution of the tribunal and a barrage of defence petitions.

Sayedee was indicated on October 3, 2011. The prosecution had piled 20 charges against him for crimes he committed in Pirojpur in 1971.

However, Justice Kabir and tribunal members Justice Jahangir Hossain and Justice Anwarul Haque unanimously held Sayedee guilty in eight of the 20 charges of crimes against humanity.

Justice Kabir said the three judges were convinced with the evidence on record that the accused knowingly and on purpose stood against the War of Liberation and joined the Razakar force to resist the birth of Bangladesh.

"It is proved that the accused [Sayedee] as one of the Razakars or a person of a group of individuals took active part in the attacks directed against civilian population at Parerhat area, causing murder, deportation, rape, looting of goods, setting fire to the houses and shops of civilians, forceful religious conversion, inhuman acts and torture which fall within the purview of crimes against humanity," read the conclusion of the verdict.

Sayedee was sentenced to death in two of the charges even though found "guilty beyond reasonable doubt" in eight. He was sentenced to

death for the abduction, torture and murder of Ibrahim Kutti and the killing of Bisabali in Pirojpur.

The tribunal said the gravity of the offences in the other six charges appeared to be lesser than that of the two in which he was sentenced to death. Since the tribunal had already awarded the capital punishment, they refrained from passing separate imprisonments for the six charges.

The prosecution examined nine witnesses to prove the charge of Kutti killing and setting fire to the houses of the Hindus at Parerhat.

Mofizuddin Posari, who was also captured by the Pakistani army and Razakars along with Kutti, testified against Sayedee. He said Sayedee as a member of the Razakar force captured them and ultimately the Pakistani army killed Kutti.

"We find no reason to disbelieve evidence of PW-7 [witness Posari] as to the murder of Kutti, destruction of houses of civilians in a large scale by setting fire which constitute crimes against humanity," the tribunal said.

The prosecution examined three eyewitnesses to prove Bisabali's killing in Umedpur village in Pirojpur.

With the assistance of Sayedee, the Pakistani army attacked the Hindu-dominated neighbourhood of Umedpur village and looted valuables from homes.

"It is evident that one civilian named Bisabali was caught and tortured by Razakars, thereafter victim Bisabali was fastened to a coconut tree and she was shot dead by a Razakar at the insistence of accused Delawar Hossain Sayedee," the tribunal said.

The judges said as per International Crimes (Tribunals) Act, 1973, Sayedee be convicted and sentenced to death and be "hanged by the neck till he is dead".

Since the tribunals enjoy the status of the High Court, a convict has the right to file an appeal only with the Appellate Division of the Supreme Court within 30 days of the judgment delivery.

Defence counsels of Sayedee said they would appeal.

Terming the verdict an absolute deviation from justice, chief defence counsel Abdur Razzaq said the tribunal did "utmost injustice to Moulana Sayedee" through the verdict.

"The tribunal should have acquitted him from the charges. I think the prosecution couldn't prove a single charge," Razzaq told reporters at his Dhanmondi home yesterday.

Several hundred lawyers, journalists and observers had gathered at the tribunal to witness the much-awaited judgment delivery in Sayedee's case yesterday.

High security measures were in place in and around the old high court building where the tribunals are. Many could not get in and had to wait outside.

In parts of the country, people of all walks of life brought out celebratory processions.

GUILTY IN OTHER 6 CHARGES
On May 7, 1971, Sayedee identified the houses and shops of the Hindus, and people who support Awami League and the Liberation War at Parerhat Bazar in Pirojpur. He as one of the perpetrators raided those shops and houses and looted valuables, including 22 shers of gold and silver from the shop of one Makhanlal Saha.

On May 8, 1971, Sayedee led a team of the Pakistan army to the house of Nurul Islam Khan, where he identified for the army Nurul Islam as an Awami League leader and his son Shahidul Islam Selim as a freedom fighter. Sayedee then detained Nurul Islam and handed him over to the army men who tortured Nurul Islam. His house was then looted and finally set on fire.

On June 2, 1971, Sayedee led a team of Peace (Shanti) Committee members, accompanied by the Pakistani army, to raid the house of

Mahbulul Alam Howlader (freedom fighter) of Tengra Khali village in Indurkani. Sayedee and the team then detained Mahbulul's elder brother Abdul Mazid Howlader and tortured him, and looted cash money, jewellery and other valuables from the house.

During the final stages of the war, Sayedee one morning led a team of 50 to 60 Razakars into the attack on the Hindu-dominated neighbourhood of Hoglabunia in Pirojpur. Seeing the attackers, the Hindus managed to flee but one Shefali Gharani failed. Some Razakars entered her room and raped her. Being the leader of the team, Sayedee failed to prevent them from committing rape. He and the members of his team also set fire to the dwellings of the neighbourhood.

During the Liberation War, Sayedee led a group of 10-12 armed Razakars and Peace Committee members and surrounded the house of Gouranga Saha of Parerhat Bandar in Pirojpur. Sayedee and the others abducted three women and handed them over to the Pakistan army at Pirojpur where they were confined and raped for three days before being released.

During the war, Sayedee, being a member of Razakar and exercising his power, forced 100-150 Hindus of Parerhat and other villages to convert to Islam and compelled them to go to the mosque to offer prayers.

Change of govt

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At 1:45pm, Sayedee stood up on the dock and began to say something.

"Honourable tribunal, I think, you didn't try (me) being accountable to your conscious and oath. You delivered the verdict being instigated by some atheists of Shahbagh..." Sayedee could not complete his words.

The prosecution and some observers present at the courtroom sharply reacted to his comment, saying "You Razakar, you have been proved as Razakar. Shut up." The judges, however, left the courtroom.

Then, police took Sayedee away from the dock and kept him at the tribunal's jail where Sayedee offered his prayers.

As Sayedee was being taken to the Central Jail, he kissed Masud on the forehead, while one of his junior counsels said, "Uncle, nothing will happen."

"Everything will be changed with the change of the government," said another.

After bidding farewell to his father, Masud expressed his reaction to the newsmen in front of the tribunal.

"He [Sayedee] is okay. He asked the countrymen to keep him in their prayers," said Masud.

He also said, "We didn't get justice here [in the tribunal]. We must lodge appeal against the verdict. We believe, we will get it [justice] there [Appellate Division]."

The tribunal mentioned that his father was not involved with any political party in 1971, and he was a common people, Masud said.

"So, as a common people, it was not possible for him [Sayedee] to control Peace Committee and Razakar Bahini [two anti-liberation forces] in entire Pirojpur district (during the war)," he claimed.

Talking to reporters at his residence in the capital, Abdur Razzaq termed the verdict an "injustice" to Sayedee.

Razzaq, also an assistant secretary general of Jamaat-e-Islami, claimed that the prosecution could not prove any charges brought against Sayedee and the tribunal should have acquitted him from the charges.

"We are aggrieved by the verdict. We will lodge appeal against the verdict. We hope that we will get justice through the appeal," he added.

As per the tribunal laws, a convicted person has the right to appeal to the Appellate Division against the verdict and the sentence within 30 days.

12 failures for prosecution

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absentee witnesses' statements to the investigation officer (IO) in the case.

Sayedee also faced four charges that included the killing of 37 people, and looting and arson across Pirojpur. The Jamaat leader was also indicted for torture and the murder of Shaheb Ali.

The Jamaat leader was involved in all these incidents and abetted the killings, according to the charges.

On March 20 last year, the prosecution prayed to the tribunal for accepting as evidence the statements that 46 prosecution witnesses gave to the IO in the case, saying the witnesses were either very sick or could not be found.

The prosecution said 19 of them were key witnesses to the war crimes committed by Sayedee during the Liberation War.

The tribunal later accepted the statements of 16 witnesses.

Sayedee's counsels later filed several petitions with the tribunal for cancelling its decision to accept the statements, but the tribunal rejected their pleas.

The tribunal yesterday said a witness' statement recorded by the IO is always considered as unsafe document, and it loses credibility if the person making the statement is not examined during trial.

Sayedee was also charged with involvement in the killing of the then deputy magistrate of Pirojpur sub-division Saif Mizanur Rahman, sub-divisional police officer Foyezur Rahman Ahmed, father of eminent writer Mohammad Zafar Iqbal, and SDO in charge of Pirojpur Abdur Razzak.

The prosecution produced only one witness to prove the three murder charges against Sayedee.

"The uncorroborated hearsay evidence adduced by the PW-27 [prosecution witness] has got no probative value and as such charge no-5 has not been proved beyond reasonable shadow of doubt," said the tribunal.

According to another

charge against the Jamaat leader, armed henchmen led by Sayedee along with Pakistan occupation forces on June 2, 1971 raided the house of Abdul Halim Babul at Nolbungia. They looted the house and then razed it to the ground.

In its verdict, the tribunal said the lone witness, who was about 12 years old at that time, watched the incident from a distance. And the prosecution did not produce any other person, who could corroborate the witness.

"The evidence of PW-14 is considered weak type of evidence as well as uncorroborated one and as such the prosecution has failed to prove the charge no-9 beyond shadow of doubt," said the tribunal.

According to another charge against Sayedee, a group of 15-20 armed men led by him entered the Hindu Para of Parerhat Bazar and captured 14 Hindus, who supported the cause of Bangladesh's independence. The captives were then taken to Pirojpur and handed over to Pakistani soldiers, who killed them. Their bodies were thrown into a river.

The tribunal found that the prosecution witnesses narrated several incidents involving the accused, but none of them could "entangle him with the commission of genocide".

At the tag end of the 1971 Liberation War, 10 people were killed at Hoglabunia village and their bodies were dumped into a river. Sayedee was charged with abetting the Pakistan occupation forces in the killings.

"Upon scrutiny of the evidence on record it transpires that prosecution could not produce any evidence before this tribunal to connect the accused with the commission of crime of genocide as stated in charge no-15," said the tribunal.

Sayedee was also indicted for torture and the killing of a woman named Bhagirothi, who used to work in a Pakistan army camp during the Liberation War. Being

accused of passing information to freedom fighters, she was killed at Sayedee's insistence.

The tribunal said none of the witnesses produced by the prosecution could implicate Sayedee in the killing.

But it is undisputed that members of Pakistan army tied Bhagirothi to a jeep, dragged her to the riverside and shot her dead.

"Admittedly Vagirothi sacrificed her life for the noble cause of Liberation of Bangladesh. Having considered all aspects, we are led to hold that prosecution could not connect the accused with the commission of killing of Vagirothi," it said.

The Jamaat leader was also charged with confining 85 people at Talukdar Bari, looting and rape of women.

But the prosecution did not produce even a single witness to testify against Sayedee, leading the tribunal to exonerate him from the charges.

DRUG VIOLENCE

Over 26,000 people missing in Mexico

BBC ONLINE

Mexico's government has estimated that 26,122 people have gone missing since December 2006, a period dominated by drug-related violence.

The latest figure is much higher than previous government estimates, which put the number at a few thousand.

The list includes more than 20,000 ongoing official investigations, but 5,206 still have to be verified.

Last week, pressure group Human Rights Watch said it found evidence "of disappearances involving state agents."

The group documented 250 disappearances that took place during the previous administration of President Felipe Calderon and accused all branches of the security forces of involvement, often at the behest of drug cartels.

prayed to discard the evidence. The tribunal rejected their prayer on authentication ground of the allegation.

On September 2, 2012, the defence produced their first witness. The tribunal-1 took deposition of 17 out of 20 defence witnesses as the defence failed to produce the rest. The tribunal fixed November 5 for the closing argument.

After a month-long extensive argument placed by both the prosecution and the defence, the tribunal on December 6 last year closed the proceedings keeping the case waiting for verdict.

However, against the backdrop of the tribunal's former chief Justice Md Nizamul Huq's resignation amid Skype controversy, both the defence and the prosecution got an opportunity to place sum-up of their closing arguments once again.

Amid the controversy, Justice Huq quit and the tribunal was reconstituted with Justice ATM Fazle Kabir at its helm.

When the reconstituted tribunal resumed proceedings on December 17, the defence began piling petitions. Leaders of Jamaat also filed a petition for restarting the case.

The tribunal rejected the prayer but decided to rehear argument in the case. Once the closed case began, the defence started submitting petitions, which had already been rejected.

These petitions killed some time of the tribunal.

Though the Tribunal-1 fixed two days for the prosecution and three days for the defence on January 13-17 for completing sum-up of their closing arguments, it ended on January 29.

Since that day the tribunal kept the case waiting for verdict until yesterday.

CHEERS



MAHBUBEY ALAM

Justice has been established, observed Attorney General Mahbubey Alam in his instant reaction.

"We are happy with the verdict," he said, adding it was true that one side would be satisfied and the other side would not, but the fact was that the nation got rid of the stigma that it has been carrying for the last 42 years.

Now it is the duty of the government to maintain law and order so that no one can create anarchy, he said.



SHYAMOLI NASREEN

With this verdict, much of the frustration, pain and resentment that people were racked with after the verdict against another war criminal Abdul Quader Mollah has gone away, said Shyamoli Nasreen Chowdhury, another war crimes trial campaigner.

Enraged by a war crimes tribunal sentencing Jamaat Assistant Secretary General Quader Mollah to life term on February 5, people, especially youths, waged a movement calling for capital punishment to all war criminals.

"We have got justice today. We are very happy as the nation is going to get rid of the stigma," Shyamoli said, expressing the hope that similar punishment would be given to other war crimes accused as it is the demand of the masses.

Shyamoli, widow of Dr Alim Chowdhury, an eminent physician who was killed towards the end of the Liberation War, also said she hoped that the verdict of Quader Mollah would be reviewed.

She demanded that the Jamaat-e-Islami be banned as the party has been calling hartals and creating anarchy.

MUNTASSIR MAMoon
FROM PAGE 20
continuation of "culture of Justice" in the country.

Muntassir, however, said he would have been happier had all the allegations brought against Sayedee been proved.

He suspected that the prosecutors and the tribunal had not treated the killings committed by Sayedee as genocide. "But I want to mention that the killings were genocide and that all of such charges [against Sayedee] should be considered seriously".

Jamaat-e-Islami is morally bankrupt and those who patronise the party are criminal, Muntassir noted.

It's a shame for the nation that Jamaat was given the scope to do politics in the country. Now the time has come to ban it, he said.



NASIRUDDIN YOUSUFF

Nasiruddin Yousuff, a cultural activist and freedom fighter, said the verdict gave a consolation to the people who had been tortured by Sayedee and his gang during the Liberation War.

It proved again that Jamaat is a party of war criminals, he added.

He thanked the youths for raising their voice against war criminals. "They [the youths] are the freedom fighters of this time. They should work to stop the politics of the war criminals in the country."

SHAHRIAR KABIR

FROM PAGE 20
judges, lawyers and officials of the tribunal.

Remembering Shaheed Janani Jahanara Imam and poet Begum Sufia Kamal, who had a pioneering role in the first movement for trial of war criminals, he said, "We have been on the streets for the last 21 years to see justice being delivered."

Families of the victims of Sayedee's crimes during the 1971 war finally got justice and the departed souls of the victims would finally be in peace, Shahriar said.

But this is not the ultimate victory. "We still have a long way to go, and for that we have to be prepared and watchful."

Shahriar, executive president of Ekatturer Ghatok Dalal Nirmul Committee, also alerted the government and people to large-scale violence by the activists of Jamaat and Islami Chhatra Shibir.

Jamaat has more than 100 militant organisations that can carry out massive attacks. "I am worried particularly about security of the witnesses. Many of them gave their reactions to the media and so the government should pay special attention to ensure financial, social and familial protection of the witnesses," Shahriar said, urging the government to formulate a witness protection act immediately.

ANWAR HOSSAIN

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years, I am pleased with the verdict. It is another step to free the country from the stigma."

He urged people to put up resistance against the Jamaat-e-Islami and Shibir to stop functioning of anti-liberation forces in the country.

KM SAFIULLAH

FROM PAGE 20
Commanders Forum.

Though it took such long to get justice, he said, he was happy with the verdict. "The departed souls of 30 lakh martyrs [of the Liberation War] will finally rest in peace."

Safiullah demanded quick execution of the verdict, saying, "Only then we will get relief."

US firms' performance in China worsens

AFP, Shanghai

The performance of US firms in China worsened in 2012 for the second year in a row, hurt by a slowdown in the economy and a more challenging regulatory environment, a business group said yesterday.

The American Chamber of Commerce in Shanghai said fewer of its member companies reported being profitable or increasing revenue in an annual survey of China's business climate.

"US managers should no longer expect China's economy to grow at the same double-digit rates of years past," said the China Business Report 2012-2013, which surveyed more than 400 of the chamber's members.