

No war criminals in Bangladesh

FROM PAGE 16
Delwar Hossain Sayedee, M u h a m m a d Kamaruzzaman, Abdul Quader Mollah, and suspected war criminals Abdus Subhan and ATM Azharul Islam, he attended a meeting with the Election Commission regarding electoral reforms on October 25, 2007.

When journalists asked him about the growing demand for declaring the anti-liberation forces and war criminals disqualified from contesting the national elections, Mojaheed had said, "The constitution does not support the demand. Besides, there are no war criminals in Bangladesh. It is the imaginary and self-created bizarre idea of those talking about war crimes... there are no anti-liberation forces in Bangladesh."

Asked about Jamaat's role in 1971 Liberation War, he had counter asked the reporters to investigate it themselves. About war crimes accusations against them, Mojaheed had said,

"These accusations are all false and ill-motivated." The Awami League-led grand alliance won the national elections in 2008 and as per their electoral pledge it set up an International Crimes Tribunal on March 25, 2010 to try war criminals. In 2012, it set up another tribunal for expeditious trial.

Mojaheed's statements were proven wrong when Abul Kalam Azad -- expelled Jamaat leader -- aka Bachchu Razakar was the first of the lot to be sentenced with the capital punishment for crimes against humanity and genocide.

Quader Mollah's verdict followed soon after, and was awarded life imprisonment.

Jamaat's former chiefs Nayeb-e-Ameer Sayedee and Assistant Secretary General Kamaruzzaman were next in line, both given the death penalty, while former Jamaat chief Ghulam Azam received a total of 90 years of imprisonment on Monday.

Contrary to Mojaheed's statements, Tribunal-2 in its

verdict in Kamaruzzaman's case observed that Jamaat-e-Islami was pro-active in its mission to wipe out the Bangladeshi nation in the name of shielding Pakistan in collaboration with the Pakistan army.

The Tribunal found that the party was behind the formation of Al-Badr -- the force infamous for planning the killing of Bangladeshi intellectuals and professionals. It also said that Al-Badr was an "action section" and "armed wing" of Jamaat and that it was formed constituting mainly of the workers of its student wing Islami Chhatra Sangha, of which Mojaheed was a top leader.

Mojaheed was the latest to be convicted on charges of war crimes during the Liberation War in 1971, despite his claims nearly six years back. He was given the capital punishment by the International Crimes Tribunal-2 yesterday, after five out of seven charges against him were proved beyond reasonable doubt.

He had served as the technocrat minister, despite

wide criticism within the whole nation, under the BNP-led government in between 2001 to 2006 with Jamaat being its key ally at the time.

Abdus Subhan and ATM Azharul Islam were jailed. The investigation agency has already found evidence against Azhar being involved in the war crimes, while Subhan's case was still under investigation.

Jamaat-e-Islami was listed as a registered political party on November 14, 2008.

Bangladesh Tariqat Federation's Secretary General Rezaul Haque Chandpuri and 24 others had filed a writ petition on January 25, 2009, which said that Jamaat-e-Islam was a religion-based political party and does not believe in independence and sovereignty of Bangladesh, demanding a ban on Jamaat and communal politics.

The High Court will deliver its verdict soon regarding this writ petition as it has already completed its proceedings.

Gallows for Mojaheed

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1971 "terribly shocks the conscience of humankind and the Bangalee nation," the judges said. "Intent to kill the listed intelligentsia was to cripple the Bangalee nation."

In 1971, Mojaheed was a top leader of the Islami Chhatra Sangha, the then student wing of the Jamaat-e-Islami. The Chhatra Sangha turned into Al-Badr, an armed outfit, according to the international crimes tribunal.

Mojaheed, who was made a technocrat minister during the BNP-Jamaat-led four-party alliance government's rule in 2001-2006, came under huge criticism for his audacious comment in 2007 that there were no war criminals in the country.

In white punjabi, white pajamas, and light brown shoes, Mojaheed sat through the 100 minutes the tribunal took to read out the summary of the 209-page judgment yesterday.

The judges began reading out the three-part 37-page summary at 11.05am in an overcrowded courtroom.

Just after the pronouncement of the verdict, Mojaheed shouted from the dock: "It is a hundred percent injustice. Forging an Islamic movement was my offence."

The prosecution and justice seekers hailed the verdict while the unhappy defence said it would file an appeal against the verdict with the Appellate Division of the Supreme Court.

"Letters of law cannot remain nonresponsive to the relatives of hundreds of martyr victims and the nation too who have been carrying colossal and unspeakable trauma," the judges said.

He was sentenced to death for abducting and killing eminent journalist Serajuddin Hossain. The judges merged this offence with the charge of killing intellectuals and professionals, which Mojaheed was also guilty of, and sentenced him to death.

Mojaheed was also given the death penalty for his involvement in the killing of Hindus in Bakchar village in Faridpur.

He was given life term for the killing of several freedom fighters, including Rumi (son of Shaheed Janani Jahanara Imam) and Altaf Mahmud, who had composed the song "Amar bhaiy-er rokte rangano Ekushey February".

Mojaheed is convicted and condemned to a "single sentence of death" for the three charges and "he be hanged by the neck till he is dead", the tribunal said in the verdict.

It said his sentences of imprisonment would naturally get merged into the sentence of death.

Tribunal-2 Chairman Justice Obaidul Hassan and members Justice Md Mozibur Rahman Miah and judge Md Shahinur Islam, unanimously agreed that Mojaheed had superior position in the Chhatra Sangha as well as in Al-Badr.

"We are convinced from the evidence, oral, documentary and circumstantial, led by the prosecution and the sourced documents that the accused [Mojaheed], at the relevant time had acted as an atrocious and potential leader of Al-Badr [Al-Badr] to the actual accomplishment of the crimes charged," Justice Hassan read from the concluding part of the judgment.

Mojaheed's access to the army camps is a fair indication of his active and culpable affiliation even with the Pakistan occupation army, he said in the judgment.

"It also stands proved that the accused, by his acts and conduct, also incurs superior responsibility ... for the crimes described in charge-1 and -6 (killing of journalist Sirajuddin and intellectual killings)," read the verdict.

After the verdict delivery, Mojaheed was taken back to Dhaka Central Jail and placed on death row in inmate uniform, Inspector General (prison) Brig Gen (ret) Ashraf Islam Khan told The Daily Star.

DEATH IN THREE CHARGES

Eminent journalist Serajuddin Hossain became the target of the Jamaat and Al-Badr for his write-ups on the sufferings inflicted on unarmed civilians through the atrocities carried out by the collaborators of the Pakistani army.

On the night of December 10, 1971, seven to eight youths, wearing ski masks and armed with rifles, abducted Serajuddin at his house in the capital's Chamelibagh.

The judges said it was quite evident that Al-Badr men had abducted Serajuddin. Being a leader of Al-Badr, Mojaheed, instead of preventing the crime, approved, endorsed, encouraged and provided moral support for the abduction of Serajuddin Hossain, who was later killed.

The charge concerning killings of intellectuals says during the Liberation War, the Pakistan army set up a camp at Mohammapur Physical Training Institute, Dhaka, and members of the Razakar and Al-Badr forces used to receive their training there.

It was also known as a "torture camp". Mojaheed used to visit the camp regularly with his Al-Badr co-leaders and with intent to annihilate the Bangalee population, and to design, plan and conspire with senior army officers of the camp.

It says following such conspiracy and planning, killings of intellectuals and professionals were carried out from December 10, 1971.

The judges in the verdict said Mojaheed was found to be "part of designing the plan and activities involving the commission of the mass killing of intellectuals".

Mojaheed, who was in a "superior position of ICS [Chhatra Sangha], which transformed into Al-Badr, was aware of the consequences of his act and conduct that substantially encouraged, endorsed, approved, provided moral support to the Al-Badr men in committing the intellectuals' killing", the judges said.

It said Mojaheed's acts, conduct, inflammatory and provocative speeches had substantial impact on the Al-Badr force in its carrying out of activities and operations between December 10 and 16, 1971.

Another charge, in which Mojaheed has been awarded death, says Mojaheed accompanied by his accomplices attacked the Hindu community of Bakchar village in Faridpur and tied up at least nine people on May 13, 1971.

Following his instructions, his accomplices killed all the civilians apprehended, raped a woman, and looted and burnt down the house of one Anil Saha.

He participated and substantially facilitated the commission of the crimes, the judges said.

LIFE IMPRISONMENT

On August 30, 1971, Mojaheed, accompanied by war crimes accused and now Jamaat chief Matiur Rahman Nizami, went to the army camp at the old MP Hostel in Nakhhalpara, Dhaka. He scolded Altaf Mahmud, and freed fighters Jahir Uddin Jalal, Badi, Rumi, Jewel and Azad, who were detained there, read one of the charges.

Mojaheed had then told one army captain that before the proclamation of clemency by the president, the detainees would have to be killed. Mojaheed and his accomplices then killed the detainees after inflicting inhuman torture on them.

Nizami too is facing a war crimes charge in connection with the killing of the free-

dom fighters.

Regarding the charge, the verdict said Mojaheed's advice to liquidate them was "concerned with the commission" of the killing. "He is held to have participated in the actual commission of the offence of the killing of numerous unarmed civilians, most of whom were valiant and brave guerrilla fighters."

FIVE YEARS IMPRISONMENT

In the first week of June, 1971, Razakars apprehended Ranjit Nath in Faridpur and brought him before Pakistani army Major Akram at Faridpur Old Circuit House, where Mojaheed was present, read one of the charges.

Getting a signal from Mojaheed, after his talk with the major, some Razakars and non-Bangalees took Ranjit to the house of Abdur Rashid. Ranjit was confined to the house and tortured. He, however, managed to escape later.

Referring to Ranjit's testimony, the judgment said the very utterance "Isko Hatao" [take him away] by accused Mojaheed at the army camp was not an "innocent utterance" but rather was issuing an "order" or "instruction".

"If the utterance was really an innocent one, the victim would have been released at once from the camp. But Mojaheed's [Mojaheed's] cohorts on getting the signal brought the victim out of the camp, inflicted torture and kept him confined," the judges said.

ACQUITTED IN TWO CHARGES

Of the two charges the prosecution had failed to prove, one claimed that Mojaheed, accompanied by eight to ten non-Bangalees and Pakistani army, attacked the Hindu-dominated Baidyadangi, Majhidangi and Baladangi villages in mid-May 1971.

Around 60 Hindus were killed and their houses were burnt down.

The court yesterday said it had been proved that a mass killing had taken place but the prosecution failed to prove that Mojaheed accompanied the attackers.

The other charge claimed that on July 26, 1971, Razakars abducted Abu Yusuf from Alfadanga in Faridpur and brought him to the army camp at Faridpur stadium.

The same day, Mojaheed went to the camp and said something to a Pakistani army major, which caused Yusuf to be tortured severely, the charge added.

The court yesterday said the prosecution had failed to prove this charge as well.

Justice comes after she goes

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even as she bore deep scars in her heart over the loss of her dear husband.

In an interview for "War Crimes File", a documentary produced by a British television channel, Noorjahan expressed her wish to see the killers punished. She gave this interview about 20 years ago.

It remained her wish till her last breath, when Mojaheed's case was already under trial. Her son Shahin deposed against Mojaheed in the hope of getting justice.

She had said, "I can only demand their punishment. I lost my husband and still carry the pain in my heart."

When International Crimes Tribunal-2 yesterday convicted Ali Ahsan Muhammad Mujaheed for the abduction and killing of Hossain, she was not around to feel a sense of vindication at the judgement.

Eminent journalist Serajuddin Hossain, who was news editor of the then leading Bangla national daily Ittefaq, became the target of the Jamaat and Al-Badr for his

write-ups on the sufferings inflicted on unarmed civilians through the atrocities committed by the collaborators of the Pakistan army.

On the night of December 10, 1971, seven to eight youths, wearing ski masks and armed with rifles, abducted Serajuddin from his house in the capital's Chamelibagh. He never returned home.

Mojaheed was president of the Jamaat-e-Islami's student wing Islami Chhatra Sangha (ICS) and was instrumental in forming the Al Badr force, a killing squad of the Pakistan occupation army.

He was a key leader of the Al-Badr force that picked up Serajuddin Hossain from his home.

In the documentary, Noorjahan Seraji narrated the facts behind her husband's abduction by the Al Badr killers on the night of December 10, 1971.

Noorjahan recalled that she heard banging on her door at night and opened the door.

"They asked my husband what his name was and about his place of work. And my husband replied, 'my husband replied, Ittefaq,' she said.

"There was one man with a muffler covering his face, except for his eyes. He was wearing a sweater and had big, bulging eyes. Then one of them rolled his eyes at the two others to indicate that this was the man," she said.

After that, Hossain was dragged away from his home and Noorjahan was never to see him again.

She then waited for decades for justice to be done. Her only desire was to see the culprits punished.

Shahin Reza Noor, who testified against Mojaheed before the tribunal, expressed his satisfaction over the verdict. He regretted, though, that his mother was not around to see the war criminal found guilty.

"However, we are full of sorrow in our hearts as my mother, who died a few months ago, could not hear of the verdict, despite having waited so long for it" he said.

He said the government deserved appreciation for setting up the tribunal, which was part of its election manifesto. But he also warned the government that if the war crimes trials verdicts were not executed within its tenure, it would face difficulties at the next general election.

He urged the government to ensure proper security of the witnesses and members of the prosecution so they can come forward and testify to the heinous crimes perpetrated by the collaborators of 1971.

The judgment said it was quite evident that Al-Badr men had abducted Serajuddin.

Mojaheed, considering his position in the Islami Chhatra Sangha, had substantial authority over the Al-Badr force.

The court said Mojaheed, instead of preventing the crime, approved, endorsed, encouraged and provided moral support for the abduction of Serajuddin Hossain, who was later killed.

4 cops, prisoner injured in Kashmir attack

AFP, Srinagar

Suspected rebels wounded four police officers and a prisoner in Indian Kashmir when they lobbed a grenade at their vehicle yesterday, police said.

The attack happened while the police vehicle was passing through a crowded market in the Batamaloo area of the state capital Srinagar.

"It was a random attack on police. A militant who was being shifted to a jail was also badly injured in the head," police official Afadul Mujtaba told AFP.

Kashmir is divided between India and Pakistan by a UN-monitored boundary known as the Line of Control.

About a dozen armed rebel groups have been fighting Indian forces in Kashmir since 1989 for independence or merger with Pakistan. The fighting has left tens of thousands, mostly civilians dead.

Jamaat actions

FROM PAGE 16
Terming the pro-liberation Bangalee people "miscreants", "agents of India", and "enemies of Islam", the Jamaat had opted to wipe them out only in the name of preserving Pakistan,

noted the tribunal judges. "The nation will be failing to acknowledge the sacrifices of millions of people who had laid their lives and honour for the cause of our hard-earned independence if individuals like the present accused [Mojaheed] are not brought to book for their notorious role and active contribution and endorsement for committing systematic atrocities in 1971 in the territory of Bangladesh," they added.

Reiterating the observations made in the verdict against another Jamaat leader Muhammad Kamaruzzaman in May this year, the tribunal said the

victims and sufferers of the diabolical atrocities do have the right to know the Jamaat's role in 1971.

The ICT-2 handed death sentence to Mojaheed, secretary general of Jamaat-e-Islami, for committing crimes against humanity during the Liberation War 42 years ago.

The same tribunal had found Kamaruzzaman, one of the key organisers of the infamous Al-Badr, guilty of committing crimes against humanity and sentenced him to death.

Yesterday's verdict also said, "The Jamaat-e-Islami had played a substantial role in formation of the Al-Badr [Al-Badr], Razakar, al-Shams and peace committees and of course not with the intent to guard the civilians and their property."

The Al-Badr was an "action section" and "armed

wing" of the Jamaat-e-Islami, which was formed mainly with the workers of the Jamaat's student wing Islami Chhatra Sangha, observed the judges.

The Jamaat, they said, had indulged in indiscriminate massacre of their political opponents belonging to the Bangalee nation in the name of liquidating "miscreants" and "infiltrators" for which it had used Razakars and Al-Badr.

The tribunal further held that the Jamaat had allowed the creation of Al-Badr and Razakar to operate an assembly line of incalculable atrocities in the territory of Bangladesh in 1971.

This party cannot be relieved of the accountability of unspeakable mayhem, atrocities and murders committed by the Al-Badr, which was created by it (Jamaat), stated the court.

Indonesia set to ratify haze treaty by 2014

AFP, Kuala Lumpur

Indonesia said yesterday it hopes to ratify a regional treaty by early next year to fight smog from forest fires that bring misery to millions, but green activists poured cold water on the deal.

"We hope we can ratify the agreement by the end of the year or early next year," the country's Environment Minister Balthasar Kambuaya told reporters.

Earlier Wednesday Kambuaya and environment ministers from four other Asean countries, which together form the Southeast Asian bloc's "haze committee", met to discuss ways to prevent the Indonesian forest fires,

exchange information and provide mutual help. It also binds signatories to "respond promptly" to requests for information from countries affected by the smoke, and to take steps to implement their obligations under the treaty.

T Jayabalan, a public health consultant and advisor to Friends of the Earth Malaysia, lauded Jakarta's move to vow to ratify the treaty but warned that lax law enforcement would mean that the smog problem would not go away. "It is a lukewarm measure. You can have all the regulations, but if enforcement is lax, we will continue to have haze," he told AFP.

Govt to arrange spl documents

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and not citizens of Bangladesh," a highly placed source told The Daily Star yesterday.

The Pakistan government earlier provided similar special documents to Myanmar Muslims, who went to Saudi Arabia from Pakistan illegally in the last several years.

Meanwhile, Minister for Expatriates Welfare and Overseas Employment Khandker Mosharruf Hossain at a press conference also announced that Bangladesh would issue identity cards for around five lakh Rohingyas who live in Saudi Arabia without work permits.

However, officials of the foreign and home ministries contradicted the expatriate minister's announcement, saying the matter was still under discussion with the Saudi government and Dhaka had not yet even finalised its policy to provide the Rohingyas with documents as it was quite a complex and lengthy process.

They said the decision to provide the Rohingyas with special documents would also help relieve Bangladesh of the Saudi government's pressure on it to recognise the Rohingyas as Bangladesh citizens.

"If both the Saudi and Bangladesh governments reach an understanding,

Bangladesh may need to issue special documents to 60,000 to 200,000 Rohingya Muslims now living in Saudi Arabia illegally," said a senior official of the foreign ministry.

Meanwhile, Dhaka has turned down a Saudi request to take back 378 Rohingyas, who have been identified as notorious criminals and put in jail on various charges. The Saudi government claimed that these Rohingyas had arrived with Bangladeshi passports.

Talking to The Daily Star, the foreign ministry official said with consent from the ministries of foreign, home, law and expatriates welfare,

Prime Minister Sheikh Hasina had approved a summary of the special documents for the Rohingyas who went to Saudi Arabia on Bangladeshi passports illegally.

After the PM's approval, Foreign Minister Dipu Moni during her meeting with Saudi Foreign Minister Prince Saud Al-Faisal on May 4 formally proposed issuing special documents to the Rohingyas.

The Saudi minister then assured his Bangladeshi counterpart of looking into the matter. Since then, Dhaka has been in talks with Riyadh on the issuance of such docu-

ments.

As the issue is related to immigration, the foreign ministry handed over responsibility to the home ministry, which is now preparing a comprehensive proposal to be placed before the Saudi government after vetting by the ministry of law and approval by the prime minister.

The source said the ministry would soon convene a joint meeting of the ministries of foreign, home, law and expatriate welfare to finalise a draft of the proposal.

If the Saudi government accepts the proposal, the Bangladesh government will then call tenders for printing the special documents.