

Jailed until death

FROM PAGE 1
is released.

This is the second SC verdict on appeals in war crimes cases, which comes exactly a year after the apex court handed down death penalty to another war crimes convict Abdul Quader Mollah.

The verdict frustrated family members of the victims, justice seekers and war crimes trial campaigners.

Sayedee's family, counsels and his party were also dissatisfied and would seek a review of the judgment.

The judgment came more than 18 months after the ICT-1 sentenced the Jamaat naye-b-e-ameer to death for his involvement in the killing of Ibrahim Kutti and Bisa Bali in Pirojpur in 1971.

Seventy-four-year-old Sayedee, who earned the nickname "Delu Razakar", had been found guilty on six more charges but the tribunal didn't award him sentences separately.

The apex court sentenced him to 12 years' rigorous imprisonment for killing Ibrahim Kutti and imprisonment until death for murdering Bisa Bali in Pirojpur. It also found Sayedee guilty on three more charges and acquitted him of three others.

There are confusions among legal experts over the scope for seeking review of the SC verdict. But Sayedee can seek presidential clemency if he wishes.

The law minister, war crimes trial campaigners and prosecution witnesses expressed dissatisfaction over the apex court's verdict.

Gonojagoron Mancha, a pro-Liberation War platform, rejected the verdict, saying it was "biased" and an "outcome of a compromise" between the government and Jamaat.

"We are extremely frustrated. We hoped the tribunal verdict would be upheld ... but things changed," said Mahabubul Alam Howlader, a prosecution witness from Pirojpur.

The Awami League-led 14-party alliance accepted the verdict, while the BNP refrained from making any statement as it did on previous occa-

sions.

"As a citizen of the country and a member of the cabinet, I am respectful to the judgments by any court in Bangladesh. But as the son of a freedom fighter, I am shocked, disappointed and hurt by this judgment," Law Minister Anisul Huq told The Daily Star.

Asked whether the government would file a review petition with the SC, the minister said they would wait for the full text of the verdict on review petitions of Quader Mollah to set the next course of action.

"We will know from the full text of the judgment whether the Supreme Court rejected Quader Mollah's review petitions on merit or not, and whether review petitions are maintainable," he said.

Quader Mollah, another Jamaat leader, was executed on December 12 last year following a verdict by the top court.

Jamaat-e-Islami, which directly opposed the birth of Bangladesh in 1971, called countrywide hartals for today and Sunday protesting the verdict. Jamaat-Shibir men clashed with police in several districts soon after the pronouncement of the verdict.

Ahead of the apex court's verdict, security measures were heightened on the court premises, different parts of the capital and elsewhere across the country.

Following the tribunal's verdict of death sentence on Sayedee last year, activists of Jamaat and its student body Islami Chhatra Shibir resorted to violence across the country, leaving 65 people dead and several hundred injured in just a week.

Chief Justice Md Muzammel Hossain and the other four judges took seats at 10:05am yesterday in the presence of several hundred lawyers and journalists.

The other four judges are -- Justice Surendra Kumar Sinha, Justice Md Abdul Wahhab Miah, Justice Hasan Foez Siddique and Justice AHM Shamsuddin Choudhury Manik.

"Criminal appeal number 39 of 2013 [the appeal filed by Sayedee] is allowed in part by majority. Criminal appeal number 40 of 2013 [the appeal filed by the government] is allowed in part by majority," said Justice Muzammel.

One month after the ICT-1 verdict on February 28 last year, Sayedee filed the appeal with the SC seeking acquittal from all eight charges against him.

On the other hand, the government lodged a separate appeal seeking punishment on all eight charges, including the six on which the ICT-1 found him guilty but didn't give any punishment.

"Allama Delawar Hossain Sayedee is sentenced to 10 years' rigorous imprisonment by majority in respect of charge number 7," said the chief justice.

The charge involved the detention and torture of Awami League leader Nurul Islam, and looting and torching of his house in Pirojpur, the home district of Sayedee.

In respect of charge number 8, the court said Sayedee's sentence was altered to 12 years' rigorous imprisonment by majority. The charge was related to the abduction and torture of Ibrahim Kutti and Mofizuddin Posari in Chitholia of Pirojpur and the killing of Kutti.

The ICT-1 had awarded Sayedee death penalty for the war crimes.

On charge number 10, which was related to the killing of Bisa Bali and torching of 25 Hindu houses in Umedpur of Pirojpur, the chief justice said the sentence was "commuted to imprisonment to life, i.e. rest of his natural life by majority."

The court also awarded Sayedee imprisonment until death for charge number 16 and 19. Charge number 16 was related to the abduction and rape of three sisters at Parerhat Bandar in Pirojpur while charge number 19 involved forced conversion of 100/150 Hindus to Muslim and forcing them to go to mosques.

The apex court, however, acquitted

THE FINAL VERDICT		
CHARGE	TRIBUNAL	SUPREME COURT
1. Killing 20 unnamed people behind Madhya Masimpur Bus Stand	Not Guilty	--
2. Killing 13 Hindus in Masimpur Hindu Para (Genocide)	Not Guilty	--
3. Arson attack on houses of 13 villages	Not Guilty	--
4. Killing four Hindus in front of Dhopa Bari	Not Guilty	--
5. Killing three govt officials on the bank of Baleshwar river	Not Guilty	--
6. Looting houses and shops in Parerhat Bazar	Guilty	Not Guilty
7. Torture of AL leader Nurul Islam and arson attack on his house	Guilty	Guilty (10-year rigorous imprisonment)
8. Killing one and torching house in Chitholia village	Guilty (Death)	Guilty (12-year rigorous imprisonment)
9. Looting and torching house in Nalbungia village	Not Guilty	--
10. Killing one and torching 25 houses in Umedpur village	Guilty (Death)	Guilty (Imprisonment until death)
11. Attack on a freedom fighter's house in Tengra Khali village	Guilty	Not Guilty
12. Killing 14 Hindus in Parerhat Bazar (Genocide)	Not Guilty	--
13. Abduction, torture of one and looting his house in Nalbungia village	Not Guilty	--
14. Attack on Hindu community, rape of girl and torching house in Hoglabunia village	Guilty	Not Guilty
15. Killing 10 Hindus of Hoglabunia village	Not Guilty	--
16. Abduction and rape of three sisters of Parerhat Bandar	Guilty	Guilty (Imprisonment until death)
17. Rape of a Hindu girl in Parerhat village	Not Guilty	--
18. Torture and murder of a Hindu girl in a Pak army camp	Not Guilty	--
19. Forcing 100-150 Hindus to convert to Islam in Parerhat and other villages	Guilty	Guilty (Imprisonment until death)
20. Confinement and rape in a Pak army camp	Not Guilty	--

him of three other charges (number six, 11 and 14) which were related to looting, torture and rape during the Liberation War.

According to the ICT-1 verdict, Sayedee, son of Yousuf Ali of Southkhali village in Pirojpur, was a grocer in Parerhat Bandar in 1971. But he became rich overtime, and owned huge properties in the capital and Khulna. He made a fortune through illegal means during the Liberation War.

After independence, the country-men saw how a Razakar turned into an Islamic orator and became a member of parliament of Bangladesh, whose birth he vehemently opposed.

The ICT-1 in its verdict said it was trying 30-year-old Delu, a Razakar who collaborated with the Pakistan occupation army in 1971, not Allama Delawar

Hossain Sayedee, a top Jamaat leader and two-time lawmaker.

Immediately after yesterday's verdict, Attorney General Mahbubey Alam said he was not happy with the judgment but it at least unmasked Sayedee.

"Though Delawar Hossain Sayedee presented himself as a very religious and innocent person, it has been proved now that Sayedee had tortured people, and forced people to convert [to Islam]. He was involved in raping women during the Liberation War," he said.

Sayedee's son Masood Sayedee told The Daily Star that he and his family members believed his father was "innocent" and that they were deprived of justice.

Sayedee, who was detained on June 29, 2010 in a case for allegedly hurting

religious sentiment, was shown arrested in the war crimes case on November 2 the same year.

He was indicted on 20 charges in October 2011, and the ICT-1 delivered its verdict on February 28 last year after lengthy case proceedings.

The tribunal found him guilty on eight charges and acquitted him of 12 other charges.

Sayedee is now in a condemned cell at Kashimpur Jail-1 in Gazipur. He is supposed to be shifted to a prison cell from there following the SC verdict.

Jailer Amzad Hossain told The Daily Star that they didn't inform Sayedee about the SC verdict, as they were yet to get the official documents in this regard.

"Once we receive a copy of the Supreme Court verdict, he will be shifted to a prison cell."

FROM PROBE TO SC VERDICT	
Investigation began July 21, 2010	Defence produced their first witness September 2, 2012
Shown arrested November 2, 2010	Closing arguments November 5, 2012
Prosecution submitted a 4,074-page probe report May 31, 2011	Verdict any day, tribunal announced December 6, 2012
War crimes charges pressed July 11, 2011	Closing argument reheard, verdict kept waiting again January 29, 2013
Tribunal took the charges into cognisance July 14, 2011	Tribunal verdict February 28, 2013
Charges framed October 3, 2011	Govt, Sayedee filed appeals to SC March 28, 2013
Opening statement by prosecution November 20, 2011	SC kept case waiting for verdict April 16, 2014
First prosecution witness testified December 7, 2011	SC Verdict September 17, 2014

14-party accepts verdict

FROM PAGE 1
punishment."

The opposition BNP, however, refrained from making any comment as it had done over the previous verdicts of the international crimes tribunals on some other senior leaders of the Jamaat-e-Islami, a key component of the BNP-led 20-party alliance.

Some of the party leaders said over the phone that they would keep a close watch on the political development the latest verdict would lead to.

"We are not sure what is going on. We are hearing many things in the political arena and regarding the entire [war crimes] trial and so we have to keep a close watch on the situation. Time will say everything," an adviser to BNP Chairperson Khaleda Zia told The Daily Star.

BNP standing committee member Lt Gen (ret'd) Mahbubur Rahman could not say what the party's view was of the verdict, but shared his personal belief that everyone should respect the final verdict of the court.

The verdict will not be an issue for the BNP as the people know what its position is regarding the whole matter of the war crimes trial, said the party leader, adding that it could not create any distrust between the BNP and the Jamaat as both parties had committed themselves to bringing back democracy in the country.

BNP Chairperson Khaleda Zia's adviser Shamsuzzaman Dudu said the opposition could not make any comment, as it was yet to get a copy of the judgment.

However, he said, "The verdict will cause many events in the political field of the country."

Standing committee member MK Anwar refused to say anything about the verdict.

Meanwhile, the ruling alliance came up with their observations about the judgment after a meeting of its components at Awami League President Sheikh Hasina's Dhanmondi office yesterday noon.

Emerging from the meeting, Nasim, Awami League presidium member and health minister, said people had expected to see maximum punishment of Jamaat Naye-b-e-Ameer Sayedee.

He rejected any secret deal between the Awami League and the Jamaat. The court is independent, and it is not fair to interfere in court's jurisdiction, Nasim added.

Regarding today's and Sunday's hartal that the Jamaat announced in reaction to the verdict, Nasim said the Jamaat would not get public support and that they all would resist such negative activities politically.

After the meeting, Workers Party General Secretary Fazole Hossain Badsha, however, said his party was not happy over the verdict.

Besides, the alliance of the Communist Party of Bangladesh (CPB) and Bangladesher Samajtantrik Dal (BSD) expressed their resentment over the verdict, saying it had frustrated those who wanted capital punishment of Sayedee.

A statement signed by CPB President Mujahidul Islam Selim and General Secretary Syed Abu Zafar Ahmed and BSD General Secretary Khalequzzaman says there is no alternative to creating mass awareness of the spirit of the Liberation War to ensure the highest punishment of war criminals.

Hartal called

FROM PAGE 1

The shutdowns will be enforced from 6:00am on both the days.

Jamaat-Shibir activists, like on the previous occasions of verdict delivery in war crimes cases, went berserk in the capital and elsewhere in the country yesterday.

In a joint statement, Jamaat acting ameer Moqbul Ahmed and acting secretary general Shafiqur Rahman declared four-day protest programmes which include offering prayers for Sayedee on Friday and countrywide demonstrations the following day.

The Jamaat said its Naye-b-e-Ameer Sayedee became a "victim of the government's injustice and torture."

"He [Sayedee] had been deprived of justice as the Appellate Division of the Supreme Court sentenced him imprisonment till death based on a majority decision," read the statement.

The party called upon its leaders and activists to stage protests democratically and systematically.

The two-day hartal would virtually put the country on a hiatus of four days as there are weekends between the shutdowns.

Jahangirnagar University has postponed its admission tests for honours courses due to the hartals.

So far, two international crimes tribunals have delivered verdicts in war crimes cases against five senior Jamaat leaders, including its former chief Ghulam Azam, for committing crimes against humanity during the 1971 Liberation War. The Jamaat enforced hartals after each of the verdicts.

Jamaat-Shibir men unleashed terror in many parts of the country after the International Crimes Tribunal-1 had handed death penalty to Sayedee on February 28 last year. Over 70 people including eight policemen were killed within just a week as armed cadres of Jamaat-Shibir clashed with law enforcers.

Talking to newsmen at the secretariat, State Minister for Home Asaduzzaman Khan yesterday said everyone should respect the court's verdict.

"If they [Jamaat-Shibir] vandalise cars, hurl petrol bombs and force people not to open shops, the law enforcers will not sit idle. Police will discharge their duties," he added.

VIOLENCE RETURNS

Supporters and activists of Jamaat and its student front Islami Chhatra Shibir brought out processions demanding immediate release of war crimes convict Sayedee and clashed with law enforcers across the country yesterday.

Police in the capital detained three Jamaat-Shibir members for vandalising vehicles at Shahjadpur in the afternoon.

Around 200 activists of Jamaat-Shibir brought out a procession in the area around 1:00pm, said Rafiqul Islam, officer-in-charge of Gulshan Police Station.

Law enforcers chased down the three after the demonstrators started throwing brick bats at vehicles on the

road, the OC added.

In Rajshahi, Jamaat-Shibir men attacked police simultaneously in five areas of the city while protesting against the SC verdict.

The agitators attacked law enforcers around noon in Katakhal by blasting six crude bombs and throwing brick bats at lawmen. Clashes were also reported in Binodpur, Dingadoba, Daspukur and Shalbagan areas of the city.

Police fired about 100 tear gas shells and rubber bullets to disperse the attackers.

Eighteen Jamaat-Shibir activists were detained during the clashes, said Tanvir Haider Chowdhury, deputy commissioner (headquarters) of Rajshahi Metropolitan Police.

Police in Chapainawabganj foiled a procession of Jamaat-Shibir activists in the town's Nimtala around 2:00pm yesterday.

Witnesses said a chase and counter chase took place between police and Jamaat-Shibir men when they hurled brick bats and cocktails at cops in the area.

In Sylhet, activists of Jamaat-Shibir vandalised at least six CNG-run three-wheelers at Darshan Deuri and Chandipul areas.

They also threw brick bats at an auto-rickshaw which was carrying cops in the city's Housing Estate area around noon. Police picked up two people at the spot, said Md Asaduzzaman, OC of Kotwali Police Station.

Cops in Jhalakathi said they detained nine Shibir men when the youths brought out a brisk procession at Sadhanar Mor in the town.

Police were patrolling key areas in the town to pre-empt violence by Jamaat-Shibir men.

In Pabna, at least 10 people were injured in a clash between cops and Jamaat men in the town.

Witnesses said Pabna district Jamaat brought out a procession after Johr prayers protesting the SC verdict against Sayedee. The clash erupted when the procession reached the traffic intersection.

Police opened fire to disperse the protesters and detained 12 Jamaat-Shibir men.

Our district correspondents report: Law enforcers rounded up at least 100 Jamaat-Shibir activists in different districts since Tuesday night to prevent any anarchy by the party activists.

Meanwhile, the Federation of Bangladesh Chambers of Commerce and Industry (FBCCI) has asked Jamaat-e-Islami to withdraw the hartals, reports UNB.

The FBCCI in a release yesterday said the protest should be withdrawn as the country now enjoys a business and investment-friendly environment attracting investment from countries including Japan and China.

Our correspondents in Rajshahi, Chapainawabganj, Sylhet, Jhalakathi, and Pabna contributed to this report.

ABED KHAN

"I am disappointed and I reject it since I have the right to do so as a citizen," said the noted journalist.

Abed, who testified in Sayedee's war crimes case, believes that the government would be more affected than the pro-liberation forces by such a judgement.

"The government has to realise who its real friends are. The pro-liberation forces are the real friends of the government and Bangladesh is the result of the Liberation War. Jamaat [Jamaat-e-Islami] or people like Sayedee can never be the friends of anyone," he said.

He observed that the court should have considered the Tribunal's decision on Sayedee.

MA HASAN

FROM PAGE 1

"haphazard" and "lame" way.

He also criticised poor witness protection which scared a number of witnesses away.

The prosecution tried to establish the charges with witnesses and evidence in a weak and disorderly manner, he said.

Both prosecution

FROM PAGE 1

[to imprisonment until death]."

Asked whether the court would allow filing of a review petition by the defence, the minister said he was unable to say anything in this regard until the SC released the full text of its judgment on the previous review petition filed before the execution of Jamaat leader Abdul Quader Mollah.

A petition had been filed seeking review of the death sentence handed down by the Appellate Division on Mollah. The court had rejected it but it is yet to release a copy of the judgment on the petition.

"We [the government] will never compromise with those who do not believe in the country's liberation," Anisul Huq said.

A few more cases are awaiting judgment in the tribunal. After that, "I wish to bring changes in the prosecution team," he added.

Expressing dissatisfaction over the Supreme Court verdict on Jamaat Naye-b-e-Ameer Sayedee, Attorney General Mahbubey Alam said the judgement did not fulfil his expectation.

"I expected that the apex court would uphold the death sentence of Sayedee delivered by the International Crimes Tribunal-1."

According to him, both the prosecution and the investigation agency handled the case negligently, as seen during the hearing on the appeal challenging the capital punishment.

The attorney general, however, said

PROF ANWAR HOSSAIN

Prof Anwar Hossain, the only war crimes trial campaigner from the civil society present at the Supreme Court yesterday, had a grim look as he walked out hearing the verdict of Sayedee's appeal.

"I am deeply saddened," he said.

Referring to the death sentence handed down to Sayedee last year by the international crimes tribunal, Anwar said, "I wanted that death sentence to be in place."

Most freedom fighters and their families had the same expectation but it was not met, he added.

However, as the apex court is the last place for justice for the citizens, everyone should accept the verdict even if they were saddened, he said.

NASIRUDDIN YUSUFF

FROM PAGE 1

and investigation agency for moving the case with poor preparation. "We even saw a failure in providing proper security to the witnesses, which is unexpected," he said.

Sayedee had been unmasked in the verdict though he presented himself as a very religious and innocent person.

"It has been proved that Sayedee forced people to convert and that he was involved in rape and torture of women during the Liberation War in 1971."

Asked whether Sayedee could be released if a political changeover took place, he said that if people remained vigilant about the war criminals trial, no government would be able to set him free.

The defence, however, view the judgment differently.

Senior defence lawyer Khandaker Mahbub Hossain claimed that justice had not been done to Sayedee.

In case of life imprisonment, a convict has to serve 20 years in jail, but according to the SC judgment Sayedee will have to serve in jail until death, said Khandaker Mahbub who is also an adviser to the BNP chairperson.

"We are aggrieved," he said, adding that the defence would seek a review of the judgment after receiving its full text.

MASOOD SAYEDEE

War crimes convict Sayedee's son Masood Sayedee in his immediate reaction said, "Justice was not done. We are not satisfied."

"We hoped he would be acquitted," he said, based on the documents the defence had submitted.

The chairman of Zianagar upazila of Pirojpur, Masood said they believed his father was innocent.

