

Jailed until death

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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 nayeb-e-ameer to death for his involvement in the killing of Ibrahim Kuttii and Bisa Bali in Pirojpur in 1971.

Seventy-four-year-old Sayedee, who earned the nickname "Dulu 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 Kuttii 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.

Gonjagoron 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 occasions.

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

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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 (retd) 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."

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 Kuttii and Mofizuddin Posari in Chitholia of Pirojpur and the killing of Kuttii.

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 "committed 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 Porerhat 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 Baleswar river	Not Guilty	--
6. Looting houses and shops in Porerhat 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 Nalbunia 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 Porerhat Bazar (Genocide)	Not Guilty	--
13. Abduction, torture of one and looting his house in Nalbunia 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 Porerhat Bandar	Guilty	Guilty (Imprisonment until death)
17. Rape of a Hindu girl in Porerhat 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 Porerhat 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 Porerhat 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 countrymen 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 Dulu, a Razakar who collaborated with the Pakistan occupation army in 1971, not Allama Delawar.

The apex court, however, acquitted

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.

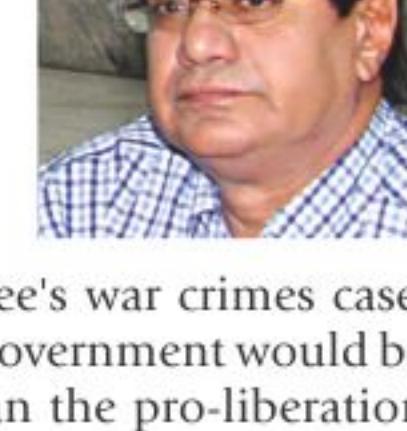
Sayedee is now in a condemned cell at Kashimpur Jail-1 in Gazipur. He is supposed to be shifted to a prison cell from there following the SC verdict.

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."

Disappointing

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

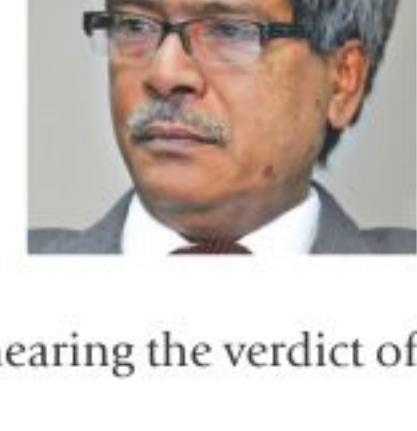
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"haphazard" and "lame" way.

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.

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.

Both prosecution

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[to imprisonment until death]."