

# Victims rejoice at Subhan verdict

AHMED HUMAYUN KABIR TOPU, Pabna

He saw his father being killed in front of his eyes and endured the hellish rejoicing of the killers afterwards. And from that moment on, all he ever wanted was justice.

And Tahurul Alam Mollah's over four-decade-long wait was finally over yesterday when the International Crimes Tribunal-2 handed death penalty to Jamaat-e-Islami leader Moulana Abdus Subhan for his crimes against humanity during the Liberation War in 1971.

Subhan, the then chief of Pabna district unit Jamaat and vice chairman of the local unit of Peace Committee that collaborated with the Pakistani army in their atrocities against pro-liberation Bangalees, killed Taharul's father Moazzem Hossain, cousin Matleb Ahmed Khan and nephew Nazmul Haque Khan Helal along with more than a dozen others at Ishwardi Central Jame Masjid in Pabna between April 12 and 19, 1971.

Moazzem had been hiding at the mosque since Pak army launched a crackdown in Pabna on April 11.

"... Some people dragged my father out of the mosque and took him near a bush beside a coal depot [on April 17]. Moulana Subhan was with them ... Subhan took a knife from someone and my father shouted 'Allahu Akbar' when Subhan stabbed him," Tahurul had told the tribunal.

"I witnessed a similar scene on April 18 from distance. Moulana Subhan and his cohorts killed my cousin Matleb Ahmed Khan and nephew Nazmul Haque Khan Helal at the same spot in the same way," Tahurul had said in his testimony.

And now that justice has been served, he was elated.

"Now I will wait for its [the verdict's] execution," the 62-year-old told The Daily Star yesterday, with tears of joy rolling down from his eyes.

Subhan, the 79-year-old Jamaat naye-b-e-ameer who became a parlia-

ment member twice after the country's independence, was found guilty in six out of nine charges of crimes against humanity and was awarded death penalty on three, imprisonment until death in two and five years' jail term on one charge by the tribunal headed by Justice Obaidul Hassan.

Freedom fighter Fazlur Rahman Fantu had told the court during the case proceedings that at least 19 men were killed with Tahurul's father between April 12 and 19.

Tahurul's uncle ATM Shahiduzzaman Nasim was also a witness to the killings.

"I also saw Subhan killing my brother-in-law Motleb Ahmed and nephew Nazmul Ahmed," Nasim had testified.



Fazlur Rahman Fantu



Shahiduzzaman Nasim

Another charge against Subhan for killing 400 people and rampaging through a number of villages under Satbaria union of Pabna's Sujanagar upazila on May 12 was also proved beyond doubt.

The news of the verdict sent a wave of jubilation among the people of Sujanagar.

"Families of Satbaria massacre victims are delighted over the death penalty of the mastermind of the carnage," Omar Ali Sheikh, whose father and elder brother were killed on that day, told The Daily Star yesterday.

"Subhan masterminded mass killings in the district throughout the nine months of the Liberation War," said Habibur Rahman Habi, commander of Pabna Muktiyoddha Sangsad.

Following the pronouncement of the verdict, families of the 1971 martyrs, freedom fighters and others poured out onto the streets of Pabna town and distributed sweetmeats in celebration.



The Satbaria memorial at Satbaria College of Pabna. It is here where around 400 people were massacred in 1971. Guilty of taking part in the extermination, Jamaat Naye-b-e-Ameer Abdus Subhan was sentenced to death yesterday.

PHOTO: STAR

## 6-hour massacre left around 400 dead

FROM PAGE 1

1971, leaving around 400 people dead.

Abdus Subhan, the then chief of Pabna Jamaat-e-Islami who had played the key role in organising anti-liberation elements in the district, accompanied the invading army and led his associates to killing the pro-liberation people, AL leaders and Hindus.

Bodies of around 100 people, who were on their way to India to take refuge, littered the bank of the Padma river and boats afloat following the six-hour massacre that started at 6:00am. Many houses of these villages were looted and torched during the attacks.

"Subhan, in conjunction with the Pakistani army, had tried to knock down pro-liberation people in our area," freedom fighter SM Shamsul Alam told the International Crimes Tribunal-2.

Shamsul, the 22nd prosecution witness in the case, said he had seen Pakistani army shoot four people dead immediately after a conversation with Subhan at Fakitpur, one of the 15 villages.

The other villages were Momrajpur, Kuripara, Tarabatia, Satbaria, Kandarpapur, Sindurpur, Nischintapur, Hariumpur, Shemnagar, Naruhahi, Singhanagar, Bhatpara and Cupinpur.

"What crimes had we committed? Was it our fault that we had supported the Awami League? ... Moulana Subhan led the atrocities in our localities. I want justice," said Khorshed Alam, another eyewitness.

The 63-year-old retired police constable from Fakitpur said he had heard the sound of gunshots from his house around 6:00am and saw people fleeing

the village, added Khorshed.

He hid himself in a sugarcane field beside the Union Parishad office when he saw a white car along with four to five Pakistani military vehicles near the office.

"Moulana Subhan, clad in a white panjabi, got down from the white car and talked with some army men, who also got down from their vehicles. Then they [army men] opened fire on several people, who immediately collapsed on the ground."

After the killings, the vehicles had rolled out towards Kandarpapur and Sindurpur villages, said Khorshed.

Shamsul Alam, who witnessed his father's murder from 50 yards away, said an army man had shot his father on the instruction of Subhan.

"See, how Joy Bangla is!" said Subhan

Moulana as he kicked my father's body a couple of times," said Shamsul, son of influential AL leader Mohiduddin Pramanik of Satbaria.

The next day Khorshed, Shamsul, Fazlul Haque, the then principal of Satbaria College, and the victims' families made a list of 170-175 deaths. But they could not count the unidentified people buried by locals.

In its yesterday's verdict, the tribunal said: "The accused Moulana Abdus Subhan had actively and knowingly contributed to and induced the group of army by his act and conduct in carrying out the attack that resulted in killing of hundreds of civilians in 15 villages."

His role in these killings was one of three charges for which he was handed the capital punishment by the tribunal.

## CRIMES and PUNISHMENT How brutal! of ABDUS SUBHAN

CHARGES	VERDICT
1. Abduction and killing of three people and 17 others unnamed in mid April, 1971 in Ishwardi	<b>GUILTY (DEATH)</b>
2. Killing of five people and injuring three others at Juktitala village of Ishwardi on April 13	<b>GUILTY</b> Imprisonment till death
3. Abduction and torture of two people of Arankhola in Ishwardi in between May 16 and 19	<b>GUILTY</b> 5 years' imprisonment
4. Killing of six people and looting and torching of several houses in Sahapur village in Ishwardi on May 2	<b>GUILTY (DEATH)</b>
5. Killing and torching of houses at Kulunia and Dogachhi villages in Pabna on May 11	<b>Acquitted</b>
6. Killing of around 400 people in 15 villages of Satbaria union in Sujanagar on May 12, 1971	<b>GUILTY (DEATH)</b>
7. Abduction and killing of at least 18 villagers of Varara in Pabna in the last part of May	<b>GUILTY</b> Imprisonment till death
8. Abduction and killing of two people of Dublia Bazar in Pabna in the first week of September	<b>Acquitted</b>
9. Abduction and killing of four people of Betbaria village in Ishwardi in between November 21 and 24.	<b>Acquitted</b>

## It's part of global terrorism Says Ashraf on ongoing violence

STAFF CORRESPONDENT

Awami League General Secretary Syed Ashraful Islam yesterday said the country's ongoing violence was part of global terrorist activities of religious fundamentalists.

He also said the BNP, Al-Badr and Razakar are no less than the international terrorist groups like IS (Islamic State), Taliban and al-Qaeda.

The LGRD minister made the remarks while speaking at a brief rally on Manik Mia Avenue in Dhaka.

Bangladesh Muktiyoddha Sangsad Central Command Council organised the rally, protesting the ongoing arson attacks and violence.

The AL spokesperson said like in Dhaka, there have been bloodshed in Libya, Paris, Denmark, Egypt and Russia and all are related to global terrorism.

"Khaleda Zia's movement is neither for caretaker government nor for election; it is part of global terrorism. Our enemies are in and outside the country," Ashraf said.

there will be no civilisation," he noted.

At the rally, Shipping Minister Shajahan Khan announced that they would not return home until they drove out BNP chief Khaleda Zia of politics.

He also warned the BNP chairperson of dire consequences if she did not withdraw the blockade and shutdown.

Mentioning that 55 drivers and helpers were killed in 2013 and 60 in 2014-15 in BNP-Jamaat violence, the minister requested the prime minister to take necessary measures to save the countrymen.

Muktiyoddha Sangsad Central Command Council Chairman Maj Gen (ret'd) Helal Morshed Khan presided over the rally that was also addressed by Liberation War Affairs Minister AKM Muzammel Hoque.

After the rally, a procession started from Manik Mia Avenue with around 100 trucks and nearly 1,000 people holding flags of Muktiyoddha Sangsad. The procession paraded different city streets and ended at the National Parade Ground.

FROM PAGE 1

International Crimes Tribunal (ICT) -2 yesterday observed in its verdict on Abdus Subhan.

The tribunal's observation referred to Charge No.1 against him for the killing of 20 unarmed civilians who had taken shelter inside a mosque in April 1971.

Describing the crimes Subhan committed, the tribunal yesterday termed Jamaat-e-Islami a "criminal organisation". Earlier, ICT-1 had termed Jamaat a "criminal organisation" twice while delivering verdicts on other war criminals.

Subhan was then acting ameer of Pabna district unit of Jamaat in 1971.

The tribunal noted that instead of upholding the spirit and philosophy of Islam, Subhan rather dumped it and became a man of extreme notoriety in

Pabna by aiding, abetting and assisting the Pakistani Army in committing acts of large-scale killing and destruction.

"The accused's role thus impels the conclusion that Jamaat to which the accused Subhan belonged was a 'criminal organisation'," read Justice Obaidul Hassan, chairman of ICT-2, from the summary of a 165-page judgment.

Earlier in several judgments, both the tribunals made similar observations about Jamaat's abuse of religion in committing heinous crimes in 1971.

The judgment against Subhan also read, "The holy religion Islam encourages to practice the value of faith, integrity, self-discipline, self-restraint, loving-kindness and it also encourages and teaches human beings to refrain from sinful acts and live life in moderation."

## Death for Subhan

FROM PAGE 1

villages where around 400 people were killed just because they supported the struggle for independence.

He is Abdus Subhan, a top leader of the Jamaat-e-Islami.

Around 44 years later, a special tribunal yesterday sentenced the Jamaat leader to death for committing crimes against humanity, including mass killing, murder, and confinement and torture of pro-liberation people during the 1971 Liberation War.

"The offences for which the accused Moulana Abdus Subhan has been found criminally responsible were the part of horrendous systematic attack against the civilian population ...," International Crimes Tribunal-2 Chairman Justice Obaidul Hassan said in a packed courtroom.

"The objective was to wipe out the Bengali nation by resisting in achieving its independence.

"Subhan had collaborated with the Pakistani occupation army with extreme ferocity in carrying out appalling activities directing pro-liberation civilians around the locality of district Pabna. It stands proved," he said while reading out the summery of the 165-page judgment.

The three-member tribunal found the two-time Jamaat lawmaker guilty on six of the nine charges against him.

Jamaat Naye-b-e-Ameer Subhan, who led the anti-liberation elements in Pabna, was handed down death sentence on three charges, imprisonment until death on two charges and five years' imprisonment on another.

The way Subhan participated in and facilitated the commission of the crimes inevitably aggravates his liability, said the court.

The offences committed by Subhan,

the then acting chief of Pabna Jamaat and vice chairman of anti-liberation Peace Committee, constituted a "serious attack on human dignity or a grave humiliation of one or more human beings".

"We fail to understand how the accused Subhan being a Bengali Muslim actively aided, abetted and facilitated the commission of such crimes with extreme cruelty against the non-combatant civilians of his own locality. Did it match to humanity?" said Justice Hassan.

The other two tribunal members are Justice Md Mozibur Rahman Miah and Justice Md Shahinur Islam.

The three charges that brought Subhan death are participation in the abduction and killing of three named and 17 unnamed people who had taken shelter at a mosque in Ishwardi; murder of six people, including Rajab Ali Biswas; and looting and torching of several houses in Sahapur village in Ishwardi; and killing of around 400 people in Satbaria union of Sujanagar.

Rajab's wife Jahanara Begum was one of the prosecution witnesses, who had narrated before the tribunal how she had begged Subhan to spare her husband's life on May 2, 1971.

The prosecution, however, failed to prove the Satbaria killing as genocide. The court considered it as an act of extermination.

"The offences as listed in charge number 1, 4 and 6 for which accused Abdus Subhan has also been found guilty indubitably fall within the kind of such gravest crimes which trembles the collective conscience of mankind," the court said.

About the killing of those who took shelter inside a mosque, it said, "What a

tion.

"But we have found it proved that the accused Moulana Abdus Subhan knowingly participated and encouraged and induced the principal perpetrators in committing the horrendous sinful acts. The accused's attitude and role that he had in 1971 did not go with the philosophy and spirit of true Islam.

"In disguise of the spirit of Islamic leadership, accused Moulana Abdus Subhan remained culpably closer to the Pakistani occupation army, Razakar force which were engaged to wipe out the pro-liberation Bengali civilians, in furtherance of policy and plan."

Subhan was so hell-bent on carrying out the plan and policy of his party that not even the cries of fellow humans affected him, observed the tribunal.

brutality! It is hard to believe indeed that the accused was a man of slightest humanity and kindness."

Subhan was given imprisonment until death for his role in killing five people and injuring three at Juktitala in Ishwardi, and abducting and killing at least 18 people at Varara village in Pabna.

He got five years' imprisonment for his involvement in the abduction and torture of two people at Arankhola in Ishwardi.

All the sentences would merge into a single sentence of death, said the tribunal.

It, however, acquitted him on three charges relating to abduction, torching and killings in 1971.

Handing down the capital punishment to the 79-year-old man, the court said Subhan was prosecuted and tried for the "appalling atrocities" committed back in 1971.

"Advanced age of an accused does not readily warrant some mitigation of the sentence...considering the mode of participation and magnitude of crimes proved we are not convinced to take his old age into account as a mitigating factor, in awarding sentence," said Justice Hassan.

"... [T]he trauma and harm sustained by the victims and their families also significantly act in assessing the gravity of offences. A sentence therefore must always reflect the inherent level of gravity of a crime," he said.

Amid tight security, Subhan was brought to the tribunal around 9:00am.

He walked into the courtroom with the help of two policemen at 10:58am.

Wearing a white Panjabi, pyjamas and a cardigan, he sat on a chair during the 49-minute proceedings. He remained silent throughout.

"The accused was extremely hostile to the victims, the pro-liberation civilians and he did not respond to the appeal and feeble cries of P.W.7 Jahanara Begum, the wife of Rajab Ali, one of the victims of village Shahpur..." it said.

Prosecution witness Jahanara in her testimony narrated how Subhan led the Pakistan Army to her house and how he identified her husband Rajab Ali Biswas, a local Awami League activist, and had him shot to death.

Even her appeals and cries to spare her husband's life had fallen on deaf ears. Subhan, in fact, had kicked her aside when she fell to his feet.

"What ideology had imbued the accused Moulana Abdus Sobhan in being so cruel and pitiless? Did it reflect the quality of any 'Islamist leader'?" the verdict read.

About half an hour before the proceedings began, two crude bombs went off near Doyel Chatter, a few yards from the tribunal premises around 10:30, said police.

Arrested on September 20, 2012, the Jamaat leader from Pabna was indicted on nine charges in December 2013. After proceedings stretching over a year, the tribunal on December 4 last year said it would pronounce verdict any day.

The prosecution and pro-liberation organisations have expressed satisfaction at the verdict.

The ruling Awami League hailed the verdict while the BNP, as usual, kept mum. The Jamaat, for the first time, didn't announce any programme protesting the verdict.

Sultan Mahmud Simon, conducting prosecutor of the case, said, "We are happy that we have been able to prove the charges against Subhan."

Subhan's family members and the defence said they would challenge the verdict at the Supreme Court.

The Jamaat leader's son Nesar Ahmed claimed that his father is "totally innocent."

Subhan's counsel Shishir Manin said the court made "legal and factual errors" in the judgment.

According to the law, a war crimes convict can file an appeal with the apex court within 30 days from the date of pronouncement of the verdict.

Subhan was taken to Dhaka Central Jail from the tribunal and kept in a condemned cell, Forman Ali, senior jail super at the prison, told The Daily Star last night.

Two war crimes tribunals have so far delivered 16 verdicts. Including Subhan, nine Jamaat leaders have been convicted so far for war crimes.