

The forgotten ones

Families of two Holey Artisan staffers seek justice

MUNTAKIM SAAD and SHAHEEN MOLLAH

Sitting at her home in Narayanganj's Siddhirganj, a feeble-looking Maksuda Begum stares vacantly into the distance. She mumbles most of the time making her words difficult to catch.

"I am exhausted ... I've lost all my strength trying to seek justice for my son," she says.

Maksuda's eldest son Zakir Hossain Shaon, 19, was a kitchen help at the Holey Artisan Bakery in the capital's Gulshan diplomatic zone. He was found bloodied and battered near the upscale café when the five gunmen were still inside it on the night of July 1, 2016.

Shaon died of his wounds a week later at Dhaka Medical College Hospital (DMCH) while under police custody. He had suffered splinter wounds and there were "marks of beating" on his body, said sources at the hospital morgue.

Right after the grisly attack that left 20 hostages including 17 foreigners dead, police said they suspected Shaon's involvement with the five terrorists.

But their investigation did not find any such links.

In the chargesheet of the Holey Artisan case, police said Shaon and another staffer of the bakery, Saiful Islam Chowkidar -- both killed in the incident -- were "victims of accident".

The government gave 15,000 euros or about Tk 13.95 lakh to each of the families of the 20 hostages, but the families of the two got nothing.

Two police officers, killed in the standoff with the five terrorist, also got compensation from police.

Since the attack, Maksuda, in her 50s, has been doing her best to prove that police tortured her son to death, but all the efforts have apparently gone in vain.

She didn't even get the autopsy report, she said.

After Shaon's death, police had said he died of his injuries suffered in the attack, brushing aside the allegation of torture.

Talking to these correspondents at her Siddhirganj home on Friday, Maksuda once again posed a question: "Should we not seek justice because my son was killed by police?"

Asked why she did not file any case against police, she said, "Nobody stood beside us, nobody cared for us."

Shaon had called Maksuda over phone hours before the attack to tell her that he had received his Eid bonus and would be going home on July 3 after receiving his salary.

Maksuda said police called her three



Saiful

Shaon

days later and told her that her son was at the DMCH.

As she rushed to the hospital, she saw Shaon lying on a bed with a saline drip injected into one of his hands. "I can never forget that sight. There were injury marks all over his body. The body had swelled up."

"Sir, I am not a militant. Please don't beat me," Maksuda quoted her son as telling a policeman inside the hospital.

Among his four siblings, Shaon was the eldest and an earning member of the family. His father is a day-labourer. Maksuda sold cakes at roadside tea stalls to supplement the income of her husband Sattar.

"Police took away my son just on suspicion. Are they so blind that they can't even differentiate between a criminal and an innocent person? Couldn't they verify before labelling my son a militant?" she asked.

Sattar said his son was struggling hard to change the fate of his family, but their world turned upside down with his tragic death.

"One of my sons does not work while another has physical disability. My daughter has to work at a garment factory to support our family," he said, adding that they did not get any compensation from the government. **'WAS NOT EVEN ALLOWED TO BURY MY HUSBAND'**

The other staffer, Saiful, 34, a pizza chef, died during the commando operation launched in the morning of July 2 to end the café siege.

His family members were not even allowed to see his body, let alone bury it, they said, adding a narrative was circulated in the media that the family did not want to receive the body for burial.

Sixty-five days after the attack, Saiful was buried along with the five gunmen at the city's Jurain graveyard by Anjuman Mufidul Islam, a social welfare organisation that buries unclaimed bodies.

"We went everywhere, but they didn't even let us see the body," lamented Saiful's wife Sonia Akhter, who was seven-month pregnant when her husband died.

From Shariatpur's Naria upazila,

Saiful worked at the Gulshan café for 18 months. He had learnt baking in Germany where he had stayed for about 10 years.

Saiful would call his pregnant wife every night, but that did not happen on July 1, 2016.

After Sonia learnt about the attack from a television channel, she desperately called Saiful over his mobile phone only to get no response.

Later in the morning, Sonia learnt that all the staffers of the café were safe.

But then came the devastating news.

Four days later, news agency Reuters quoting police reported that one of the men the law enforcers shot dead during the siege may have been a hostage killed by mistake.

However, police later said both Shaon and Saiful were on their list of suspects.

In July last year, police pressed charges against eight of the 21 militants in the Holey Artisan attack case. In the chargesheet, the law enforcers said the attackers wanted to destabilise Bangladesh by initiating the country's worst-ever terror incident.

Saiful and Shaon were not named as accused in the charge sheet which said, "Both of them are staffers of Holey Artisan Bakery and none of them had involvement with any terrorist activity or direct or indirect links with the attackers/terrorist. They are just victims of accident."

Asked whether the two were "collateral damage", Monirul Islam, chief of the DMP's Counter Terrorism and Transnational Crime (CTTC) unit, at a press conference had said their investigation could not ascertain how they were killed.

The CTTC boss also said they did not find any previous links of Shaon and Shaiful with the attackers.

Saiful's family too did not get any compensation, except for Tk 10,000 which it gets every month from the café owners.

Saiful's son, Hasan, was born a week after his burial. He is now three. Saiful's two daughters -- Samia and Ilmy -- are students of class VI and IV respectively.

Talking to these correspondents, Sonia, around 30, said now that the chargesheet says her husband was innocent, they want to get rid of all the stigma which came with the attack.

"My husband was not a terrorist, still he was branded one. We want justice for what happened to us," she said.

merged with the death sentence. They can file appeals with the High Court, challenging the verdict.

The court cleared accused Mizanur Rahman alias Boro Mizan from the charges.

It said though he had given a confessional statement before a metropolitan magistrate, no one gave any testimony against him and there was no strong evidence of his involvement in the crime.

Mizanur, however, will not be released from jail as several cases against him are pending.

Moments after the judge left the courtroom at 12:15pm, some of the convicts shouted "Allahu Akbar".

"You will be judged by Allah in afterlife," one of them shouted at the judge before they were hauled off to police vans on the court premises.

Later they were taken to Dhaka Central Jail in Keraniganj.

REACTIONS
Metropolitan Public Prosecutor Abdullah Abu said they were happy with the verdict but will try to know the reasons behind the acquittal of one accused upon receipt of the full text of the verdict.

The family members of one of the victims -- assistant commissioner of Detective Branch of Police Rabiul Karim -- demanded quick execution of the verdict.

Inspector General of Police Javed Patwary said they would go for an appeal with the HC against the acquittal of one accused.

In his reaction, Law Minister Anisul Huq said the government would soon take necessary steps to prepare a paper book of the case for HC hearing on the death reference and appeal.

Delwar Hossain, one of the defence counsels, said they were aggrieved by the verdict and will challenge it at the HC.

Rabiul's family

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"The United States is honoured to have assisted the government of Bangladesh throughout the investigation into the attack," said the US embassy, adding the US would remain committed to continuing to support Bangladesh in its fight against terrorism.

It also renewed its deepest condolences to the loved ones of the civilians slain and Bangladeshi law enforcement officials who were killed or injured responding to the terrorist attack.

In his reaction, Jatiya Party Chairperson GM Quader expressed satisfaction over the verdict and said with this, people's respect for law will increase.



PHOTO: PRABIR DAS

Just four onions, presumably imported from abroad, weighing nearly one and a quarter kg at a TCB sales centre near Jatiya Press Club yesterday. Each kg is being sold for Tk 45, a fraction of the price in kitchen markets.

HOLEY ARTISAN ATTACK VERDICT Prominent in world media

DIPLOMATIC CORRESPONDENT

International media prominently covered the verdict in the 2016 Holey Artisan case in which seven militants were sentenced to death.

"Holey Artisan cafe: Bangladesh Islamists sentenced to death for 2016 attack" was the headline of the BBC. It gave details of the verdict and how the militants carried out the attack and law enforcers and army commandos stormed the building and rescued 13 hostages, killing all five militants inside the cafe.

In an analysis, BBC also wrote how the Holey Artisan cafe attack prompted massive "anti-terror operations" across the country, while there were human rights concerns over how the operations were conducted.

Al Jazeera published a report titled "Holey Artisan cafe attack: Dhaka court sentences seven to death", covering many aspects of the verdict, reactions and the

details of the attack, which drew global attention in 2016 and changed the way law enforcers dealt with militancy.

Security analyst retired Major General Abdur Rashid told Al Jazeera that the verdict was "a milestone".

"With this verdict, Bangladesh, as a country legally establishes its zero-tolerance stance against militancy and terrorism," he told Al Jazeera.

"7 men sentenced to death for roles in Bangladesh's deadliest terror attack" was the headline of CNN.

India's NDTV reported that the attack on the restaurant, popular among foreigners in Dhaka's diplomatic area, shocked the nation of 160 million and signalled a chilling threat to businesses, including the vital garment exports sector.

The Guardian, Washington Post, the New York Times, and news agencies Reuters, AFP, and AP also ran stories on the verdict.

Where did the IS cap come from?

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everyone in court and on social media yesterday.

As soon as a Dhaka court finished delivering judgement in the country's worst ever terrorist attack case, convict Rakibul Islam alias Regan, who was in the dock, wore the cap emblazoned with the emblem of the Islamic State, a global militant outfit.

Rakibul still had the cap on when police brought him out of the courtroom and took him to a prison van parked on the court premises. Inside the van, another death row convict Jahangir Alam alias Rajib Gandhi was seen wearing a similar cap.

Witnesses said Regan walked to the court prison without any cap on around 10:25am. When he came out from the court prison around 11:58am to attend the dock, he was wearing a black cap, with no logo on it.

Many think it was the same cap, but he was just wearing it inside out to hide the emblem.

After hearing the verdict, Regan put on the black cap, this time with the IS insignia in full.

Where the trial should have put an end to speculations, yesterday's spectacle has now given room for even more queries to arise. Only a thorough investigation can provide answers to these emerging questions. Did the terrorists get the caps inside jail or while being taken to the court amid tight security? Was it due to negligence of the jail authorities and law enforcers or because they did not know what the cap represented?

Security analysts say carrying prayer caps emblazoned with such logos to the courtroom is a security breach.

Arrogance writ large

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The other accused, except Mizan, followed suit.

The seven convicts were nonchalant as they were handed the capital punishment. They showed no sign of repentance for their role in the killing of 22 people, including 17 foreigners and two police officials, on July 1, 2016.

They were all smiles, some hugged each other, and were saying that they would go to heaven.

But Mizan was still clueless about his fate. By that time, the verdict was delivered and the people in the courtroom were whispering about it.

He kept on asking, "Hey brother, please tell me what the judge said. I could not hear it."

A man then mistakenly said, "Death for all."

Mizan then praised the almighty and expressed his allegiance to Jihad (religious war).

"May Islam live long ... May the infidel be destroyed. My name is Mizanur Rahman ... I am the servant of Allah."

Mizan stopped only after a journalist told him that he had been acquitted.

Meanwhile, a three-member committee headed by the additional IG prisons has been formed to



investigate whether the jail authorities had any involvement in this matter, Inspector General (IG) of Prisons Brig Gen AKM Mostafa Kamal Pasha told The Daily Star.

The committee has been instructed to submit the probe report within five days, he said.

"We are handling the issue with great sensitivity," the IG said, adding that stern measures would be taken against anyone found involved.

Following yesterday's verdict, security was beefed up at all the jails across the country, he said.

Chief of Counter Terrorism and Transnational Crime (CTTC) unit Monirul Islam yesterday said they were investigating the incident to get information on how and from where the cap came and whether there was any negligence on the law enforcer's part.

"It is not an IS cap," he said, adding, that there was no instance of IS making such a cap. He said there were "Arabic words on it but it needs

Tamim the mastermind

Observes court

STAFF CORRESPONDENT

He had not only masterminded the Holey Artisan attack in Gulshan, but also coordinated the killing of 20 diners, 17 of them foreigners, on July 1, 2016.

This is how the Anti-Terrorism Special Tribunal court described the role of Tamim Ahmed Chowdhury, a Canadian of Bangladeshi origin, in yesterday's verdict.

Tamim, who had a bounty of Tk 20 lakh on his head, was killed along with two accomplices in an operation codenamed Hit Strong 27 at his hideout in Paikpara area of Narayanganj on August 27, 2016.

Tamim identified himself as Shaykh Abu Ibrahim Al-Hanif (Amir

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No mercy

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The positive image of Bangladesh, known for peace and harmony, was tarnished a bit," said Judge Md Majibur Rahman.

"In regard to punishment, the accused don't deserve compassion or sympathy. Only the handing down of the highest punishment to the accused under the Anti-Terrorism Act 2009 will ensure justice, and relatives of the ill-fated victims will get some peace," Majibur said while reading out the summary of the full verdict in a packed courtroom.

Five young militants, armed with guns, machete and grenades, stormed the upscale eatery in the diplomatic zone in Gulshan on July 1 and held the diners hostage before brutally killing 20 of them -- three Bangladeshis, seven Japanese, nine Italians and one Indian.

The five militants were killed during a rescue operation by army commandos.

Two police officials and a chef of the café were also killed during the 12-hour standoff while another injured staffer of the eatery died later.

REASONS BEHIND ATTACK

In the verdict, the judge shed light on the reasons behind the attack and its mastermind -- Tamim Ahmed Chowdhury -- a Canadian citizen of Bangladeshi origin.

The members of neo-JMB, formed by a faction of Jama'atul Mujahideen Bangladesh, carried out the "brutal and monstrous murders" in the bakery to draw attention of the IS and endanger public safety by waging so-called Jihad, the court said.

The government banned the JMB on February 23, 2005, holding it responsible for a series of bomb attacks and killings.

"The audacity, cruelty and brutality of militancy were manifested through the attack at the Holey Artisan Bakery," the court noted.

When innocent people, both local and foreigners, went to the café for dinner, they came across the brutal face of militancy all of a sudden, it said.

The militants killed people in front of children and hacked dead bodies with sharp weapons to confirm death, the judge said, adding, "The Holey Artisan Bakery was turned into a death valley within a moment."

ROAD TO JUSTICE

After the mayhem, a case was filed with Gulshan police under the Anti-Terrorism Act.

On July 23 last year, the Counter Terrorism and Transnational Crime Unit of Dhaka Metropolitan Police submitted to a Dhaka court a charge sheet against eight militants.

Thirteen other militants were also

found involved in the attack. Their names were not included in the charge sheet as they had been killed in different anti-militant drives across the country.

The court recorded testimonies of 113 witnesses, including survivors, victims' family members, police personnel and café staffers, and closing arguments from both the prosecution and defence counsels before fixing yesterday for delivering the verdict.

Yesterday, the eight accused were taken to the court in the old part of the city by a prison van at 10:20am.

Hundreds of security personnel, including members of Rapid Action Battalion, were deployed in and around the court premises. Archways fitted with metal detectors were set up at the building's entrance and in front of the courtroom.

Around 11:30am, journalists were allowed to enter the courtroom after being checked with handheld metal detectors.

Police later made the journalists and lawyers leave the courtroom, and thoroughly searched it. The law enforcers allowed them to enter it after a few minutes.

The courtroom soon got packed. Many lawyers and even journalists were seen taking photographs and selfies inside it.

Just before noon, the accused were brought to the dock.

The judge sat at 12:02pm and gave an introductory speech, thanking all involved in the trial process.

"There may be varied reactions after the verdict, but as a judge I have tried my best to ensure justice considering all aspects [of the case]," said Majibur.

He then read out the summary of the 134-page verdict.

The judge handed down death sentence to seven for attempts to kill, grievously hurt or hold hostage. They were also fined Tk 50,000 each.

The seven death-row convicts are -- Jahangir Hossain, Aslam Hossain Rash, Hadisur Rahman, Rakibul Hasan Regan, Md Abdus Sabur Khan, Shariful Islam Khaled and Mamunur Rashid Ripon.

They were also awarded five years' imprisonment and fined Tk 10,000 each for supporting a banned entity. In default, they have to serve one more year in jail, it said.

The seven were also sentenced to six months in jail for holding membership of the banned entity.

All of them except for Mamunur were handed down 10 years' imprisonment and a fine of Tk 10 lakh each for financing terrorist activities. In default, they will have to serve two more years in jail.

However, all the jail terms will be