



Mohammad Habibur Rahman Habu of Shibganj Upozilla, Chapainababganj was allegedly tortured by Indian Border Security Force (BSF)

Fact Finding Report

Odhikar

On the night of December 9, 2011, Mohammad Habibur Rahman Habu (24), son of Mohammad Saidur Rahman, resident of village Shatero Rashia under Shibganj of Chapainababganj district in Bangladesh left the house of Muktar Hossain, resident of Kaitapara of village Katlamari under Raninagar Police Station of Murshidabad district of West Bengal. When he reached the Charmouroshi camp of Kaharpara border, he became the target of BSF members of the 105 Battalion as he was not able to give them the sum of money they demanded as a bribe to let him cross back into Bangladesh. It is alleged that duty officers at the camp tortured Habu after they caught him.

One BSF member recorded the incident on his cell phone on December 9, 2011. Later, that 11 minutes and 56 seconds video was made public as one of the Indian satellite news channels, NDTV, on January 18, 2012 telecasted a little of the footage¹. NDTV said that the tortured person was a Bangladeshi citizen. On December 19, 2011 Habu described the horrendous incident to the Bangladeshi media.

Odhikar conducted a fact finding mission about the incident. During this, they interviewed:

- Mohammad Habibur Rahman Habu
- Family members of Habu
- Doctor who treated Mohammad Habibur Rahman Habu
- Chapainababganj District Administration and Shibganj Sub District Administration
- Members of the law enforcement agency

¹ <http://www.ndtv.com/article/india/graphic-video-shows-border-security-force-jawans-torturing-victim-168266?pfrom=home-lateststories>



Picture of Habu when he was tortured, taken from the footage of NDTV

Mohammad Habibur Rahman Habu (24) ,Victim, Chapainababganj

Mohammad Habibur Rahman told Odhikar that he was a poor farmer. He earns a meager living by farming and selling cheap toys. On December 6, 2011 a neighbour of his told him that he would get commission if he could bring cows from India to Bangladesh. His neighbour gave him the addresses of two cow traders in India and Bangladesh. According to the address given, he went to Babu of Khanpur Char under Motihar Police Station of Rajshahi District in Bangladesh. Then he went to Khanpur border and contacted a broker on duty. At that time, he gave the broker 200 taka. The broker took him near the pillar no. 163-1S of the border and introduced him to a BSF officer. The broker kept 50 taka and gave the remaining 150 taka to the BSF officer. Habu entered into the India near the pillar no. 163-1S at night. He went to the house of the cow trader, Muktar Hossain of Katlamari village under Raniganj Police Station of Murshidabad, West Bengal. However, no cow trader agreed to give him any cow as he was a novice. On December 9, 2011 at approximately 10.30 in the night he tried to return to the Bangladesh following the other cow traders. At approximately 11.00 in the night when he reached the BSF camp of Char Mourushi near the Kahar Para border of Murshidabad, West Bengal, BSF members chased him with a tractor to catch him but let the other cow traders go on with cows. They caught him and took him to the camp. At first they demand a cell phone, four thousand taka and 10 electric torches as bribe. He said that he did not have those. Then eight BSF men surrounded him. All of them possessed arms, batons and torches. One of them had a big dagger and threatened to cut off his ear. Another BSF member asked him his name and address. When he answered, they verbally abused him. One of them tied his hands with Habu's woolen scarf. Another one hit him with a stick on his legs. When he fell on the ground, one of

them stepped on his chest and another took off his jacket and vest. Then they untied the muffler and tied his hands from behind with a rope and stepped on his throat. The BSF men took his clothes off and continued beating him. When he fell down again, they ordered him to get up but he could not. Again they started beating him with sticks and verbally abused him. Then they tore his lungi² into half and tied his hands to bamboo rods shaped like a cross. Two members held on to the bamboo and other members continued to hit him in the abdomen, waist and legs. He begged for his life and he would never enter India again, but they continued to beat him. One of them took a video of his torture with cell phone. At one stage, they laid him on his back and stood on his chest, held his legs up and beat the sole of his feet. At the same time he was beaten from the front and kicked from behind. He was rolling on the ground and crying. One of them made him stand and others beat him in the waist, ribs and legs. When he was screaming, BSF members beat him in the face. While the beating continued, they poured petrol on his penis and anus. At one stage, he became weak. Then he was tied to a pole and guarded by one of the BSF members.

On December 10, 2011 at approximately 4.00 am other BSF members returned and tortured him again. At one stage he fainted. At approximately 7.00 am when he gained consciousness, he found that he was lying in a crop field and his hands were tied. Some people were passing by into the fog. He requested them to untie him. They untied him and gave him a blanket and towel as he was naked. He wore them and requested them to take him to Bangladesh, but they feared that the BSF might catch them and left him there. Then he came to the Khanpur village under Motihar Police Station of Rajshahi, Bangladesh near the 163-1S border pillar and stayed in the house of Babu. Later Babu's wife called a village doctor Parvez Hossain, who gave him treatment. On December 10, 2011 at approximately 11.00 in the night he used a cell phone and called his home and told his family that he had been tortured by the BSF. He also said that he was in the home of Babu at Khanpur. On December 11, 2011 at approximately 11.00 in the morning, his uncle, Kamrul Islam Mukul along with his neighbours Rubel and Tutul Hossain Kalo went to Babu's residence. They took back Habu home at approximately 4.00 in the afternoon. Another village doctor, Ismail Hossain Sentu treated him there. Habu said that

² A sarong-type garment worn by men in Bangladesh

because of the fear of harassment of police and BGB³, he did not tell anybody about the torture. But on January 14, 2012 some people of his locality told him that they had found a video of a tortured person by the BSF members and asked whether he was that person. When he saw the video he admitted to the incident. Later, when the incident was aired on TV in the locality, BGB members summoned him to the Monakosha Border Camp. Subedar Abul Hossain, the Company Commander of the Monakosha Camp took down his statement.

Mosammat Sharifa Khatun, wife of Babu, Khanpur Char, Motihar Police Station, Rajshahi

Mosammat Sharifa Khatun told Odhikar that she knew Habu. On December 6, 2011 Habu went to India to bring cows. Later, on December 10, 2011 at approximately 8.00 in the morning near the 163-1S pillar, Habu came to their house limping and wearing a blanket and towel. Habu told her that BSF members of Char Mouroshi Camp tortured him. She saw marks of injury on his palms, soles and back. He was suffering from high fever. She called a village doctor, Parvez Hossain of Khidirpur village who treated Habu for 2000 taka. When he recovered a little, Habu sent the news of his whereabouts to his family by cell phone. On December 11, 2011 in the morning, Habu's uncle Kamrul Islam Mukul and two others came and took him back to Chapainababganj.

Parvez Hossain, Village Doctor, Khanpur Char, Motihar, Rajshahi

Parvez Hossain told Odhikar that on December 10, 2011 at approximately 9.00 in the morning, Mosammat Sharifa Khatun, whom he knew, called him to her house. When he arrived there, Sharifa Khatun told him that members of BSF tortured a person named Habu while he was returning from India. He went inside and saw that Habu's hands, back, waist, legs and palms were swollen due to beatings. He gave him pain killers as first aid. Later, when Habu's condition had slightly improved at the end of the day, he advised Habu to get admitted in a hospital for better treatment.

Kamrul Islam Mukul (34), Habu's Uncle

Kamrul Islam Mukul told Odhikar that on December 10, 2011 at approximately 11.00 in the night Habu called him on a cell phone and told him that BSF members had tortured him. He was

³BGB: Border Guard Bangladesh (BGB) is the paramilitary force of Bangladesh. It is responsible for protecting the borders, preventing smuggling, human and drug trafficking.

at Babu's home at Khanpur Char village under Motihar Police Station, Rajshahi under treatment. Habu requested him to take him back home. On December 11, 2011 Kamrul Islam, along with Tutul Hossain Kalo and Rubel, son of Quaiyum started for Khanpur Char. At approximately 11.00 am they reached the place and saw marks of beating on Habu's body and he could not walk. At approximately 4.00 in the afternoon, the three of them took Habu back home. He also added that in fear of harassment from police and BGB they kept the incident a secret. Later, he called on the village doctor Ismail Hossain Sentu and kept Habu under his treatment. Habu has not recovered his health, he added.

Sub-Inspector (SI) Nur-e-Alam Siddiqui, Officer in Charge (Acting), Shibganj Police Station, Chapainababganj

SI Nur-e-Alam Siddiqui told Odhikar that on January 19, 2012 some journalists enquired on the phone about the torturing of a man by BSF members, telecast on television on January 18, 2012. They asked whether he knew anything about the man as the man resided under his police station. Then he enquired in his locality. Later Shaheb Ali, Member of Durlavpur Union informed him that BSF tortured Habu of Shatero Rashia village. He went to the Habu's home and wrote down his statement and informed his higher authority. Nur-e-Alam Siddiqui also mentioned that he kept a keen observation on the situation so that no problems might occur in the area. Since the incident happened inside India, there was no option for taking legal action. But he will take necessary steps under border security measures with the help of the BGB.

Subedar Abul Hossain, Company Commander, Monakosha Border Camp, Shibganj, Chapainababganj

Subedar Abul Hossain told Odhikar that he called Habu to the BGB camp when he learnt about the incident from the people of the locality. He got a detailed statement from Habu and informed the matter to the Battalion level. He did not wish to say anything more without the permission of the authority.

Major Mohammad Solaiman Talukdar, 37 Border Guard Battalion, Rajshahi

Major Mohammad Solaiman Talukdar told Odhikar that Habu of Chapainababganj secretly went to India passing through the Khanpur Char Border. On December 9, 2011 BSF tortured him when he was returning from India. Habu fled to Bangladesh and took treatment in his home secretly. On January 19, 2012 he got the news and inspected the border and conducted a flag meeting with BSF members. The incident was informed to the Battalion and Sector levels and

internationally to India. BSF members ensured that they would not torture anybody again. Major Mohammad Solaiman Talukdar also mentioned that everything that was legally possible had been done. Nothing more was to be done on behalf of BGB.

A.Z.M. Sarzil Hasan, Upozilla Nirbahi Officer, Shibganj Upozilla, Chapainababganj

A.Z.M. Sarzil Hasan told Odhikar that he came to know about the incident from the people of the locality and informed the District Commissioner. On behalf of the local administration he went to Habu's home with Upozilla Residential Medical Officer to treat his injuries. Besides, Habu had been given 10 thousand taka and warm clothes as relief. He also mentioned that local administration is regularly monitoring Habu's health condition. Necessary steps for Habu's improved treatment had also been taken.

Mohammad Sajjadur Rahman, Superintendent of Police (SP), Chapainababganj

Mohammad Sajjadur Rahman told Odhikar that he came to know in a message from Rajshai Police Station that BSF had tortured a man named Habu at the Rajshahi border. He found Habu by means of police information and informed his higher authority of the incident according to Habu's statement.

K.M. Ali Azam, District Commissioner, Chapainababganj

K.M. Ali Azam told Odhikar that as soon as he came to know that a man named Habu had been tortured by the BSF, he ordered Upazilla Nirbahi Officer (UNO), Officer in Charge of Shibganj police station, Chairman of Union Parishad of Shibganj Upozilla and respective Ward member to find Habu's address and see to his treatment. The UNO managed to arrange Habu's treatment and gave him some donations.

Odhikar's Statement

Odhikar demands that the Government of Bangladesh will take initiatives to stop the violation of human rights along the border and conduct an investigation into this matter and make the Indian Government compensate the victim Habibur Rahman Habu.

THE END