



Shah Alif Prince was tortured in an unknown location for 44 days

Fact-finding report

Odhikar

On February 25, 2012 at around 7.30 in the evening, Shah Alif Prince (24), son of Mohammad Shahjahan Ali and Fahima Khatun Jotsna living in Building 1, Road 13 of Nobinagar Housing under Mohammadpur Police Station, Dhaka was allegedly picked up by plainclothes members of RAB-2 (Rapid Action Battalion) and CPC (Crime Prevention Company) from the Shyamoli Shahi Mosque area. According to his family, his whereabouts were unknown for 44 days.

During the fact finding mission, it was found that Shah Alif Prince is a 3rd year Honours student of the Physics Department at the Titumir College. On February 25, 2012 RAB members arrested Alif, took him into custody and tortured him. After 44 days, on April 10, 2012 the members of RAB-5 of Railway Colony Camp of Rajshahi handed Alif to the police of Boalia Model Police Station in Rajshahi. On April 16, 2012 Alif was released on receiving bail from the CMM (Chief Metropolitan Magistrate) Court of Rajshahi.

Odhikar conducted a fact-finding mission into the incident. During the fact-finding mission, Odhikar interviewed:

- Shah Alif Prince (Alif)
- Relatives of Alif
- Eye Witnesses and
- Members of the law enforcement agencies

Shah Alif Prince (24), the victim:

Shah Alif Prince told Odhikar that on February 25, 2012 at around 6.30 in the evening he was returning home from Shyamoli Shahi Mosque Area. On his way, a few men surrounded him. One of them informed him that they were members of RAB but they were not in uniform. They arrested Alif and put handcuffs on him telling him that there was a case against him under the Anti Terrorism Act 2009. The RAB members took him to RAB-2, CPC-3 and Special Company Mohammadpur Shia Mosque Camp. A RAB member took away his cell phone and began questioning him about the activities and leaders of the recently banned political party Hizbut Tahrir. He then told the RAB member that he had no connection with Hizbut Tahrir. Then the RAB members blindfolded him with a black cloth and beat him with a cane all night. At around dawn, his blindfold was removed. He requested them to inform his family that he is under RAB's custody. However, this made the RAB members even more furious and they increased the level of torture on him.

Alif told Odhikar that there he was tortured in different ways. The RAB members warned him that if he told anyone about the torture, they would make him physically disabled just like Limon of Jhalokathi district. So he refused to give the details to Odhikar.

Shah Alif Prince informed Odhikar that on February 26, 2012 at around 7.00 in the morning, the RAB members blindfolded him and put him in a car and after a while the car stopped. The RAB members took him to a place and removed his blindfold. He could see a dingy and dark room- a toilet. He assumed that it was another RAB camp. The RAB members would take him to another room sometimes during the day and sometimes during the night and interrogate him about the activities of Hizbut Tahrir. When he said that he knew nothing, he was beaten. Days went by like this and he fell sick several times during that period. On April 9, 2012 at around 12 p.m. a RAB member came to him and blindfolded him again. He asked one of the RAB members, where he was being taken. The RAB member told him that he had nothing to fear and then he was put into a car and driven to an unknown location. They made him stand outside and took photos of him. Later he was put into another car that was on the road for quite a few hours. The car stopped in the evening. He was brought out of the car, made to climb a few stairs and taken into a room of a building.

After 44 days, on April 10, 2012 at around 3.00 in the early morning, a plainclothes RAB member came to him and asked him “Prince, do you want to stay like this for the rest of your life or do you want to go back to a free life? If you want to be free, you have to do what we say. You will be released through a legal process. Think about it and let me know.” He agreed to all the conditions placed by RAB. At around 4.00 in the morning, a few plainclothes RAB members blindfolded him again and put him into a car. After a while the car stopped and his blindfold was removed. A bag filled with some papers was slung around his shoulder and he was dropped off. A RAB member told him not to go anywhere far and to roam around in this area. While he was roaming around he saw a signboard that said the area was in Talaimari under Motihar Police Station, Rajshahi District. After some time, two RAB members came and asked him some questions, searched his bag and took out few papers of HizbutTahrir. The RAB members began searching for people all around. After a while they brought two people as witnesses to support their claim that he was a member of HizbutTahrir.

From there he was taken to RAB-5 office where he was made to stand in front of a table and his photo was taken, then he was taken to Motihar Police Station. On April 10, 2012 at around 8.00 in the morning, he was taken from Motihar Police Station to Boalia Model Police Station. The officials of Boalia Model Police Station refused to take him in custody. Then the RAB members filed a case against him in the police station and he was handed over to the police. The police officers kept him in police custody. When he was in custody a police officer told him that the DAD (Deputy Assistant Director) of Railway Colony Camp, RAB-5 AKM Mizanur Rahman filed a case against him. Boalia Model Police Station case number-21; date: 10/4/2012, Section:

9(3) under the Anti Terrorism Act of 2009. At around 4 pm the police officers sent him to the court and appealed for 7 days remand. The CMM (Chief Metropolitan Magistrate) Court of Rajshahi rejected the remand petition and sent him to Rajshahi Central Jail. On April 16, 2012, Shah Alif Prince was released on bail from the CMM (Chief Metropolitan Magistrate) Court of Rajshahi.

Omar Sharif (21), Shah Alif's friend:

Omar Sharif informed Odhikar that on February 25, 2012, at around 7.00 in the evening he was walking by the Shyamoli Shahi Mosque. He noticed a crowd. He approached the gathering and saw that two men had arrested Alif and put handcuffs on him. At that time the people who were present there surrounded the men and wanted to know who they were and why they put handcuffs on Alif. Then those two men showed them their ID cards and identified themselves as members of RAB-2. One of the RAB members addressed Alif and said that he will be taken to the RAB office and beaten, furthermore they said that Alif had been arrested for distributing leaflets of the banned organisation. Not too long after this the RAB members took Alif away on their motorcycle.

Mohammad Shahjahan Ali (56), Alif's Father:

Mohammad Shahjahan Ali told Odhikar that he is a freedom fighter. He worked under Sector 9 during the war of independence in 1971. His *muktibarta* number is 0406010060, gazette number-147, welfare trust number-5034. His family consists of his wife and two sons. His elder son Shah Alif Prince used to work at the customer service of the Elephant Road branch of Airtel, a Cell Phone Company. On February 25, 2012 he was out on business related work. At around 11.00 in the night his younger son Mohammad Shah Yeah called him on his cell phone and informed him that Shah Alif Prince did not return home from work. Then he called Alif's mobile and found it switched off. At that time he informed his relatives and Alif's friends about his son being missing.

On February 25, 2012 at around 5.00 in the afternoon, he went to file a General Diary (GD) regarding Alif's disappearance at Mohammadpur Police Station. The duty officer at Mohammadpur Police Station told him that as Elephant road is under the New Market Police Station area, he has to file the GD at New Market Police Station.

On February 26, 2012 at around 5 p.m. his wife Fahima Khatun Jotsna received a call from Alif on her cell phone from an unknown number. Alif informed them that members of RAB-2 have arrested him. Right after that the mobile phone got disconnected.

On February 26, 2012 he, along with his wife Fahima Khatun Jotsna, went to the New Market Police Station and filed a GD mentioning that his son has disappeared. The GD number is 938. Date: 26/02/2012. The duty officer at the New Market Police station advised them to file another

GD at Mohammadpur Police Station as Nobinagar Housing area was under Mohammadpur Police Station.

On February 27, 2012 he and his wife again went to the Mohammadpur Police Station and filed a GD regarding Alif's disappearance. The number of this GD is 1851. Date: 27/02/2012. On February 29, 2012 at around 11.35 am he went to the Shia Mosque Camp of RAB-2. He said that he asked the RAB members on duty at the gate about his son being missing and that he wanted to contact the higher officials. However, one of the RAB members on duty at the gate did not let him in and told him to lodge a complaint at the complaint box. So he wrote a complaint about his missing son, put it in the complaint box and left. He further informed Odhikar that it is mentioned in the RAB website¹ that 'on the basis of secret information, an operation team of RAB-2, Dhaka carried out an operation at the Shyamoli Shahi Masjid area, Mohammadpur on February 25, 2012. During the mission they arrested an active member of HizbutTahrir, Mohammad Shahjahan Ali, Father- Taltola, Thana and District- Chuadanga, with 50 leaflets and a mobile phone set.' Upon seeing this news, he became certain that Alif was under RAB custody. He also understood that the RAB members deliberately put his name in the place of Alif's name and put the name of the village in place of the father's name to create confusion. He also mentioned that along with studying, Alif used to help out his family by working in Airtel's customer service, located in Elephant Road area of the Dhaka city.

On April 10, 2012, at around 10 a.m. he read a report published in The Daily Janakantha that members of RAB-5 have arrested Alif and handed him over to Boalia Model Police Station in Rajshahi. He confirmed the news of Alif being arrested by contacting the police station via a relative. On April 16, 2012, Alif was released upon receiving bail from the Court. He said that RAB members tortured Alif for 44 days.

Sub-Inspector (SI) Abdul Halim Khan, New Market Police Station, Dhaka Metropolitan Police, Dhaka:

SI Abdul Halim Khan informed Odhikar that on February 26, 2012 a woman named Fahima Khatun Jotsna from Nabinagar Housing came to the police station and filed a GD, numbered 938, date: 26/02/2012. In the GD, Fahima Khatun mentioned that on February 25, 2012 her son Shah Alif Prince went out for work and did not return home. Fahima Khatun Jotsna also mentioned that they looked for Alif in many places but he was nowhere to be found. SI Abdul Halim further told Odhikar that as he was the investigation officer of the GD, he sent the news of Alif being missing to all the police stations after Jotsna Begum filed the case. In the news he said to notify New Market Police station if they found any information about Alif's whereabouts.

¹ http://www.rab.gov.bd/news_dtls.php?nid=8620

Sub-Inspector (SI) Shah Alam, Mohammadpur Police Station, Dhaka Metropolitan Police, Dhaka:

SI (Sub-Inspector) Shah Alam told Odhikar that on February 27, 2012 a woman named Fahima Khatun Jotsna from Nobinagar Housing came to the police station and filed a GD, numbered is 1851, date: 27/02/2012. In the GD, Fahima Khatun Jotsna mentioned that on February 25, 2012, her son Shah Alif Prince went out for work and did not return home. Fahima Khatun also mentioned that after looking for Alif in many places and finding no trace of him they filed a GD at the New Market Police Station on February 26, 2012. As SI Shah Alam was the investigating officer of the GD, he searched for Alif but could not find any information regarding his whereabouts.

Senior Warrant Officer Mohammad Mostofa, Senior DAD (Deputy Assistant Director), RAB-2, CPC-3, Mohammadpur Shia Mosque Camp, Dhaka:

Senior Warrant Officer Mohammad Mostofa told Odhikar that RAB members did not arrest anyone named Alif from Mohammadpur Nobinagar Housing area. However, he notified that he will look into the matter of Alif being missing.

Assistant Superintendent of Police (ASP) Shofiul Sarwar, Quarter Master, RAB-2, Sher-e Bangla Nagar Community Center, Agargaon, Dhaka:

ASP Shofiul Sarwar informed Odhikar that RAB members did not arrest anyone named Alif from Nobinagar. When he was told that there was a news on the RAB website that a criminal was arrested with Alif's father's name, he asked Odhikar to contact the people who control the RAB website.

Flight Lieutenant Salahuddin, Media Wing, RAB-5, Rajshahi:

Flight Lieutenant Salahuddin told Odhikar on April 9, 2012 on the basis of secret news, the members of the search team of Railway Colony Camp of Rajshahi, RAB-5 carried out a mission at dawn in the Talaimari intersection of Motihar Police Station of Rajshahi city. During the mission they arrested Shah Alif (24), an active member of the banned organisation Hizbut Tahrir. Alif identified himself as a 3rd year Honours student of the Physics Department at the Titumir College. They found 150 leaflets of the organisation on him. Alif is the son of Shahjahan Ali of Taltola village, Shodor Thana, Chuadanga district. Alif had come to Rajshahi from Dhaka on a bus for some organisation work and to recruit new members. DAD Mizanur Rahman filed a case as the complainant and handed Alif over to Boalia Model Police Station.

Sub-Inspector (SI) Mahbub Alam, Boalia Model Police Station, Rajshahi Metropolitan Police, Rajshahi:

SI Mahbub Alam told Odhikar that on April 10, 2012 at around 8 a.m., the DAD of the Railway Camp of RAB-5, AKM Mizanur Rahman came to the police station and filed a case as the

complainant under section 9(3) of the Anti Terrorism Act of 2009². Number-21; date: 10/4/2012. At the same time he handed over the accused of the case, a person named Shah Alif Prince. As the investigation officer of the case, he prayed for 7 days remand by showing Alif as arrested under the case. The court refused the prayer for remand and sent him to Rajshahi Central Jail. He was informed that Alif was detained by members of RAB-2 from Dhaka, 44 days ago. He mentioned that the case was under investigation and refused to speak any further about it.

Odhikar's Observation:

At a time when the Bangladesh Government is announcing its stance against extra judicial killings, torture and impunity at the United Nations Human Rights Council, they are also letting freedom fighter Shahjahan Ali's son Shah Alif Prince be held illegally and tortured for 44 days by the law enforcement agencies. A freedom fighter did not get any assistance or cooperation from the government regarding his son being disappeared and tortured for 44 days.

Odhikar demands that the government carry out a fair investigation and take stern legal action against the persons responsible regarding Shah Alif Prince's disappearance and torture. Odhikar is also worried about the personal security of Shah Alif Prince and urges the government to ensure that he is free from further harassment and ill treatment.

² **Section 9: Supporting of prohibited organisation**

(1) If any person requests or urges any other person to support any prohibited organization under section 18 (the Government shall have the power to prohibit by order or incorporating in schedule, any organisation on reasonable basis of involvement in terrorist activities.), or arranges, administers or aids to administer or gives speeches for the purpose of supporting any prohibited organization or boosting up or encouraging its activities, he would commit offence.

(2) If any person addresses any meeting or circulates any information for begging support in favour of any prohibited organisation or for activating its activities, through radio, television or any other print or electronic media, he would commit offence.

(3) Any person found guilty of offences under sub-clause (1) or (2), shall be convicted of not more than seven years and not less than two years imprisonment of any description, and in excess to that may also be liable to fine.