

Indian Border Security Force (BSF) killed 3 people in Thakurgaon border

Fact-finding Report

Odhikar

It was reported that on 30 January 2008 Moshir Uddin (27), Aatur Rahman (26) and Shahidul Islam (20) were killed by Indian Border Security Force (BSF) at Bangladesh-India border at Baliadangi upazilla¹ in Thakurgaon district.

Odhikar conducted a fact-finding mission into the incident. During the fact-finding Odhikar talked with:

- Family members, relatives and neighbours of the deceasedw
- Witnesses to the incident and
- Concerned law enforcing agencies.

(1) Relevant information of the deceased Md. Shahidul Islam (20)

Monowara Begum – Mother of Shahidul

Monowara Begum told Odhikar that Shahidul had a strong wish to study but poverty did not let him to go to school. She also said that on 26 January 2008 in the morning Shahidul went out for work with his bicycle. He put his bicycle in the village *Baroroshia* and went to work. On 31 January 2008 around 11:00 am she heard from the passers-by in front of his house that BSF had gunned down three people. She gave the news to Shahidul's father. She sent her brother Selim and husband to the Rotnai Border Outpost of Bangladesh Rifles (BDR)² for correct information. Her brother was confirmed that Shahidul had been killed by BSF gunfire. On 1 February 2008 around 2:00 pm her relatives brought Shahidul's dead body. She told that there were bullet wounds on the ribs of Shahidul's body. Shahidul's mother told that around 5:00 pm the body was buried.

Md. Robiul Islam (40) – Father of Shahidul

Robiul Islam told Odhikar that on 26 January 2008 in the morning he took a bicycle and went out of the house. When it was late at night and Shahidul was not coming back home, he came to know from his acquaintances in Morolhat and Schooler Haat³ that Shahidul went to work. On 31 January 2008 around 11:00

¹ Upazila means sub-district.

² Bangladesh Rifles is a Bangladeshi force deployed in Bangladesh-India border.

³ Morolhat and Schooler Haat are two small markets.

am he was working in the field in front of his house, his wife came to him and told him that BSF had killed his son. Hearing this he ran to Schooler haat. There he heard people talking about killing of three people by BSF. Robiul requested one BDR personnel to bring the body from BSF and he told that letter had been sent to BSF on behalf of BDR for returning the bodies. In reply BSF agreed to return the bodies. That day they did not receive the body and came back home. Robiul told that 1 February 2008 around 11:00 am he along with his relatives went to Rotnai Border Outpost under 20 Bangladesh Rifles Battalion. Around 12:00 pm Nayek Subedar Saiful Islam, the Commander of the Rotnai Border Outpost along with BDR personnel waved white flag and crossed Nagor River for flag meeting with BSF near border pillar 382/2S and brought back the bodies. Around 1:00 pm BDR handed over the bodies to the police authority of Baliadangi Police Station. He also told that his brother-in-law Selim went to India with BDR to bring the bodies. While describing the condition of the body of Shahidul, he told that bullet hit beneath the right arm near chest. He heard from the BDR personnel that they could not file case.

Md. Nuruzzaman – the person who washed Shahidul’s body

Nuruzzaman (38) who washed deceased Shahidul’s dead body told Odhikar that bullet pierced through Shahidul’s left rib. He told that Shahidul’s hands were abnormally bent upwards. They tried a lot to bend them down but failed to place them normally. Nuruzzaman told that it appeared to him observing the condition of the hands that he had been hung by tying up his hands upwards. He did not see any more sign of injury on the body.

Nayek Subedar Saiful Islam – Camp Commander, Rotnai Border Outpost, 20 Rifles Battalion, Thakurgaon

Camp Commander Saiful Islam told Odhikar that on 30 January 2008 while patrolling the border, around 8:00 pm they heard seven or eight gunshots near border pillar 382/2S. He told that he sent a soldier to find out the location of the gunshots. The soldier told him that he (soldier) went near border pillar 382/2S by crossing the river Nagor and switched on his torch light and saw that BSF personnel from Shonamoti Camp under 47 Kishanganj Rifles Battalion of the BSF were dragging away three corpses from the border pillar. He also said that on 31 January 2008 on a flag meeting they demanded the bodies from BSF. When BSF agreed to return the bodies, he informed the matter to the acting Officer-in-Charge (OC) of Baliadangi Police Station, Sub-Inspector (SI) Jafar. acting OC along with his force waited until 8:00 pm near the pillar 382/2S but BSF did not return any of the deceased’s body. The Commanding Officer of 47 Kishanganj Battalion Shamu Singh told him that they would return the bodies after post-mortem. The Camp Commander told that on 1 February 2008 around 12:40 pm Shamu Singh handed over the three bodies to BDR. The BDR official told that immediately after that SI Md. A. Sattar of Baliadangi Police Station

received the bodies from BDR and made inquest report and returned the bodies to their relatives.

Sub-Inspector (SI) Jafar – the acting Officer-in-Charge, Baliadangi Police Station

SI Jafar told that on 30 January 2008 around 8:00 pm BSF shot dead three Bangladeshi people near border pillar 382/2S. While taking away those bodies towards Shonamoti BSF camp, BDR personnel saw them and demanded them back. On 31 January 2008, the Commander of Rotnai BDR camp informed him that BSF had agreed to return those three bodies. He told that afterwards he along with a police force with a white flag was waiting for the bodies. He waited until 8:00 pm but the bodies were not returned on that day. On 1 February 2008 around 10:00 a.m. he sent SI A. Sattar Sarkar along with a force of three policemen to receive the bodies. The police official said that around 12:40 pm, after the bodies were handed over to the BDR by the BSF, SI Sattar received the bodies from the BDR and prepared inquest reports and then transferred the bodies to the relatives of the deceased.

SI Md. A Sattar Sarkar – Baliadangi Police Station

SI Md. A. Sattar Sarkar of Baliadangi Police Station, who prepared the inquest reports of the three bodies told Odhikar that with an order from the acting OC, on 1 February 2008, around 8:00 am he along with a force of four policemen went to the border pillar 382/2S situated in between Shonamoti camp under 47 Kishanganj Battalion of India and Rotnai BDR camp under 20 Rifles Battalion of Bangladesh. He told that according to the flag meeting, Commanding Officer of 47 Kishanganj Battalion, Shamu Singh brought the three bodies and around 12:40 pm they handed over those bodies to BDR. He received the bodies from BDR and returned them to their relatives. He provided Odhikar with the following information about the inquest reports:

- (1) Moshir Uddin (27), Father's Name: Late Khayer Mohammad, Village: West Horinmari Thokbosti, No. 7 Amjankhor Union Parishad, Ward No. 3, Baliadangi, Thakurgaon. One bullet penetrated the right side of the head and bored into the lower side of the right ear and ripped off the flesh. There were no other signs of injury in the body. The corpse was wrapped with thick black polythene and covered by white cloth.
- (2) Akhtarul⁴ (26), Father's Name: Hakim Uddin (Hokmot Uddin), Village: Bobra Malshur, No. 4 Boro Polashbari Union Parishad, and Ward No. 9. One bullet penetrated through the lower side of the right ear and pierced through right eye. Due to that reason flesh on right eye and ear totally blew

⁴ Family and local people told that the deceased person's name was Aatur but in the inquest report his name was mistakenly written Akhtar. SI Sattar told that while preparing the inquest report, people who present there mentioned his name Akhtarul and for that reason the mistake took place.

away. No other injury was found in the body. The corpse was wrapped with thick polythene and white cloth.

- (3) Shahidul Islam (20), Father's Name: Robiul Alam, Village: Goriali, No. 4 Boro Polashbari Union Parishad, Ward No. 2, Baliadangi, Thakurgaon. Bullet penetrated through right armpit and remained inside. No sign of bullet piercing was there at the back of the body. It is worth-mentioning here that bullet was removed from the body during postmortem in India. The corpse was wrapped with black polythene and white cloth.

The bodies were handed over by the Commanding Officer, Shamu Singh of 47 Kishanganj Battalion of the BSF.

(2) Relevant information about the deceased Moshir Uddin

Khatun Bewa (55) – Mother of Moshir Uddin

Moshir's mother, resident of West Horinmari Thokbosti told Odhikar that on 27 January 2008 Boro Mohajon⁵ Osman Ali assured Moshir Uddin to give him job and told him to meet at Schooler Haat. She told that while leaving home Moshir told that he would return home after shopping from Bazaar but he did not return on that day. She also said that around 9:00 pm one of his neighbours informed her that Boro Mohajon Osman Ali had sent Moshir to fetch cows from India. She thought that Moshir would come back home. She informed Odhikar that moshir was an agricultural labourer. She told that on 31 January 2008 around 8:00 in the morning she heard from the passers-by near her house that BSF had killed three Bangladeshi people including Moshir. Then she ran to her neighbour Shamsul Huq, a member of Amjankhor Union Parishad⁶, to tell the news. Khatun Bewa said that she then went to the Rotnai camp to ask them if they had any information about her son. Khatun Bewa continued by saying that the BDR personnel there informed her that on 30 January 2008 around 8:00 pm BSF had gunned down three Bangladeshis. She came to know from one of the BDR personnel that the dead bodies were kept in Shonamoti BSF camp in India.

Khatun Bewa told Odhikar that on 1 February 2008, around 2:00 pm she received her son's body. She said that while handing over her son's body, the police and the BSF took her signatures and from some of her relatives in a paper

⁵ It came out from the local source that those businessmen who buys more than 10 cows from India and sales them in Bangladesh, they are in local dialect, known as Boro Mohajon. Most of the Boro Mohajons are passport holder and they used to go to India legally, buy cows and put left there and then use Bangladeshi labourers those who have no passport to fetch those cows by means of trafficking. Indian companions and BSF used to help those Boro Mohajons in trafficking cows.

⁶ Union Parishad is the lowest level of the local government in Bangladesh.

under the condition that they would not file any case accusing the BDR and the BSF. Moshir's mother told that Moshir's ear was apart by the hitting of bullets on the right side of his head and flesh peeled off beside his ear. She told that around 5:30 pm they finished Moshir's burial ceremony.

Muslima Khatun (20) – Wife of Moshir

Muslima Khatun told Odhikar that her husband used to work as an agricultural labourer and sometimes used to smuggle sugar, salt and cows of different Mohajons from India. She told that on 27 January 2008 her husband went outside in pursuit of job but he did not inform her where he was going. Muslima told that two days passed but her husband did not return home. She told that on 31 January 2008 around 8:00 in the morning, after hearing the news of killing of her husband and other two people by the BSF, she contacted several people including the Union Parishad Member representing her village for bringing back her husband's dead body. Around 12:00 pm she was confirmed from Rotnai camp that her husband had been killed by BSF gunfire. Muslima informed that on 1 February 2008 around 2:15 pm police of Baliadangi Police Station delivered her husband's body to them. While describing the body she said that brain spilled out by bullet shots on the right side of the head and right ear was dismantled from the body. She demanded justice to the death of her husband to the Bangladesh Government.

Md. Faruque (45) – the man who saw Moshir's dead body

Md. Faruque, neighbour of Moshir told Odhikar that Moshir used to catch fish in the river Nagor at the border and sell them in Schooler haat. He told that he heard from Moshir's wife that on 27 January 2008 Moshir did not return home. On 31 January 2008 he went to Schooler haat and heard that Moshir had been gunned down by the BSF. Later he went to see the dead body. While describing the body of Moshir he told that half of the head blew away due to gunshots.

Abdul Samad (34) – the man who saw Moshir's body

Abdul Samad told Odhikar that BSF always points their gun toward Bangladesh border. When people go to Nagor River near Bangladesh-India border, in many cases BSF shoot to kill them. Sometimes they drag the dead bodies to India from Bangladesh. BSF used to conceal the dead body before BDR become aware of the killing. It seemed from the condition of the legs that BSF dragged the body to many places. He informed that there were signs of skin being peeled off from his legs.

Nurjahan (35) – Neighbour of Moshir

Nurjahan (35) told Odhikar that around two months, Indian Government was reinforcing the barbwire fence in the border and for that reason BSF took strong security measures in the border. She said that the BSF personnel even go so far as to harass the Bangladeshi women in various ways if they go near the border.

Farazul Huq – Who washed Moshir’s dead body

Farazul Huq (30, who washed Moshir’s body told *Odhikar* that due to bullet shots on the right side of the head, Moshir’s right eye and ear ripped apart. He told that he also noticed bruises on his legs which he thought were caused by his body being dragged by the BSF.

(3) Relevant information about deceased Ataur Rahman (26)

Fatema Begum (60) – Mother of Ataur

Ataur’s mother, Fatema Begum, while talking with *Odhikar* told that on 26 January 2008 around 4:00 pm Ataur, for the purpose of shopping, went to Schooler haat. While leaving home, Ataur told her that a man named Robbani would give him a job and he would come back home after shopping. She said that they did not have any land in possession. Ataur used to work on other person’s land and run his family. She said that on that day it was too late at night and Ataur did not return from bazaar; she looked for Ataur to her relatives and neighbours. She continued by saying that on 31 January 2008 around 10:00 in the morning she heard from several people in Morolhat that the BSF had gunned down her son. Fatema Begum said that on 1 February 2008 around 1:00 pm she received her son’s body. She told that bullet shots dismantled Ataur’s right eye and right side of the face.

Arjina (22) – Ataur’s Wife

Ataur’s wife Arjina told *Odhikar* that her husband was a landless day labourer. She said that they had two daughters, Afroza (3) and Mahfuza (1). She said that on 26 January 2008 around 4:00 pm, Ataur went to Morolhat for Robbani’s task. For last few days her husband did not return home and she became anxious. On 31 January 2008 around 10:00 in the morning she heard from the people of Morolhat, beside her house, that BSF had gunned down her husband. Arjina said that she along with her brother Shahidullah and brother-in-law Taijuddin went to the Rotnai BDR camp to inquire about her husband. The wife of the deceased continued by saying that the Camp Commander Nayek Subedar Saiful Islam along with two more BDR personnel and her brother Shahidullah, went to Shonamoti camp across the border fence to identify the body and they came back after identifying her husband’s body. She said that on 1 February 2008 around 2:00 pm she received her husband’s body. She noticed that bullet ripped apart the right ear and cheek flesh of her husband. She told that around 5:30 pm they completed the burial ceremony of her husband’s body. She demanded justice to the Bangladesh government for the killing of her husband.

Taijuddin (40) – elder brother of Ataur

Taijuddin told Odhikar that on 26 January 2008 when he came back home he did not see Aaur at home. He said that on the next day he heard that Aaur had gone to Morolhat on 26 January 2008 around 4:00 pm in the morning for doing Robbani's job. Taijuddin said that for the next few days they did not have any news of him. On 31 January 2008 around 10:00 am he heard from the local people of Morolhat that BSF had gunned down Aaur. The deceased's elder brother went on to say that he passed the news to home and took Aaur's brother-in-law, Shahidullah to the Rotnai BRD camp. There he saw that hundreds of people, anxiously waiting in the camp to get any news of their relatives. He also said that BDR personnel informed them that three people had killed by the BSF. Taijuddin said that he heard from the BDR personnel that the BSF had agreed to return the dead bodies. Then he along with Shahidullah and camp commander Saiful Islam crossed the border fence and went to Shonamoti camp to identify Aaur's body. He told that on 1 February 2008 in the noon police of Baliadangi Police Station handed over Aaur's body to them. He told that one bullet hit Aaur's head.

Saiful Islam (23) – a man who saw Aaur's body

Saiful Islam told Odhikar that on 31 January 2008 around 10:00 am he went to Morolhat and heard that Aaur had been shot dead by the BSF. In Schooler haat, he came to know that BSF had put three bodies near the border fence. He rushed to Rotnai BDR camp and saw hundreds of people were scattered around the place. Some BDR personnel, with their guns, were standing in line along with the border and some others took position in the trench. He said that the Commander of the Rotnai camp, Saiful Islam tried to bring the bodies on 31 January but failed. On the next day, that is, 1 February 2008 around 12:40 pm the BDR and the BSF sat on a flag meeting and handed the bodies over to the Police Station authority. He was also present in that flag meeting and signed in the contract offered by India. He said that he signed around 15 documents but BSF personnel did not let him to read those documents properly. Saiful told Odhikar that even after that he tried to read those papers as much as possible while singing. He recalled that it was written in bold format that no procession shall be allowed with that body according to the Bangladeshi and Indian law. No inquest report would be allowed by dissecting the body and in deviation of the inquest report prepared by India. They would not be allowed to go to the Court with the body. He told that BSF wrapped the body with polythene and white cloth and told them to bury the body without opening the wrap. Saiful said that after they had brought the body in Bangladesh, then opened it and found that half of the face was blown away by shooting beneath the ear. It seemed to him by observing the condition of the body that it was a contact shot. Around 2:00 pm he received the body from the police on the West side land of the Rotnai camp. Around 5:30 pm they took the body to their village Bobra Malsur and buried the body there.

Abdus Samad Panna – Chairman, Boro Polashbari Union Parishad

Abdus Samad Panna told Odhikar that the wired fence in the Bangladesh-India border is the main obstacle. Different people of the different families, both in India and Bangladesh used to live like one family. If father used to live in Bangladesh side, then son could have a house in the Indian side and live there. He said that on 31 January 2008 around 11:00 am former Union Parishad Chairman Shahabuddin Mia (51) informed him that BSF had shot dead a total of 3 people of the villages Bobra Malshur, Goriali and West Horinmari Thokbosti. He sent a man in the Rotnai BDR camp and was confirmed about the incident. He went to the houses of the deceased and told the relatives to bring the body back. He communicated with the camp and came to know that the BSF would return the bodies the next day. On 1 February 2008 he went to the Rotnai BDR camp. Around 1:00 pm, Nayek Subedar Saiful Islam, the Commander of the camp communicated through civilian, near the border pillar 382/2S, with the Shonamoti camp under 47 Kishanganj Battalion of the BSF in the district South Dinajpur in India. The BSF told them to receive the bodies. Panna said that after the confirmation of the flag meeting with the BSF, around 12:00 pm the police from the Baliadangi Police Station, the BDR personnel from the Rotnai camp and some of the relatives of the deceased altogether went to the Shonamoti camp near border pillar 382/2S. He said that around 12:30 pm the Commanding Officer of 47 Kishanganj Battalion of the BSF, Shamu Singh came up with the three dead bodies. He continued by saying that Shamu Singh took signatures in several documents. Then the BSF handed over the dead bodies to the BDR at 12:40 pm. Panna said that the bodies were put on the north side of the Rotnai camp and then the BDR personnel handed over the bodies to the police and police handed over those to the relatives of the deceased. Panna finished his talks with Odhikar by saying that he signed all the documents as a witness.

Md. Shahabuddin Mia – Former Chairman, Boro Polashbari Union Parishad

Neighbour of Ataur Rahman, Md. Shahabuddin Mia (51) told Odhikar that Ataur Rahman was a day labourer. He came to know from Ataur's wife that on 26 January 2008 Robbani wanted Ataur to give a job and therefore Ataur went to Schooler haat. On 31 January 2008 at around 10:00 in the morning, he went to Morolhat and heard that Ataur had been killed. There he was unable to confirm the news so told Ataur's brother-in-law Shahidullah and elder brother Taijuddin to go to the Rotnai BDR camp via Schooler haat. At around 12:00 pm Ataur's brother-in-law Shahidullah and elder brother Taijuddin came back and told him that BSF had shot dead Ataur and two more people. Then he informed this matter to Chairman Abdus Samad Panna and requested him to bring back the body from the BSF through the BDR. Then Chairman Abdus Samad Panna went to the families of the deceased and came to know about the incident in detail and

quickly took initiatives to bring the bodies back. He told Odhikar that according to the letter sent by the BSF, the BDR personnel told the Union Parishad Chairman, Member and relatives of the deceased to come to the Rotnai BDR camp. According to the instruction, on 1 February 2008, at around 11:00 am he along with the relatives of the deceased went to the Rotnai camp. There he saw SI Md. A. Sattar Sarkar with his force from the Baliadangi Police Station. He stood on the Bangladesh side of the Nagor River. On the other hand, the BDR, police, Member, Chairman and relatives of the deceased crossed the Nagor, passed border pillar 382/2S and went near the Shonamoti camp. He told that after an hour or more, they brought back three dead bodies from the BSF. He told that bullet pierced through right ear and ripped off the flesh of right eye in such a manner that it appeared to him that it was a contact shot.

-End of Report-