



Ashrafal Islam killed and Elaich Mia injured in BSF shooting at Bholaganj Border, Companyganj Sub-District, Sylhet

Fact-finding Report Odhikar

Kalidar Stone Quarry is located on the banks of the Dholai River area in Companyganj sub-district, Sylhet. The Bangladesh government earns significant revenue from extracting mineral resources from this quarry. These lands are leased out by the government to the locals every year for extraction of mineral resources. The lessees employ their own labourers at the quarries and also allow others to extract minerals from the quarries in exchange for a certain fee.

At about 9:00 pm on July, 01, 2011, Ashrafal Islam (20), son of Mohammad Abdul Ahad and Lal Banu from Bagharpar of Sylhet district, Elaich Mia (22) son of Aftab Ali and Amirun Nesa and their companion Shona Mia (19) son of late Konu Mia and Hawatun Nesa from Parua Noagaon village, went to extract stones from Kalidar Stone Quarry situated on the part of Dholai river which is within Bangladesh territory.

Ashrafal Islam and Elaich Mia were shot by members of the Indian Border Security Force (BSF) from Kalidar camp Shilong District, Bholaganj Police Station area, who had opened fire targeting at them.

The two men were taken to Sylhet MAG Osmani Medical College Hospital by their relatives. Ashrafal Islam died on the way to the hospital. Elaich Mia was admitted to the hospital where he remained under medical treatment for 8 days before being released.

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

- Ashrafal Islam's relatives
- Elaich Mia
- Eye-witness
- Doctors and morgue-assistants at the MAG Osmani Medical College Hospital, Sylhet
- Affiliated members of the law-enforcement agencies

Abdul Ahad (65), Ashrafal's father

Abdul Ahad informed Odhikar that, his son Ashrafal Islam (20) used to assist him with his farm. A few days prior to the incident, students of the West Islam Government Primary School became the champions of the 'Bangabandhu and Bangamata Government Primary School Tournament' and Ashrafal wanted to give awards to the players. To finance these awards Ashrafal, Elaich Mia and Shona Mia decided to extract stones from the river and sell them.

In accordance with the plan, on July 01, 2011, at about 8:00 pm Ashrafal and two of his friends headed out towards Kalidar Quarry on Dholai River to extract stones, and had reached the destination at about 9:00pm. There were approximately another 100 to 150 other labourers who had gone to extract stones there. At about 9:05pm Shona Mia called Abdul Ahad on his mobile phone and informed him that the BSF had opened fire on them when they went down to the river. Ashrafal and Elaich Mia, who were 200 yards within Bangladesh territory, had been hit by BSF's bullets.

Shona Mia further informed him over the cell phone that the two injured men had been taken to Companyganj Police Station area Health Complex. Upon deterioration of their condition, at about 10:00pm, Shona Mia arranged to transfer them to Sylhet MAG Osmani Medical College Hospital for better treatment. Upon their arrival at the hospital at 11:30 pm on July 01, 2011, Ashrafal was pronounced dead.

Abdul Ahad informed Odhikar that on July 02, 2011, after completion of the post-mortem on Ashrafal's body at about 5:30 pm, they headed out of the hospital towards their home where the burial was concluded at their family graveyard at 9:30 pm. He further informed that the doctors who conducted the post-mortem

investigation on Ashrafu's body had told him that Ashrafu had been hit by 33 bullets between his head and his lower abdomen. His other son, Nazrul Islam, on July 2, 2011 filed a case at Companyganj Police Station against unidentified individuals for committing murder. The Case is numbered: 01; Date: 02/07/2011, under sections- 326/302 of the Penal Code.

Elaich Mia (22), Injured Individual

Elaich Mia informed Odhikar that, at about 9:00 pm on July 01, 2011, he along with his acquaintances Ashrafu Islam and Shona Mia went to Kalidar border area on a boat to extract stones.

100-150 labourers were extracting stones at the site. At this time, the BSF members from the India border started firing at them indiscriminately. Some of the labourers submerged themselves in the water and others clambered to the shore and lay flat on the ground. Ashrafu and he were directly hit by the bullets shot by members of the BSF. He informed that these being 'pellets' (a kind of bullet used to hunt birds), they had penetrated various parts of their bodies. When the BSF members left after having fired several rounds, the other labourers present took Shona Mia, Ashrafu Islam and Elaich Mia to Companyganj Police Station area Health Complex for medical attention. Two of the men, Ashrafu and he, were in a critical condition and they had to be transferred to Sylhet MAG Osmani Medical College Hospital after being given primary medical care at the complex. Upon reaching the hospital, Ashrafu was pronounced dead and Elaich Mia was admitted to ward no.4 for 8 days. He had been hit with 25-26 of these pellets. He had heard that since the bullets had penetrated Ashrafu's head and the region under his chest, he had lost a significant amount of blood and therefore could not survive.

Shona Mia (19), Eye-witness

Shona Mia informed Odhikar that, at about 9:00 pm on July 01, 2011, he along with Ashrafu and Elaich Mia went to Kalidar border area to extract stones. In the darkness, they were shot at while in the river within 200 yards of Bangladesh territory. He then informed by cellphone Elaich and Ashrafu's relatives that they had been injured in the incident. Shona and the other labourers first took them to Companyganj Police Station Health Complex. The on duty doctor realised that the state of the injured individuals had become very critical. They were later transferred to MAG Osmani Medical College Hospital, upon reaching where Ashrafu had been pronounced dead on arrival.

Dr. Abdullah, Station health-officer, Companyganj Health-Complex, Sylhet

Dr. Abdullah informed Odhikar that, at about 10:00 pm on July 01, 2011, two men named Ashrafu and Elaich Mia, who had been shot, were brought to the health complex. He provided both of them with primary treatment. However, since their condition was critical, he advised that they be transferred to MAG Osmani Medical College Hospital.

Kamal Ahmed, Police Inspector, Companyganj Police Station, Sylhet

Kamal Ahmed informed Odhikar that, at about 10:35 pm on July 02, 2011, an individual named Nazrul Islam came to the station and filed a murder case, Case number: 1; Date: 02/07/2011, under sections- 326/302 of the Penal Code. On the First-Information Report Nazrul Islam stated that, his younger brother Ashrafu Islam and his companions Elaich Mia and Shona Mia went to extract stones at Kalidar Stone Quarry on the Dholai River in the border area. Unidentified BSF members opened fire aiming at them. His brother was killed as a result of the injuries from the bullets.

Police Inspector Kamal Ahmed then inspected the place of incident. He further informed that, some of Bangladesh's land had eroded into the river. When Bangladeshi labourers went to these areas to extract stones, they were subjected to the same kind of illegal conduct from the BSF and many are killed as a result. The high ranking officials of the Bangladesh government are well aware of this, he added.

Subedar Chan Miya, Border Guard Bangladesh (BGB), Tala Sadeq Camp, Companyganj, Sylhet

Subedar Chan Miya conceded to Odhikar that he had heard about the incident but refused to disclose any information that he might possess regarding the occurrence.

Masuk Ahmed, Morgue-Assitant, MAG Osmani Medical College Hospital, Sylhet

During the fact-finding mission a statement from Professor Dr. Abul Mansur Ahmed of the forensic department of Sylhet MAG Osmani Medical College could not be obtained. The morgue-assistant Masuk Ahmed's statement has therefore been provided instead.

Masuk Ahmed informed Odhikar that, at about 11:45pm on July 01, 2011, a member of the Companyganj Police Station had brought in the body of a man named Asraful Islam for a post-mortem procedure. The post-mortem was conducted at noon the next day July 02, 2011. He told, the body of the deceased had been hit by pellets in various locations. A significant number of these bullets were taken out of the deceased's body and given to the police as evidence.

Abdul Bari, Individual who washed Ashraful's body before burial

Abdul Bari informed Odhikar that he along with Azizul Haque and Ataur Rahman washed Ashraful's body before burial. There were scars from fresh wounds from numerous pellets. It was apparent that the deceased had lost a large amount of blood.

The illegal killing of Bangladeshi citizens by the Indian BSF is continuing unabated. On March 12, 2011 at the end of the 5-day meeting in New Delhi between the Border Guard Bangladesh and the Indian Border Security force, BSF Director-General Raman Srivastav, stated that lethal weapons will not be used against Bangladeshi citizens at the border. Despite such promises unarmed Bangladeshi's continue to be unjustly killed at the borders.

Odhikar demands that the government strongly condemn this activity by the BSF and protest against such killings and obtain compensation from India for the families of the deceased.

-End of Report-