



## **Bangladeshi child named Shafikul<sup>1</sup> was detained by BSF at Chanduria border in Kolaroa Upazila of Satkhira district**

*Fact Finding Report*

*Odhikar*

The geographical divide between Bangladesh and India barely changes the relationship for those living in Chanduria in Kolaroa Upazila of Satkhira district of Bangladesh and those living by the Pandaria border in Gorjola village of Gaighata thana in Uttar Chobbish Pargana district of West Bengal, India. Almost regularly, they cross the borders to visit each other. If there are any religious, social or cultural festivals in India or Bangladesh, they all participate. During such occasions, security personnel guarding the frontiers look away in exchange for money. If anyone refuses to give money, they capture and hand them over to the police station. Chanduria border of Bangladesh and Pandaria border of India are divided by the River Ichhamoti. Even though there is a barbed wire fence at India's Pandaria border, there are places that are not fenced and people can pass through.

On December 19, 2012 at around 1:30am members of the Indian Border Security Force (BSF) detained a minor named Shafikul (14) from Chanduria border of Kolaroa upazila in Satkhira district of Bangladesh.

Shafikul's family and eyewitnesses informed that on December 18, 2012 at around 7:30pm, Shafikul and a few other locals crossed the Chanduria border of Bangladesh to see a play in India's Gorjola village. On December 19, 2012, at around 1:00am, the group was returning to Bangladesh from India after seeing the play. Thinking that they were cattle traders, the BSF members at the time began chasing them. When they were close to the border Shafikul's leg slipped into a small piddle. BSF members caught him and took him away. According to the latest information Shafikul has come back to Bangladesh on January 28, 2013 from India's Dhoba Asram on bail.

**Note: The name of the victim and involved people have not been disclosed following the request of the victim's family.**

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<sup>1</sup> Pseudonym

Odhikar carried out a fact finding mission into the incident. During the fact finding mission Odhikar interviewed:

- Shafikul's relatives
- Eyewitnesses
- Officials of the local government and
- Members of the law enforcement agencies

**Shafikul's Father:**

Shafikul's father told Odhikar that among his two sons and three daughters, Shafikul is fourth. Shafikul studies in standard nine. Brought up in a poor family, Shafikul runs a cosmetics shop in Chanduria bazaar to bear the cost of his education. On December 18, 2012 at around 3:00pm, he went to work in his cosmetics shop. At around 10:00pm when Shafikul did not return home from his shop, his father went to look out for him at Chanduria bazaar and various other places, however, without a trace. On December 19, 2013, at around 3:00am when he heard the commotion of villagers outside, he got out of the house and learned that BSF members have chased some cattle traders. He looked out for his son again but found no news about him. At around 3:30am he went to Chanduria bazaar to know the story in detail. After going to the bazaar he learnt that an Indian Ghaat (bank) owner sent information through a member of Bangladesh's cattle traders' group that BSF members detained Shafikul. He informed his grandfather in-law, who is a permanent resident of India, about Shafikul's detention and requested him to make arrangements for his release. When they could not bring Shafikul back by 2:30pm, he informed Chanduria BGB Camp Commander Nayek Subedar Abdul Mannan about the matter.



Photo: Bangladesh-India border divided by Ichamoti river

**Shafikul's maternal uncle:**

Shafikul's maternal uncle told Odhikar that on December 19, 2012 at around 3:00am, after hearing some commotion outside, he went out and heard from the villagers that a few people from Bangladesh had gone to see a play in India and when they were returning, some BSF members chased them. At around 3:30am, his brother in-law told him about Shafikul was missing. After that he contacted his relatives in India on mobile phone to find out if they knew about Shafikul. He learnt from Shafikul's father that BSF members detained him. At around 2:30pm, he and Shafikul's father informed Chanduria Border Guard Bangladesh (BGB) Camp Commander Nayek Subedar Abdul Mannan about the matter. On December 19, 2012, at around 4:30pm, Nayek Subedar Abdul Mannan held a flag meeting with Pandaria BSF Camp Commander. In the meeting it was informed on behalf of BSF that Shafikul has been handed over to Uttar Chabbish Pargana district's Gaighata Police Station. Therefore, it was not possible for them to release Shafikul without going through appropriate legal procedure.

**Eyewitness-1:**

Eyewitness-1 informed Odhikar that due to the existence of relationships among people from both sides of the border since before the separation in 1947, people have been making to and fro regularly using the borders between the two countries. In fact if there was any big cultural programme in India or Bangladesh, people from both countries would attend the programme in large groups. Usually during such situations, members of BGB charge Tk 300 and members of BSF charge Tk 500 to look away and let the villagers cross the borders freely. If anyone refuses to pay they are instantly detained and handed over to the police station. On December 18, 2012, at around 7:30pm a group of men including Shafikul and he, swam through the Ichhamoti River at Chanduria border and went to see a play in India's Gorjola village. They did not have any money with them and thus they chose to swim across the river. After the end of the programme on December 19, 2012, at around 1:00am, they were on their way to Bangladesh from India. After some time BSF members, thinking that they were cattle traders, chased them. As a result, Shafikul and he began running towards the border. When they were near the border, Shafikul's leg slipped into a small puddle causing the BSF members to catch him. After that he went to Chanduria bazaar, told a few of his acquaintances about BSF members detaining Shafikul and then went home.

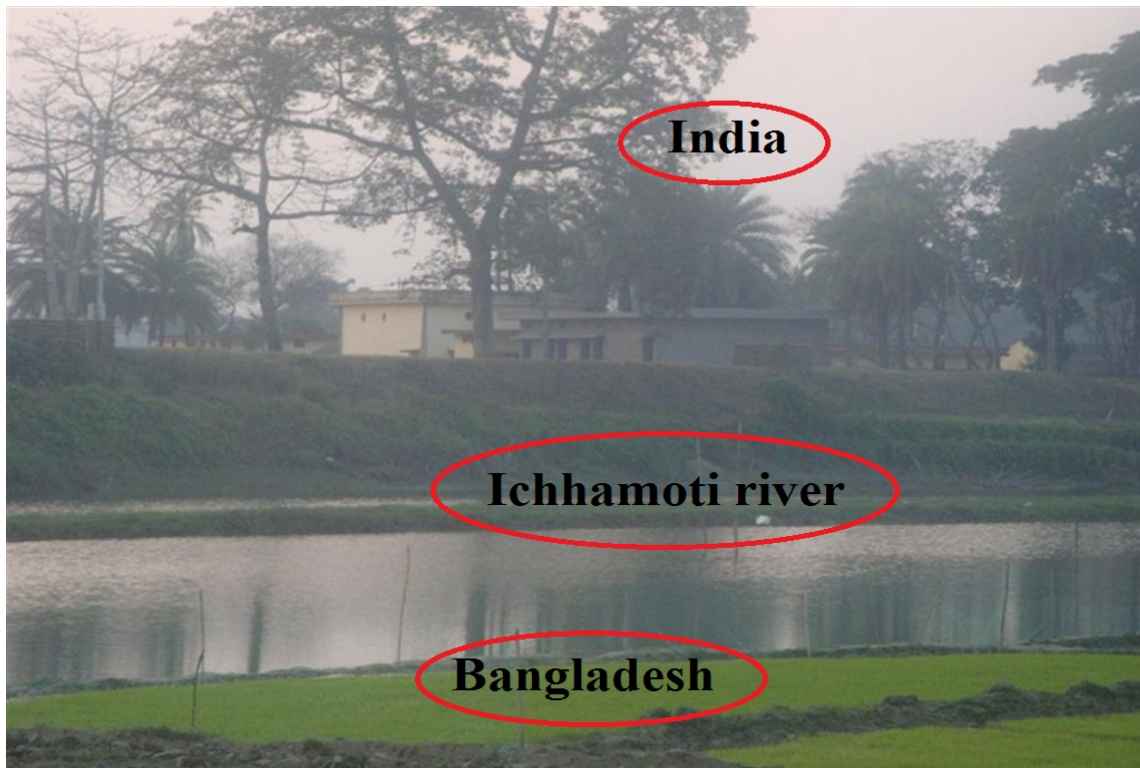


Photo: Canduriya border of Bangladesh

**Eyewitness-2:**

Eyewitness-2 told Odhikar that Chanduria border between Bangladesh and India is divided by the Ichhamoti River. On December 18, 2012, at around 10:00pm, a group of men including him swam across the Ichhamoti River from Bangladesh's Chanduria border and went to see a play at India's Gorjola village. On December 19, 2012, at around 1:00am, the group including Shafikul and him was returning to Bangladesh when suddenly, BSF members began chasing them. Afraid, Shafikul and others ran towards the border. However, he and some others stayed back in India. At around 10:00am, he crossed the border and came back to Bangladesh.

After returning to Bangladesh he learnt from the villagers that on December 19, 2012, at around 1:30am, BSF members detained Shafikul. At around 2:30pm, Shafikul's father informed Chanduria BGB camp about Shafikul being detained by the BSF. BGB and BSF had a flag meeting that day at around 4:30pm. During the flag meeting he stood nearby and heard the BSF officials claiming that Shafikul has been detained for trespassing and sent to Gaighata Police Station. Therefore, it was not possible to release him without going through a proper legal procedure.

**Nayek Subedar Abdul Mannan, Chanduria Camp Commander, 38 battalion, Satkhira:**

Nayek Subedar Abdul Mannan informed Odhikar that on December 19, 2012, at around 2:30pm, a man came and informed him that on December 18, 2012, Tuesday night, his son went to watch a play in India and has been detained by BSF. Based on this accusation he talked to eyewitnesses and found that BSF detained Shafikul for trespassing when he went to watch a play at India's Gorjola village by crossing the border from near number 11 river pillar of 17/7 Sub pillar of Chanduria

border in Katpara village of number 7 Chandanpur Union Parishad in Koloroa Upazila of Satkhira district. After verifying the information, he took permission from Lieutenant Colonel Abu Bashir, Commander, 38 Border Guard Bangladesh Satkhira and hosted a flag meeting on December 19, 2012 at around 4:30pm. In the meeting Nayek Subedar Abdul Mannan led the five-member BGB team while Company Inspector Monir Ahmed led the five-member 152 BSF team. Company Inspector Monir Ahmed informed BGB that Shafikul has been detained while he was taking cows through Pandaria border of Gorjola village under Gaighata police station of Uttar Chhabish Pargana district in India's West Bengal. Shafikul did not have any passport. He was detained for illegally entering India without a passport and handed over to Gaighata Police Station. When request was made on behalf of BGB for Shafikul's release, Company Commander Monir Ahmed said that they have nothing to do. If they want Shafikul released, they have to follow appropriate legal procedures.

**Lieutenant Colonel Abu Bashir, Commander, 38 Border Guard Bangladesh, Satkhira:**

Lieutenant Colonel Abu Bashir told Odhikar that on December 19, 2012 at around 2:30pm, Nayek Subedar Abdul Mannan from Chanduria BGB camp informed him that members of 152 BSF detained a Bangladeshi boy named Shafikul after he went to India to watch a play. He ordered Nayek Subedar Abdul Mannan to arrange a flag meeting with BSF for having Shafikul released. However, Shafikul could not be released since BSF told them that Shafikul has been handed over to the Indian police before the flag meeting.

**Sikder Akkas Ali, Officer in-charge (OC), Kolaroa Police Station, Satkhira:**

Sikder Akkas Ali informed Odhikar that he knows nothing about any boy named Shafikul being detained by BSF from Chanduria border of Katpara village in Kolaroa Upazila's number 7 Chandanpur Union Parishad. Sikder Akkas Ali also said he heard about this matter first from Odhikar. He said he will now inquire into this incident and take appropriate actions.

**Odhikar's view:**

Shafikul managed to come back to Bangladesh on January 28, 2013 with the help of his Indian relatives. Odhikar says that since there are relationships among people living on both sides of the border, they are bound to keep contact with each other by any means. The onus is on the governments of both the countries to formulate a legal and easy process for the people living near the borders to meet with their relatives on the other side.

-End of Report-