



## **Korban Ali (25) shot to death and Amena Akhter (13) injured by shooting in Mutubi village of Shonaimuri Upazila under Noakhali district**

*Fact Finding Report*

*Odhikar*

On February 28, 2013 the International Crimes Tribunal-1 delivered death sentence to Jamaat-e-Islami's Nayeb-e-Amir Delwar Hossain Sayedee for crimes against humanity during the Liberation War in 1971. Country wide general strike was called to protest against the judgement, where several persons were killed in clashes between the police and protesters in Rajganj of Begumganj Upazila and Dotter haat under Noakhali district. Following the clash on March 1, 2013 at around 1:45pm, Korban Ali, son of Lokman Hossain was shot to death allegedly by RAB-11 officials in front of a mosque in Mutubi village of Shonaimuri Upazila under Noakhali district. When Korban's nephew and the locals wanted to go close to Korban, after he was shot, RAB fired a few more indiscriminate shots which caused few people injured. Amena, who was standing in her yard, also got shot in the firing. Korban's father claimed that his son was innocent and was killed without any reason.

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

- Korban Ali's relatives
- Eye-witnesses
- The lawyer conducting the case and
- Members of the law enforcement agencies



Photo 1: Korban Ali (killed)



Photo 2: Korban's blood stained Polo-shirt and lungi (A skirt type cloth for men)



Photo 3: Amena Akhter who has been shot.

### **Lokman Hossain, Korban Ali's father, Mutubi, Shonaimuri, Noakhali:**

Lokman Hossain informed Odhikar that his son Korban Ali was an electrician. They went to say their Friday prayers on March 1, 2013, in the mosque. They got out of the mosque at

around 1:45pm, when a patrol van of RAB-11 stopped on the road adjacent to the mosque, which leads to the Upazila Nirbahi Office. The RAB members in the van opened fire at the men who were getting out of the mosque. As a result, his son got shot in the head and died on the spot. The members of RAB-11 then took his son away in their van. Later, he got to know from local journalists that the RAB officials took Korban to Laksham Upazila Health complex first and then to Comilla Medical College Hospital. From there he was taken to Dhaka Medical College Hospital. After completion of the post mortem, Korban's body was brought to their house in an ambulance in Mutubi village and then he was buried. He filed a petition case on March 10, 2013 at the Court of Noakhali Judicial Magistrate, demanding that the killers of his son Korban Ali, be brought to trial after a fair investigation. The case number is 139; date: March 10, 2013. He said that his son was innocent.

**Saddam Hossain (20), Korban's nephew, a victim and eyewitness, Mutubi, Shonaimuri, Noakhali:**

Saddam Hossain told Odhikar that on March 1, 2013 at around 1:45pm after saying their prayers, he was getting out of the mosque with Korban when he saw a RAB van passing through the road in front of the mosque and going towards Shonaimuri market from Choumuhoni. After the vehicle crossed the mosque, a few people threw stones at the van. The RAB members stopped the car and began firing towards the mosque. Korban, who was standing beside him got shot in the head and fell on the ground. He went near Korban and saw that he was no longer breathing. When he and others were trying to drag his body, RAB members began indiscriminately firing at them. He got shot on his leg at that time. A few other people also got injured but they fled the scene leaving Korban's body there in order to save them. The RAB members took Korban's body in their vehicle and went towards Shonaimuri market.

**Amena Akhter (13), a child who was shot, Mutubi, Shonaimuri, Noakhali:**

Amena Akhter informed Odhikar that her house is near the mosque. On March 1, 2013 at around 1:45pm she was working in her house. She came out at her yard upon hearing the sound of gunshots and commotion outside and got to know from the people nearby that a man has been shot to death by RAB in front of the school. Then suddenly a bullet hit her under her left knee. She admitted at Shonaimuri Bajra Hospital.

**Advocate Kazi Kabir Ahmed, Secretary, Bar Association, Noakhali and lawyer conducting the case filed by Korban's father.:**

Kazi Kabir Ahmed told Odhikar that RAB in an attempt to divert the focus of Korban Ali's killing in Shonaimuri's Mutubi on March 1, 2013, took Korban's body to various hospitals in the name of treatment and implicated him in a false case. He said that evidence of this was found in the First Information Report (FIR) of the case filed by RAB regarding the treatment

of Korban. It is written there that since Korban's condition was deteriorating, he was first taken to Laksham Upazila Health Complex and then to Comilla Medical College Hospital and afterwards to Dhaka Medical College Hospital for further treatment. He said, actually Korban died on the spot. The proof of which, was found in the dead body transfer certificate<sup>1</sup> given by RAB-11's SI Bimal when Korban was being transferred to Dhaka Medical College Hospital. There he mentioned that following the order of RAB-11's ASP Kamrul Islam he has transferred Korban's body from Comilla Medical College using an ambulance (Dhaka Metro: Cha 71- 634) to Dhaka Medical College.

In the case filed by RAB on March 2, 2013, the time of the incident was mentioned as between 3:05pm to 4:15pm. Whereas on March 2, 2013, at around 12:35am, in the inquest report prepared by SI Rokibul Hassan of Shahbag Police Station, the time of incident was mentioned as March 1, 2013 at around 1:45pm. This was before the post mortem conducted at Dhaka Medical College Hospital. The discrepancy regarding the incident in the papers prepared by members of the law enforcement agencies serves as the proof of inconsistency in their statements about Korban's killing.

**Mohammad Jashim Uddin, Deputy Assistant Director, RAB-11, Adamjeenagar, Narayanganj:**

Mohammad Jashim Uddin informed Odhikar that on March 1, 2013, RAB-11 received orders from the Deputy Commissioner of Noakhali to assist the law enforcement agencies in maintaining the law and order condition in Noakhali. Following the order on March 1, 2013, at around 12:30pm RAB's patrol van went to Noakhali *Sadar* for patrol duty. From there at around 3:05pm, when the patrol van reached Mutubi in Shonaimuri, a group of rowdy individuals threw bricks and stones at them and at one point even fired at them. In order to defend them and disperse the rowdy crowd they contacted RAB's high officials and used the shotguns issued by RAB. The RAB members fired 120 rounds of ammunitions and 17 rounds of tear shells from gas-guns and brought the situation under control. Later, they found an injured man who was bleeding for being shot in Mutubi. They took him to Laksham Upazila Health Complex first and from there on advice of the duty doctor he was taken to Comilla Medical College Hospital. Afterwards he was brought to Dhaka Medical College Hospital for further treatment. The duty doctor at Dhaka Medical College Hospital declared him dead and after the completion of post mortem the body was sent to his home via ambulance. Regarding that incident, on March 2, 2013, at around 2:05am, he filed a case at Shonaimuri Police Station as the informant against 500/600 unknown individuals. The case number is 1; date: 02/03/2013. Shonaimuri Police Station's SI Mofizul Islam is investigating the case.

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<sup>1</sup> The Transfer Certificate and inquest report are scanned and attached with this report

**SI Mofizul Islam, Shonaimuri Police Station, Noakhali:**

SI Mofizul Islam told Odhikar that he is investigating the case and it is not possible for him to disclose anything before the investigation is completed.

**Hasina Begum, Upazila Nirbahi Officer (UNO)<sup>2</sup>, Shonaimuri, Noakhali:**

Hasina Begum informed Odhikar that she had no information about any RAB operation at Mutubi on March 1, 2013. In fact she did not even know that RAB was on patrol duty at Shonaimuri road on that day. On the same day a few rowdy people attacked the Shonaimuri Upazila Nirbahi Office, protesting against the judgment passed by the Tribunal against Jamaat-e-Islami's Nayeb-e-Amir Delwar Hossain Sayedee, who has been accused of committing crimes against humanity. The police of Shonaimuri Police station brought the situation under control by firing tear-gas canisters and then rubber bullets. On that day at around 7:30pm, RAB-11's Squadron Leader Shahed Ahmed Khan came to the Upazila Nirbahi office and told her to inform him if any help is needed regarding the maintenance of law and order.

**Sirajul Islam, Deputy Commissioner, Noakhali:**

Sirajul Islam told Odhikar that on March 1, 2013, RAB 11 was instructed to assist the law enforcement agencies in maintaining the law and order situation in Noakhali. He also said that he has no information about whether RAB has shot anyone to death on March 1, 2013.

**Odhikar's view:**

Odhikar believes that, the death of innocent people by RAB firing, in an independent country is an extreme violation of human rights. On the other hand the comments made by the Deputy commissioner (DC) and Upazila Nirbahi Officer (UNO) that they did not know about the incidents of shooting and killing in their responsible area-manifests the administrative failures and ongoing culture of impunity. Besides, RAB 11 filed a case against 500-600 unknown people, which will only enhance the risk of harassment of many innocent people. Odhikar demands that the government should carry out a fair investigation and bring the perpetrators to justice for the killing of Korban Ali and injuring others along with Amena Akhtar.

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<sup>2</sup> Upazila Nirbahi Officer (UNO)- a local government post

**Inquest Report:**

**মুঠতহাল প্রতিবেদন**

তারিখ: ১৯/০৩/২০২০

সাক্ষীদের নাম

১। মো: মোস্তাফিজুল হক  
 সম্পর্ক: ছোট ভাই  
 পিতা/স্বামী: মোস্তাফিজুল হক  
 গ্রাম: মুন্সুরী  
 থানা: মোস্তাফিজুল হক  
 জেলা: মোস্তাফিজুল হক  
 মোবাইল: ০১৮১৭৩৩৩৭

২। মো: মোস্তাফিজুল হক  
 সম্পর্ক: ছোট ভাই  
 পিতা/স্বামী: মোস্তাফিজুল হক  
 গ্রাম: মুন্সুরী  
 থানা: মোস্তাফিজুল হক  
 জেলা: মোস্তাফিজুল হক  
 মোবাইল: ০১৮১৭৩৩৩৭

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 থানা: মোস্তাফিজুল হক  
 জেলা: মোস্তাফিজুল হক  
 মোবাইল: ০১৮১৭৩৩৩৭

৪। মো: মোস্তাফিজুল হক  
 সম্পর্ক: ছোট ভাই  
 পিতা/স্বামী: মোস্তাফিজুল হক  
 গ্রাম: মুন্সুরী  
 থানা: মোস্তাফিজুল হক  
 জেলা: মোস্তাফিজুল হক  
 মোবাইল: ০১৮১৭৩৩৩৭

প্রস্তুতকারী  
 মোঃ মোস্তাফিজুল হক  
 BP-8100125664  
 উপ-পুলিশ পরিদর্শক  
 শাহবাগ থানা, ডি এম ডি  
 ঢাকা

পাতা-২

**Dead body Transfer Certificate:**

বন্দ্যাবস  
 কঠোর শিকড় বদে  
 ইলেক্ট্রিক বিভাগ  
 ঢাকা টেলিফোন কেন্দ্র  
 বিদায় - মায় (একাত্মিকতা)  
 স্নেহপূর্ণ প্রভাট

উল্লেখ্য, কিতাবি বিবেচনায়  
 এ হত্যাকাণ্ডে বিপন্ন, মৃত ৯৯ কুখিরা  
 প্রাণী শিকারী গিয়া মৃত - মুগ্ধ  
 চাকর্য মাত্র - স্বাধীনতা মায়  
 নতুন মায় চর জেলা - মায়  
 এই মর্মে স্বীকার করা হইবে  
 A.S.P কাঠকল ইত্যাদি মৃত ৯৯  
 মুখিয়াল - নিচের মর্মে  
 ২/৩/২০১৬ তারিখ বুধবার উনাত  
 নিচের এতদ্বারা কিতাবি  
 এতদ্বারা কেন্দ্র হত্যাকাণ্ড  
 এতদ্বারা মায় মর্মে  
 এতদ্বারা মায় মর্মে - ০১৮১৬২৬৪  
 এতদ্বারা মায় মর্মে - ২৬  
 নিচের উল্লেখ্য বিদায়

ইউনিট নির্দেশিত হত্যাকাণ্ড  
 কঠোর শিকড় কাঠকল নি মায়  
 ইত্যাদি কার্যে কঠোর  
 কিতাবি এতদ্বারা এতদ্বারা  
 (বয়স ২৫) গিয়া - (মায়  
 মায় - মুখিয়াল মায় - এতদ্বারা  
 এতদ্বারা মায় মর্মে  
 পবিত্র কঠোর পবিত্র  
 কঠোর জামান উল্লেখ্য  
 কঠোর নিচের মর্মে  
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-End of Report-