



Allegation of a BDR member's death due to torture at the Peelkhana

Fact-Finding Report Odhikar

On April 16, 2009 at 3.00 am, BDR Habildar¹ Kazi Saidur Rahman Dudu (43), son of Kazi Ahsan Ali Master from the village of Dhuliya, of Horinakundo, Jhinaidah, passed away at the Dhaka Medical College Hospital.

Odhikar engaged in a fact finding of the incident. During the investigation Odhikar spoke with,

- Family members of the deceased Kazi Saidur Rahman Dudu
- Relatives and neighbors
- Eye-witnesses
- Members of the Police forces

Nargis Ahsan (45), sister of Kazi Saidur Rahman

Nargis Ahsan told Odhikar that on April 27, 2009, she accompanied her husband Ahsanul to the Peelkhana to know the whereabouts of Saidur. When they arrived at the main gate of the BDR Headquarters, they saw Saidur waiting there as per the declaration made by the Government on the reporting of all BDR members to the Headquarters. Saidur told her that he was present at the Darbar Hall on February 25, 2009, where he had been sitting behind around 1500 BDR members². Prior to the beginning of the programme, Saidur was affected by a toothache. He took leave from his Commanding Officer and left the Hall for his barracks to take rest. At 9.30 am and 1.00 pm that day, Saidur heard firing. At 1:00 pm, several BDR members entered Saidur's barracks. They raised their guns and shouted, 'We'll be in movement and you think you can stay in your barracks and doing nothing? That won't be. Everyone get out of your barracks!' When Saidur told them about his illness, the BDR members left without him. From the ongoing situation it was clear to Saidur that the Chain of Command within the Peelkhana BDR no longer existed. The food supply to the barracks that afternoon had stopped.

Saidur further told Nargis that after all the arms were laid down on February 26, 2009, all BDR members returned to their barracks. It was from them that he learnt that the Army had cordoned the Peelkhana area. He was also told that the Army would attack just after dusk and all BDR members within the Peelkhana would be killed. Hearing this, many BDR members changed out of their BDR uniforms and fled the BDR compound by crossing over the wall at the Hajaribagh end of the headquarters. Saidur, out of fear, joined the escapees. Nargis told Odhikar that she heard of these things while her brother

¹ Habildar: a non-commission officer (lower-ranking BDR member).

² 25th February 2009 is the date on which a mutiny commenced inside the BDR Headquarters in Peelkhana, where, among other crimes, lower ranking BDR members killed higher-ranking officers and the BDR Director General and buried them in mass graves. The violence commenced inside the Durbar Hall, where the senior officers were giving speeches to a large group of BDR members.

was reporting to the BDR on February 27, 2009. Saidur told her that he was not involved in any of the activities. Nargis told Odhikar that she thought her brother had been tortured to death. The certificate issued by the Doctor said nothing about heart pain or heart problems. During the preparation of the Inquest Report, her paternal cousin Mostafizur Rahman claimed he had seen marks of torture on Saidur's body. Nargis demanded the unraveling of the real reasons behind this killing and asked the Government to ensure that justice be served.

Kazi Md. Mostifizur Rahman (35), Saidur's paternal cousin

Kazi Md. Mostafizur Rahman told Odhikar that at 8.30 am on April 16, 2009, his brother Momin called him on his cell phone and told him to inquire about Saidur at the Dhaka Medical College Hospital. Mostafizur immediately went to the morgue of the hospital to find the Dhaka Metropolitan Magistrate and the Sub-Inspector of the New Market Police Station preparing the inquest report. He saw that the back of Saidur's head was swollen; there were dark marks on his back, a hole on his right thigh along with many bruises from his waist to his feet. Mostafizur informed that although it was stated in the media that the cause of death was a heart attack, the Doctors certificate mentioned no such thing. After the completion of autopsy when he wanted to take away Saidur's body, the police refused to release it. Some of the police officers at the hospital arranged for the *Khadem*³ of the mosque to be brought, who washed Saidur's body and wrap it in the winding sheets. Saidur's body was then put inside a coffin and handed over to Mostafizur. Only the portion of the coffin which showed Saidur's face was left open. Mostafizur then took Saidur's body to his village home. He alleged that his brother had been tortured and killed. He demanded justice for his brother's killing.

Abdullah-Al-Mamun (23), Saidur's nephew

Abdullah-Al-Mamun told Odhikar that on April 16, 2009, after hearing of the incident from his Aunt, he went to the Dhaka Medical College Hospital and identified his Uncle's body at the morgue. He informed that at 10.30 am, Magistrate Abdus Samad and Sub-Inspector Imadul from the New Market Police Station prepared the inquest report. As the report was being prepared, Saidur's body was turned over which gave Mamun the opportunity to see many marks of beating on his body. All these things observed were stated in the report. Mamun stated further that his Uncle never suffered from heart problems. He alleged that his Uncle had been tortured to death.

Shiuly Khatun (35), wife of Kazi Saidur Rahman Dudu

Shiuly Khatun told Odhikar that her husband was stationed at the 13th Battalion at Peelkhana. She heard from her husband that he was present at the Darbar Hall on February 25, 2009. Prior to the initiation of the Peelkhana mutiny, her husband suffered from a severe toothache which prompted him to take leave from his Commanding Officer and return to his barracks to take rest. Saidur did not come out of his barracks due to the firing he heard outside. On February 26, 2009, after all arms were laid down, Saidur escaped along with others after hearing that the Army had cordoned the whole area. Shiuly learned of all these things when she last spoke with her husband over his cell phone in the early morning of February 28, 2009. On April 16, 2009 at 8.00 am, she

³ Khadem: Volunteer of the mosque

learned from the headlines of RTV and Channel One⁴ that, ‘Habildar Saidur Rahman from 13th Battalion passed away at the hospital after suffering from heart attack’. Shiuly immediately contacted her nephew Abdullah-Al-Mamun at Dhaka over cell phone and told him to go the Dhaka Medical College Hospital. At 9.00 am, Abdullah arrived at the hospital and called Shiuly after identifying Saidur’s body. Hearing this news Shiuly’s daughter Sharmin Sultana Shikha (20) set off from Jhinaidah and arrived at the Dhaka Medical College Hospital at 4.30 pm. A police officer of the New Market Police Station transferred Saidur’s body to Shikha at 8.00 pm after completion of the post mortem and placing the body inside a coffin. Saidur’s body arrived at his home in Jhinaidah at 3.30 am on April 17, 2009. At 10.00 am that day, he was buried.

Ahsan Ali Master (80), Father of Kazi Saidur Rahman

Ahsan Ali Master told Odhikar that after the incident of the BDR mutiny on February 25 and 26, 2009, his elder daughter Nargis Ahsan went to Peelkhana on February 27 and met Saidur. He learnt from his daughter that Saidur was present at the Peelkhana Darbar Hall on February 25, 2009. Saidur was suffering from toothache, which grew worse on that day, which is why he took leave from his Commanding Officer and was resting at his barracks when the violence commenced. Despite hearing the firing outside, Saidur did not come out of his barracks. Saidur reported to the BDR Headquarters following the declaration made by the Government. Ahsan Ali Master stated that after Nargis returned home after meeting Saidur, it was not possible for them to contact him any further. However, he did hear about Saidur’s wife Shiuly being able to speak with him for a few minutes on April 5, 2009. Saidur’s father stated further that he had heard from eye-witnesses that Saidur had been tortured. He demanded the unearthing of the real reasons behind the killing of his son and also that justice be ensured. He also demanded the money from his sons Provident Fund along with an adequate compensation.

Md. Jahangir Alam, Officer-in-Charge, Horinakundo Police Station, Jhinaidah

Md. Jahangir Alam told Odhikar that he did not officially have any information about the death of BDR member Saidur. He had learnt from the newspaper that Saidur had passed away due to chest pain.

Md. Nurul Islam, ASP - Circle, Jhinaidah

Md. Nurul Islam told Odhikar that he came to know about the death of a BDR Habildar, a resident of Jhineidah, at the Dhaka Medical College Hospital on April 16 and 17, 2009, through the television and newspapers respectively. Nurul Islam said that he did not know anything else.

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⁴ Private television channels.