

## Arrest and enforced disappearance of Mohammad Anwarul Islam by Rapid Action Battalion (RAB) members

### Fact Finding Report

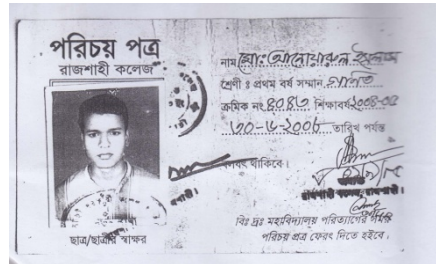
#### Odhikar

On April 5, 2013 at around 2:25am, members of Rapid Action Battalion (RAB) -5 arrested Mr. Mohammad Anwarul Islam (28) the son of Mohammad Israil and Mosammat Nurjahan Begum of Angariapara village in Chapainawabganj from house number 175 of Bil-Shimla Moholla under Rajpara Police Station in Rajshahi district. Later, when family members contacted the RAB-5 office, RAB notified that Anwarul had never been arrested by them. An allegation of enforced disappearance was brought against the members of RAB by Anwarul's family members.

Upon inquiry, it was found that Anwarul was a last year Master's student of Mathematics department of Rajshahi College. Moreover, he was the Office Secretary of the Islami Chattr Shibir of Rajshahi district. Anwar was known as Masum in the area. He resided at his maternal uncle, Mr. Fazlur Rahman's house in Bil-Shimla Moholla for his studies, since it was more convenient.

Odhikar interviewed the following people while carrying out the field inquiry-

- Anwarul's relatives
- Witnesses
- Members of the law enforcement agencies.



Picture: Mr. Mohammad Anwarul Islam

### Mosammat Nurjahan Begum (60), Anwarul's mother, Angariapara Village, Chapainawabganj

Mosammat Nurjahan Begum informed Odhikar that her brother, Fazlur Rahman lives in house number 175 of the New Bil-shimla Moholla under Rajpara Police Station in Rajshahi. She said that Anwarul used to stay at Fazlur's house for the convenience of attending classes.

Anwarul was the Office Secretary of Islami Chattr Shibir in Rajshahi. Due to recent political instability, Anwarul used to be more careful while travelling outside to avoid arrest. On April 5, 2013 at around 5:00am in the morning, Fazlur's daughter in law Ferdous Shamim Shopna called Mosammat Nurjahan Begum and notified her that Anwarul was arrested and picked

up at around 3:45am by RAB-5 members. She then travelled to Rajshahi from Chapainawabganj on April 6, 2013 with her daughter, Mahmuda Parvin. Both of them along with Ferdous Shamim Shopna then went to a camp of RAB-5 at Railway Colony. They talked to a member of RAB who was in charge of the camp's security at the gate, who stated that, no one by the name of Anwarul was arrested by RAB. From there she went to Binodpur town's science and technology department and the headquarter of RAB-5 and again had a conversation with a member whose duty was at the gate. He entered her name at the reception in order to talk to the members of RAB. However, she was once again informed that Anwarul was not arrested by RAB and was forced to leave. Later, when she went to file a General Dairy (GD) at the Boaliya Model Police Station about her son's disappearance, the station authority refused to register it. The Rajshahi Detective Branch (DB) of the police was also contacted, however no trace of Anwarul was found. Nurjahan Begum went back to Chapainawabganj from Rajshahi and attempted to write a GD at the police station there. She was refused there as well and sent back. Having no other option, she arranged for a press conferences in Rajshahi on April 6 and 17, 2013 and in Dhaka on April 29, 2013. Being the complainant, she filed a case petition in the court of the metropolitan magistrate against the commanding officer of RAB-5 Lt. Colonel Anwar Latif Khan; Rajshahi district's police commissioner, SM Moniruzzaman, officer-in-charge of Rajshahi DB police, Alamgir Hossain; Assistant Commissioner of Boaliya zone, Rokonuzzaman; officer-in-charge of the Boaliya Model Police Station, Ziaur Rahman; officer-in-charge of investigation, Hafizur Rahman and 40-50 more RAB and police officials. Case number – 17/13, under Section 44 of the Code of Criminal Procedure<sup>1</sup>.

Nurjahan Begum told Odhikar that her son could definitely be tried in the court of law provided he had committed a crime, however, arresting him and enforcing his disappearance is not just. She requested that her son be brought in front of the court.

#### **Shamsul Huda Iqbal Robi (43), Anwarul's maternal cousin, New Bil-Shimla, Rajpara Police Station, Rajshahi**

Shamsul Huda Iqbal told Odhikar that on April 5, 2013 at around 2:25am, all his family members were sleeping on the first and second floor of the house. Suddenly they woke up hearing a noise of some people trying to break the lock on the ground floor. He saw 30-35 people in RAB's uniform in the stairwell attempting to go up the first floor. At one point he was asked by a RAB member to open the lock of the first floor. Once he did, 20 members of RAB aggressively rushed in and forced all the family members to sit at the corridor while all their cell phones were seized. Having searched the whole floor, they then moved towards the second floor. While Anwarul was half asleep, he was awoken and arrested. One of the RAB members was continuously moving from the first and second floor, passing instruction to two RAB members - Bulbul and Nahid - to do various works. Both of them seemed to have been the most important throughout the operation. Then RAB members forcefully made Fazlur Rahman, Siddik Hossain and Ishtiaq Ahmed witnesses of crude bombs and two weapons belonging to Anwarul, which however were brought by RAB's own members. RAB

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<sup>1</sup> Section 44 of CrpC mentions that every person, aware of the commission of, or of the intention of any other person to commit any offence punishable under any of the following sections of the [Penal Code](#) (namely), 121, 121A, 122, 123, 124, 124A, 125, 126, 130, 143, 144, 145, 147, 148, 302, 303, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459 and 460, shall, in the absence of reasonable excuse, the burden of proving which shall lie upon the person so aware, forthwith give information to the nearest Magistrate or police-officer of such commission or intention.

had also taken photographs of fake witnesses and weapons along with crude bombs and have also taken signatures of 3-4 neighbors on blank papers. When Shamsul Huda Iqbal was asked to do the same, he refused. At around 3:35am, RAB members dragged him inside a car while four cell phones, Anwarul's laptop, Shamsul Huda's son's CPU and a school bag were also taken away by RAB members. On April 5, 2013 at around 8:00am, he contacted the RAB-5 camp in Rajshahi Railway Colony and headquarters of RAB-5. However, RAB denied arresting Anwarul. On April 6, 2013 at around 1:00pm, he went to the Rajpara Police Station to file a GD, but the police officer-in-charge, ABM Rezaul Islam refused to take it as it would be against RAB officials. On April 7, 2013 at around 4:00pm he went to the Boaliya Police Station and talked to Sub-Inspector Masuma Mostabir about the matter. Still, he was not able to file a GD and was again sent back.

**Ishtiaq Ahmed (50), Former Police Constable, New Bil-Shimla, Rajpara Police Station, Rajshahi**

Ishtiaq Ahmed informed Odhikar that on April 5, 2013, some people claiming themselves to be members of RAB had been calling him while standing near the gate of his house. When he stood at the balcony, they were asking him to come down. They threatened to break in when his wife was reluctant to open the door, and so he accompanied them to house no. 175. There it was shown that two pistols, a crude bomb's bag, a CPU, a laptop, 4 cell phones and some books had been found under his possession. He was then forced to sign in a plain paper while Anwarul had been taken away by the RAB members. After a day he learnt from his own source (who was a constable of RAB-5) that Anwarul was actually in custody of RAB-5.

**Fazlur Rahman (23), student of Rajshahi University, witness and neighbour**

Fazlur Rahman notified Odhikar that he has been residing in the building right beside house no. 175 and that he is a student of third year studying Populous Science in Rajshahi University. On April 5, 2013 at around 2:45am, some people identifying themselves as members of RAB called him out. He woke up and looked outside and saw that members of RAB were standing. RAB took Fazlur with them and started searching inside house no. 175. Nothing was found initially during the search, but sometime later when Fazlur was called again at the same place, RAB recovered crude bombs inside a paper bag and two pistols from the third floor (Anwarul's room). RAB members were inside those rooms for quite a long time. Then having kept Anwarul beside them, they had set two pistols, a bag of crude bomb, a laptop, a computer CPU, 4 cell phones, some books (written by Shibir) and papers and took photographs of the seizures. He was asked to sign in a plain paper while Anwarul was taken away by the RAB members. Photographs were taken of 3-4 witnesses including Fazlur.

**Rayhan Ali (45), detained in RAB's custody with Anwarul**

Rayhan Ali informed Odhikar that he was involved with tailoring and garments business in Baya-Bazar under the jurisdiction of Shahmokhdum Police Station. He is also a dedicated supporter of Bangladesh Awami League. On April 5, 2013, RAB members arrested him from the Bazar and took him to the Railway Colony Camp.

He said that he saw Anwarul there and that his hand was handcuffed against a window, apparently under RAB custody. The arrestees said their prayers together – Asr, Maghrib & Esha. They also had dinner together. At around 12:00am, Anwarul was taken away from

there by RAB members. Rayhan came out on bail.

**Abdul Momin (21), student residing in 'Talent Hostel', Hetemokha, Shahajipara, Rajshahi**

Abdul Momin informed Odhikar that on April 5, 2013 at around 4:00am in the morning, RAB had entered the hostel with Anwarul.

RAB members searched for Shibir activists in the hostel. A member of RAB had slapped and punched Tuhin, Khayrul, Dalim, Jahid, Monayem and him. RAB members questioned if they knew Anwarul personally. A RAB member took a helmet from a motorcycle parked at the hostel and put it on Anwarul's head while taking him away from there.

**Constable Bulbul Ahmed, RAB-5 Railway Colony Camp, Rajshahi**

Having called from a cell phone (01736265737), Bulbul Ahmed informed Odhikar that on April 5, 2013 at night, an operation was held by RAB members in New Bil-Shimla under Rajpara Police Station in the Rajshahi district. However, in order to know the details about the operation, he asked Odhikar to contact Company Commander Major Shahed Hasan and Commanding Officer Lt. Col. Anowar Latif Khan.

**Lt. Col Anowar Latif Khan, Commanding Officer, RAB-5, Rajshahi**

Lt. Col Anowar Latif Khan informed Odhikar that on April 5, 2013, no operation was held in Rajpara. Thus, arresting a person namely Anwarul could not be true. However, he informed that he would take the matter into concern to see if any miscreants claimed to have been members of RAB.

**SI Masuma Mostari, Boyaliya Model Police Station, Rajshahi district police, Rajshahi**

SI Masuma Mostari informed Odhikar that on April 7, 2013 since Anwarul's disappearance, his parents had come to her to file a GD. She suggested them to do the same at the Rajpara Police Station, since the incident took place within the jurisdiction of Rajpara Police Station. She mentioned that it was not true that she did not let them to file the GD and had sent them back.

**AMB Rezaul Islam, officer-in-charge, Rajpara Police Station, Rajshahi District Police, Rajshahi**

AMB Rezaul Islam told Odhikar that with regard to Anwarul's disappearance, no one came to the police station to file a GD. The victim's family and relatives met him on April 5 and 6, 2013 in the afternoon, but he was reluctant to say anything about it.

**SM Moniruzzaman, Police Commissioner, Rajshahi Metropolitan Police, Rajshahi**

SM Moniruzzaman informed Odhikar that two days after Anwarul disappeared, Rajshahi's Islami Chattra Shibir brought the incident to his attention over cell phone. Chattra Shibir requested Moniruzzaman to help find Anwarul. However, no one from Anwarul's family contacted him. He also mentioned that he was not informed about Anwarul's arrest by any law enforcement agency. Regarding not letting family members to write GD's in Boyaliya and Rajpara Police Stations, he mentioned that he knew nothing about it. He informed the stations to take all the GD's, but told them not to accuse RAB directly and to record them in their "technical" manner.

**Odhikar's Comments**

Odhikar received comments from the victim's family members, the police, RAB, witnesses

and everyone concerned with Anwarul's disappearance. It is clearly understood that members of the law enforcement agency arrested Anwarul and enforced his disappearance. It can be assured from inquiry that upon carrying out the operation at Fazlur Rahman's house (House no. 175) at Bil-Shimla from 2:45am to 4:00am on April 5, 2013, Anwarul was arrested from there and taken away. Odhikar demands the government to send Anwarul safely to his family members and bring every culprit involved with the incident to justice. Enforced disappearance is an internationally recognised Human Rights violation. By this, the United Nation's Universal Declaration of Human Rights has also been violated.

**-The end-**