



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Treatment of Razakar/family members by state and non-state including available state protection

A report issued in December 2018 by *Human Rights Watch* notes that:

“Supporters of Jamaat, and its student wing, Islami Chhatra Shibir, are at severe risk of abuse in police custody because Awami League officials describe them as razakars—those that opposed Bangladesh’s secession from Pakistan—and accuse them of being militants...Even those not born at that time can be accused because of family links...” (Human Rights Watch (22 December 2018) “*Creating Panic*”, *Bangladesh Election Crackdown on Political Opponents and Critics*, p.20).

A report issued in 2019 by *Freedom House* commenting on events of 2018 notes that:

“Bangladesh’s International Crimes Tribunal—named as such despite lacking international oversight—was created in 2010 by Hasina to try people suspected of committing war crimes during Bangladesh’s 1971 war of independence from Pakistan. Critics of the tribunal claim it was established to persecute Hasina’s political opponents, notably those in JI” (Freedom House (2019) *Freedom in the World 2019, Bangladesh*, p.3).

A report published in March 2019 by the *United States Department of State* reviewing events of the preceding year notes that:

“The government prevented war crimes suspects from the 1971 independence war from leaving the country” (United States Department of State (13 March 2019) *Bangladesh 2018 Human Rights Report*, p.23).

The *Daily Star* in March 2019 notes:

“Investigation agency of the International Crimes Tribunal (ICT) yesterday claimed to have found evidence against five Mymensingh men over their alleged involvement in crimes committed during the 1971 Liberation War. They were involved with Razakar Bahini (an auxiliary force of Pakistan occupation army) and committed crimes including killing 45 people, abducting seven and raping a woman in Dhobaura upazila of Mymensingh, agency officials said” (Daily Star (11 March 2019) *War crimes evidence found against 5 M'singh men: ICT investigators*).

In March 2019 the *Dhaka Tribune* states that:

“According to records kept by the tribunal’s prosecution team, the tribunal is currently holding the trial of 33 cases, wherein 170 alleged war criminals are accused of collaborating with the Pakistani occupation forces. Most of them belonged to the Razakar, Al-Badr, or Al-Shams forces. In addition, the investigation agency of the International Crimes Tribunal (ICT) is currently conducting probes into 683 complaints of rape, mass murder, loot, arson, forceful conversion, and forceful

migration, which were committed by collaborators across the country” (Dhaka Tribune (24 March 2019) *What ICT has achieved in 9 years*)

In March 2019 the *Dhaka Tribune* states that:

“The investigation agency of the International Crimes Tribunal (ICT) has prepared a report with evidence against nine alleged war criminals of Gaibandha, all of whom were in Jamaat-e-Islami during the 1971 Liberation War. The agency’s Chief Coordinator Abdul Hannan Khan and Co-Coordinator Sanaul Hoque disclosed the information at a press briefing held at their office in Dhaka’s Dhanmondi on Monday. All of the accused are from Gaibandha’s Gobindaganj upazila, and have been charged with: murder, mass killing, confinement, abduction, torture, and rape. Six of them — Md Mofazzal Hoque Prodhan, 82; Md Abdul Karim, 63; Md Sekender Ali, 66; Md Esmael Hossain, 70; Md Akram Prodhan, 68; and Md Hafizar Rahman, 68 — are currently behind bars. Three others — Mohammed Shorf Uddin Khan, 68; Md Samsul Islam Khan, 68; and Md Abdul Mannan, 64 — are still on the run. According to the investigating agency’ report, all of the accused were members of the pro-Pakistan razakar militia force in 1971” (Dhaka Tribune (25 March 2019) *War crimes evidence found against 9 Jamaat men*).

A document issued by the *Independent* in March 2019 states that:

“Forty-eight years after independence, the government has decided to make a “comprehensive list” of anti-Liberation War elements, Razakars and Al-Badr. On earlier occasions, a number of such lists were prepared by successive governments, but none tried to prepare a “district-wise” comprehensive list” (Independent (26 March 2019) *District-wise list of Razakars on cards*).

The *Dhaka Tribune* in March 2019 states that:

“None of the governments in Bangladesh have managed to compile a complete, verified list of Pakistan’s collaborators yet. Nearly five decades on after Bangladesh gained independence, there is still no specific data on exactly how many Bangladeshis collaborated with the Pakistani occupation forces and committed crimes against humanity during the 1971 Liberation War. During the nine-month war – which began with the Declaration of Independence by Bangabandhu Sheikh Mujibur Rahman on March 25 and ended with the liberation of Bangladesh on December 16 in 1971 – these collaborators, collectively referred to as “razakars,” helped the Pakistanis kill nearly three million people and brutally rape, torture and kill over 200,000 girls and women. There were several organizations who were the Pakistani occupation forces’ partners in crime – Peace Committee, al Badr and al Shams being among the prominent ones. In the five decades that followed, none of the governments in the country succeeded in preparing a complete, verified list of the razakars – something that the Liberation War researchers, human rights advocates and people involved with the war crimes trial see as a failure” (Dhaka Tribune (26 March 2019) *Independence Day: Will the nation ever have a list of razakars?*).

In March 2019 the *Dhaka Tribune* notes that:

“The International Crimes Tribunal (ICT) will give its verdict in a case filed against five Netrokona men, for their alleged involvement in war crimes committed during the Liberation War” (Dhaka Tribune (27 March 2019) *War crimes verdict on 5 Netrokona men Thursday*).

This document also states that:

“On April 19, 2017, the tribunal framed seven charges against the five alleged razakar leaders of Netrokona. The charges include ones of: murder, abduction, rape, arson, looting, and torture. On May 22, 2016, the prosecution filed a formal charge sheet against the six alleged razakars of Netrokona for their crimes against humanity during the 1971 war” (ibid).

The *Daily Star* in March 2019 notes that:

“The International Crimes Tribunal-1 yesterday sentenced five Netrakona men, including a local Awami League leader, to death for their alleged involvement in crimes against humanity during the Liberation War in 1971. All the five were involved with the Razakar Bahini, an auxiliary force of Pakistani army, and committed crimes including abduction, torture, confinement, killing and rape in Phubodhala upazila in the district during the war” (Daily Star (29 March 2019) *War Crimes in Netrakona: 'Pack of wolves' gets death*).

In April 2019 *BDNews24* states that:

“Syed Mohammed Kaiser was sentenced to death on Dec 23, 2014, for war crimes during the 1971 Liberation War. Kaiser, a Muslim League leader in 1971, was convicted of murder, arson, loot, rape and genocide. Kaiser was a well-known razakar in Habiganj and raised a local militia during the Liberation War, guiding Pakistani troops to villages to attack and abuse Hindus and supporters of Bangladesh’s Freedom Fighters” (BDNews24 (10 April 2019) *War crimes: SC to hear appeals of Azhar and Kaiser on Jun 18*).

References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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