

CHARGES AGAINST ALIM

Charge 01

that on 20 April at about 05:00pm during the War of Liberation 1971, you Md. Abdul Alim, being the local influential leader of Razaker Bahini as well as the chairman of local peace committee and or member of 'group of individuals' being accompanied by the Pakistani occupation force and the members of the peace committee, with ill intent, raided and attacked the house of a member of civilian population named Meher Uddin Chowdhury (now dead) belonging to Awami League of village '*Dom Doma*' police station '*Panch Bibi*' under district Joypurhat and caused intentional and severe damage by looting and arson and thereby compelled Meher Uddin Chowdhury and his inmates to deport.

Therefore, you Md. Abdul Alim are hereby charged for participating and substantially abetting and contributing the actual commission of offence of 'deportation as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 02

that during the period of War of Liberation, on 26 April 1971 in between 09:00am to 05:00pm you, being the local influential leader of Razaker Bahini as well as the chairman of local peace committee and or member of group of individuals, following prior plan and consultation with Pakistani army Major Afzal, being accompanied by other members of the peace committee and Pak army, with common and discriminatory intent, launched a sudden armed attack directing the 'Hindu civilians' dwelling in the Hindu populated villages *Koroi, Kadipur, Chawkpara, Sonarpara, Palpara, Monshipara* within the locality for *Koroi Kadipur* under police station Joypurhat and entering inside their houses started damaging property by looting, arson and thereby created havoc and then you and your accomplices brought the Hindu civilians from their houses and were lined up and 370 Hindu unarmed civilians including (1) Laxman Chandra Devnath (2) Aswini Chandra Devnath (3) Devendra Chandra Devnath (4) Jogendra Chandra Devnath (5) Mohendra Chandra Devnath (6) Jothish Chandra Devnath (7) Kshitish Chandra Devnath (8) Parixit Chandra Devnath (9) Joton Chandra Devnath (10) Dilip Chandra Devnath (11) Amindra Chandra Devnath (12) Suresh Chandra Devnath (13) Anath Chandra Devnath (14) Gopinath Chandra Devnath (15) Sudhangso Chandra Devnath (16) Gopen Chandra Devnath (17) Shiben Chandra Devnath (19) Khokon Chandra Devnath (20) Sukhchan Chandra Devnath (21) Ratan Chandra Devnath (22) Vundala Chandra Devnath (23) Jogesh Chandra Devnath, son of late

Laxmi Chandra Devnath (24) Kanchira Mohanta (25) Sedra Chandra Barman (26) Krishna Chandra Barmon (27) Tormuja Barman (28) Banikanta Chandra Barman (29) Ghona Chandra Barman (30) Benga Chandra Barmon (31) Duka Chandra Barman (32) Santosh Chandra Barman (33) Goura Chandra Barman (35) Priyobonda Barman (36) Deennath Barman (37) Nusha Chandra Devnath (38) Pachkori Devnath of those villages of Korio Kadipur locality were gunned down to death. One 90 years old Kanchira Mohan was slaughtered to death and one Aswini Kumar Debnath was buried alive to death. Then you and your accomplices left the crime site and thereafter the dead bodies were buried in a mass grave.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the commission of offence of large scale 'killing of Hindu community as genocide' with intent to destroy the community either whole or in part as specified in section 3(2) (c) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 03

that during the period of War of Liberation, on 18 June 1971 in between 02:00pm to 09:00pm following your instruction and being instigated by you the local influential leader of Razaker Bahini as well as the chairman of local peace committee, one Reaz, Mridha, member of the peace committee aided 11 Pakistani army in apprehending 22 '*musalli*', members of civilian population, before and after the '*Jumma*' prayers. They also apprehended more 500 civilians from the road nearer to the mosque and brought them to the courtyard of one Afaz's house where they are lined up in three lines. Then Reaz Mridha, your associate, provided the army with a list given to him by you. According to the list 28 civilians who are identified as pro-liberation and pro-Awami League were segregated and the rest were allowed to go. Thereafter, tying up their hands those 28 identified civilians were brought inside a mud made hut where 22 were killed but the rest somehow escaped.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act. You are thus liable for the above offences under section 4(1) of the Act.

Charge 04

that in the morning of one day of the first part of May of 1971 during the War of Liberation, following your order and instigation your accomplices belonging to local peace committee and Razaker Bahini along with Pakistan army came to a place known as '*Bakul Tola*' rail line by a train and thereafter dividing into groups they

launched attack against the civilian population and started damaging, looting the houses of civilians of villages Koktara, Ghorapa, Bagjana, Kutahara and they killed 19 pro-liberation civilians and then your accomplices and Pakistani army went back towards Parbatipur by train.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 05

that on any day between 09 May-15 May of 1971 during the War of Liberation, following your order and instigation your accomplices belonging to local peace committee and Razaker Bahini along with Pakistani army came to Mission School of village south 'Pahu Nanda, of Joypurhat where a group of 50/60 stayed there and the rest moved towards 'Pagla Dewan'. Thereafter, they called villagers and got some bunkers digged by them and buried dead bodies of 67 unknown civilians belonging to 'Hindu Community' out of those seven were killed in their presence.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 06

that on any day of the first part of May of 1971 during the War of Liberation, Abdus Salam of Akkelpur and 09 others, the members of civilian population, while, on the way to India, arrived at a village Nurpur at about 11:00pm the local UP chairman and members of peace committee and Razaker Bahini apprehended and confined them in the house of one Syed Ali and there from they were brought to waiting room of Akkelpur Rail Station and the matter was informed to you, the influential leader of Razaker Bahini as well as the chairman of local peace committee and you ordered to 'finish' them. Accordingly the members of Akkelpur peace committee stopping a train handed the apprehended 10 civilians to Pakistani army who later on gunned them down causing death of 09 civilians at a place known as Bakul Tala of Koktara village and one Mofazzal however managed to escape.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 07

that during the period of War of Liberation, on 26 May 1971 in between 11:00am to 06:00pm, following your order and instigation your accomplices belonging to local peace committee and Razaker Bahini along with Pakistani army attacked the village Nowda under police station Panchbibi district Joypurhat and apprehending 04 civilians, members of the civilian population, namely Ilias Uddin Sarder, Yusuf Uddin Sarder, Younusddin Sarder and Abdul Kader Mondol brought them to Balighata UP office and kept them confined there. The relatives of the detained persons met and approached you to release them. But you, being the local influential leader of Razaker Bahini as well as the chairman of local peace committee and or member of group of individuals, without paying heed to it, told that they could not be so released as they were apprehended on being identified as persons supporting the War of Liberation. Thereafter, on the same day at about 06:30-7:00pm they were killed by the side of a pond of one Kali Saha.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 08

that on any day of last part of May during the period of War of Liberation in 1971, you, being the local influential leader of Razaker Bahini as well as the chairman of local peace committee and or member of group of individuals, accompanied by Pakistani army Major Afzal and other accomplices belonging to peace committee and Razaker Bahini came to the place known as 'Uttarhat Shahor' under police station Khetlal and arranged a meeting attended by 500/700 audiences where you, Md. Abdul Alim made inciting speech that "the Hindus would not be forgiven" (হিন্দুদের ক্ষমা করা যাবে না। এদের যা পাও লুট করে নাও) and also encouraged to loot whatever they (Hindus) had.

Following such inciting speech made by you the members of peace committee and Razaker Bahini along with Pakistan army at the end of May raided 'Hindu Palli',

'Uttarhat Shahor', 'Harunjahat' and surrounding area and launched attack targeting 'Hindu community', with intent to destroy it, either whole or in part and started damaging and looting their properties and houses. 10 Hindu civilians including Badal, Shachin & Vanu, Bishu, Probas Chandra Sheel, Monibhushan, Chakravarti, Kartik Chandra Barman, Nimai Chandra were apprehended and brought to Khetlal Sadar, with intent to kill them. Thereafter, they were brought to office of the peace committee located at the 'gadi Ghar' of Shownlal Bajla where you M.A Alim ordered to kill them and accordingly all of them were killed at a place Khanjanpur Kuthibari Ghat.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting, inciting and contributing to the actual commission of offence of killing members of a group i.e. Hindu community which is an offence of genocide as specified in section 3(2) (c) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offence under section 4(1) of the Act.

Charge 09

that during the period of War of Liberation, on 14 June 1971 your accomplices belonging to the peace committee apprehended 15 youths suspecting them to be the 'freedom fighters' while they were on the way to Bogra through Akkelpur and were brought to the office of the peace committee set up at 'gadi Ghar' of Shownlal Bajla and kept them confined there. On being informed, you, Md. Abdul Alim, being the local influential leader of Razakar Bahini as well as the chairman of local peace committee and or member of group of individuals, came there and then consulted Pakistani army Major Afzal at their camp at 'gadi Ghar' and decided to kill them. Following this decision the detained members of the civilian population were brought to village 'West Amatra' and were tortured to death and then they were buried in a mass grave.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offence under section 4(1) of the Act.

Charge 10

that in one morning of last part of June, during the period of War of Liberation, following a decision taken by you, Md. Abdul Alim, being the local influential leader of Razakar Bahini as well as chairman of local peace committee and or member of group of individuals, in the office of the peace committee set up at 'gadi

Ghar' of Shownlal Bajla, with intent to destroy the group of 'pro-liberation youth', either whole or in part, detained 26 civilians suspecting them to be 'freedom fighters' and brought them to western open site of Joypurhat Railway Station by a truck. Thereafter, keeping some arms of their own in front of the detained persons, the Pakistani army, members of peace committee and Razakar Bahini including you and Major Afzal stood behind them. One Motasim Billah, owner of 'Alokhela Studio', as brought by you, took photograph of you and the detained civilians. Thereafter, you consulted Major Afzal following which 26 detainees were taken to Joypurhat College and were killed. You, Md. Abdul Alim later on collected photograph including the negative from the studio owner, although Motasim Billah kept some copies of photograph with him.

Therefore, you Md. Abdul Alim are hereby charged for participating, substantially abetting and contributing to the actual commission of offence of 'killing a group' which is an offence of 'genocide' as specified in section 3(2) (c)(i)(g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 11

that on any day in between 25 June to 30 June, during the period of War of Liberation in 1971, your accomplices along with Pakistani army apprehended Md. Mokhlesur Rahman, Ahad Ali, Najer Akond, Amjad Hossain, Abdul Gafur and unknown more 14 'garoals' (bullock-cart pullers), members of civilian population, while they were on the way back from the Indian border leaving the civilians belonging to 'Hindu community' and brought them to you Md. Abdul Alim the local influential leader of Razakar Bahini as well as the chairman of local peace committee and or member of group of individuals, in the office of the peace committee set up at 'gadi ghar' of Shownlal Bajla at thana road, Joypurhat. On getting information, relatives of the detainees came and approached for their release but you detained them too. Later on, they were gunned down to death near the 'khanjanpur kuthibari bridge' and their dead bodies were thrown to river.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing to the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 12

that on 24 July, during the period of War of Liberation in 1971, you, Md. Abdul Alim, being the local influential leader of Razakar Bahini as well as the chairman of

local peace committee and or member of 'group of individuals', with intent to attack the non combatant civilian population, ordered to apprehend and detain Dr. Abul Kashem of 'Devipur Kajipara' under police station and district Joypurhat, a local significant Awami League leader and following your such order your accomplices belonging to Razakar Bahini being accompanied by Pakistani army raiding the house of Dr. Abul Kashem, detained him and dragged him to 'Teghor Bridge Rajaker Camp' wherefrom, by blind folding, he was dragged to Joypurhat Railway station and was confined him throughout whole night. On the following morning Dr. Abul Kashem was brought to you in the office of the peace committee set up at 'gadi ghar' of Shownlal Bajla. You did not respond to release him despite approach made by his relatives. Subsequently on 26 July, in the evening Dr. Abul Kashem was brought near the 'Khanjanpur Kuthibari bridge' from the camp of peace committee office and was killed.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offence under section 4(1) of the Act.

Charge 13

that in the first week of the month of September, during the period of the War of Liberation in 1971, 11 youths, members of the civilian population, were brought by the Pakistani troops by trucks to the government degree college and then they were lined up at the place adjacent to 'Baraghati'. Within a short while, you, Md. Abdul Alim, being the local influential leader of Razakar Bahini as well as the chairman of local peace committee and or an 'individual' or member of 'group of individuals' arrived there (crime site) by a zEEP and standing on it you uttered "11 persons are the spies of India and enemies of Pakistan and they are freedom fighters. Let them be sent (এগারো আদমী ভারত কা চর হ্যায়। পাকিস্তানী দুশমন। মুক্তিফৌজ হ্যায়। ইসকো ভেস দো). Following this inciting instruction at about 11/12 am those 11 detained youths were pulled down from the truck and were brought to south part of 'bara ghati pukur' and the Pakistani army gunned them down to death.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting, inciting and contributing the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 14

that on 07 October, during the period of War of Liberation in 1971 the members of the local peace committee, Rajakers and Pakistani army, apprehended Fazlul Karim, son of late Alhaj Abdur Rahim and unknown two others, the members of civilian population and brought them in front of CO(Dev) Office, Joypurhat. On getting information, you Md. Abdul Alim, being the local influential leader of Razaker Bahini as well as the chairman of local peace committee and or member of 'group of individuals' came out from the CO (Dev) Office and then following your order and in your presence, with intent to terrorize the unarmed Bangalees, you and Major Afzal with those detained civilians started moving around the town by truck. During the transaction of such unlawful acts, you made statement that "the freedom fighters are fighting against Pakistan. Fazlul Karim's father is friend of mine but he did not prevent his son from remaining in wrong track despite repeated asking. Therefore, his son is to pay in exchange of his life". Later on, following your substantially instigating statement, they were brought to 'khanjan pur kuthibari ghat' where they were gunned down to death. However, their dead bodies could not be traced even.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing the actual commission of offence of 'murder as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 15

that during the period of War of Liberation in 1971, you, Md. Abdul Alim, the local influential leader of Razakar Bahini as well as the chairman of local peace committee and or member of 'group of individuals' were closely associated with the army camp set up inside the Joypurhat sugar mill where in a room 25 civilians and Solaiman Ali Fakir, Abdul Khalek, Abdus Samad and Aftab Hossain under Pachbibi police station were kept detained from 25 October 1971 and following verdict of you and the Pakistani Colonel, during eight nights those 25 civilians detained inside the mill premises, were killed.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing the actual commission of offences of 'murder as crimes against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 16

that during the period of War of Liberation in 1971, Solaiman Ali Fakir, Abdul Khalek, Abdus Samad and Aftab Hossain, members of civilian population, under Pachbibi police station were apprehended and brought to the army camp set up inside the sugar mill by your accomplices and they were kept there detained from 25 October along with other 25 civilians in a room. On Friday, the 09th day of their confinement at the army camp a 'court' took its seat inside the sugar mill club room. One Pakistani Colonel was its 'judge' and you Md. Abdul Alim was sitting by him to assist. Solaiman Ali Fakir, Abdul Khalek, Abdus Samad and Aftab Hossain were produced before you. Then you by interrogating them mentioned it to the Colonel that they would flee to India if they were set at large and it would be damaging if they reported it there and as such they could be released". With this, the detainees told the Colonel that they would not go to India. Listening it, the Colonel, instead of paying heed to you, pronounced his decision by saying "freed" (Azad) and then they being released there from came to home but Soleman Ali Fakir and Abdus Samad Mondol felt it compelling to go to India in the same night as they thought it unsafe to stay in village.

Therefore, you Md. Abdul Alim are hereby charged for substantially abetting and contributing the actual commission of offences of 'confinement as crime against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Charge 17

that at the end of November the day of Eid-ul-Fitre in 1971 Subeder Major Jabbal Hossain of 17 wing, EPR having severe injuries took shelter at the house of one Nazim Uddin of village 'Dhuroil', Police Station 'Panchbibi' under district Joypurhat. This was informed to you Mr. Abdul Alim, being the local influential leader of Razakar Bahini as well as the chairman of local peace committee and or member of 'group of individuals', by the members of local peace committee and Rajaker Bahini. On having this information, you being accompanied by Pakistani army of the camp set up at 'gadi ghar' of Shawn Lal Bajla and the members of peace committee and Rajaker Bahini, on the day of Eid-ul-Fitre launched planned attack to the house of late Nazim Uddin and apprehended Jabbal Hossain, a member of civilian population, and brought him to Joypurhat. Relatives came to you at 'gadi ghar' and approached repeatedly to release him. But instead of releasing him you rather told that he would not be released as he fought against Pakistani army in Chittagong. Eventually the relatives of Jabbal Hossain came to know that you killed him.

Therefore, you Md. Abdul Alim are hereby charged for substantially participating, abetting and contributing the actual commission of offence of 'murder as crime

against humanity' by directing attack against the civilian population as specified in section 3(2) (a) (g) of the Act which are punishable under section 20(2) read with section 3(1) of the Act.

You are thus liable for the above offences under section 4(1) of the Act.

Thus you have committed the offences under section 3(2)(a)(g) which are punishable under section 20(2) read with section 3(1) of the Act.

The aforesaid charges of crimes against humanity and also complicity to the commission of such crimes described under section 3(2)(a)(g) of the Act are punishable under the provisions of section 20(2) read with section 3(1) of the Act which are within the cognizance and jurisdiction of this Tribunal. And we hereby direct you to be tried by this Tribunal on the said charges. You have heard and understood the aforesaid charges.