



Sultana Kamal : Testimony

International Crimes Tribunal

The testimonial which was collected by a three member team, led by Justice Nizamul Hoque Nasim on the 11th and 12th of September 2012



Sultana Kamal : Testimony

International Crimes Tribunal

Sultana Kamal testified under the International War Crimes Tribunal in Bangladesh against Jamaat leader GhulamAzam, convicted of crimes against humanity in 1971. Her testimony was collected by a three member team of the International Crimes Court-1, led by Justice Nizamul Hoque Nasim on the 11th and 12th September 2012. The defence lawyer(s) of the convicted side interrogated her for the following two days. We present here the testimony section of Sultana Kamal, where she describes in details the crimes against humanity committed by Ghulam Azam. We hope this testimony can clarify some confusion regarding the war crimes of 1971.

I need to talk about the disposition of my family in order to narrate the events of the month of March in 1971. It must be well known that my mother Sufia Kamal was intensely involved with social and cultural movements. This is one reason we were closely and eagerly following the events around the uncertainties in handing over of power immediately after the election of 1970. My mother was leading an organization named Mohila Shongram Parishad in 1969, which was striving for democratic rule alongside the mainstream political movement. Hence we were naturally

International Crimes Tribunal

42 Year Path for Justice



- **In 1971**, during the liberation war of Bangladesh, about three million innocent civilians were killed, raped and tortured by the Pakistani army and their local Bangladeshi allies. During war, these types of indiscriminate attacks and torture on civilian people are prohibited under international law and commission of them is considered as crime under international law.





curious about issues, such as, the election results, commencement or inaction of Parliament session, etc. and when the non-co-operation movement began in March (1971) we participated in it institutionally. We took part actively in most of the rallies, meetings, seminars that took place in that time. I was present at the mass gathering at the Race Course ground on the 7th of March and was also stimulated by the moving chant of –“Our struggle is for freedom, our struggle is for liberation”.

Many events started happening right after that, where on one side Yahya Khan called a roundtable to feign the handover of power and on the other hand, there were different kinds of attacks in areas of then East Pakistan on political party members or the political individuals inspired by Bengali nationalism. This was the prevailing uncertain situation all around at that time and suddenly on the night of March 25th of 1971 a relative from Chittagong telephoned and asked about the situation in Dhaka. He could only gather that the situation was not favorable. Right after this the telephone line got cut off. Synchronously, we heard sounds of gunshots. It should be mentioned here that our family home was situated not too far from the Dhanmondi road 32 residence of Bangabandhu. We could hear shots of machine guns and cannons and a little far away in Pilkhana (army barracks) there were sounds of gun fights echoing in the air. We could hear sounds of rifles on one side and cannons blaring on the other. Fear swept into our neighbors too. Since they considered my parents as their guardians, they frightfully approached and asked what was going on. A second floor resident in the next house told us that from their rooftop they could see flames blazing in the Dhaka University area. There was a black flag hoisted on the rooftop of a house under construction in front of ours and the guard of that house was shot to death. There is a bridge on the lake right near to our place and we heard people running on it; in fact, someone was shot on the bridge too. We later got to know it was a boy, possibly his name was Khokon, and he was the son of a well-known person in the area named Panaullah. Khokon

- **In 1972**, The Collaborators Act, 1992 was enacted to prosecute the persons who collaborated with the Pakistani army in carrying out the atrocity during liberation war. Later, the then Government declared general amnesty to the accuseds of petty offences except those who were involved in grave offences like killing, rape, arson.



- **Later, in 1973**, International Crimes (Tribunal) Act, 1973 was enacted for the trial of persons accused of these grave offences. This Act was enacted according to the international standard of trial of war crimes and crime against humanity.
- **Despite regular demand and protest from the common people, none of the successive governments took the initiative to prosecute those who were involved in these serious offences.**



was shot dead. The random gun shots were heard all through the night. I clearly remember the sounds of the Pilkhana shootings that lasted till the early hours of the 27th March. By then it was announced that a curfew was declared and no one could be out of their houses. The curfew was slightly relaxed only for a short while on 27th March. We came out to the street to find out what had happened. By then some people gathered in our house- journalists and political party members were among them. They explained that a gruesome killing spree had been conducted at the Dhaka University area. Professor Muniruzzaman, Dr. G C Dev were killed and Dr. Jyotirmoy Guhathakurta who was shot was being treated in a hospital. Many teachers were forced to flee from their homes as they were being searched to be killed. Students were routinely made to stand and killed at Jagannath Hall. Iqbal Hall was set on fire. The family of Madhu da of Madhu's Canteen was brutally attacked, and many members of the family, including himself died. The person who did the laundry at Rokeya Hall- Basudev was also killed alongside his family. The army also entered Rokeya Hall. From Hatkhola the late journalist Shahadat Choudhury reported that the Ittefaq office had been set on fire and many were killed in front of the same office in stray shootings. We often see the photograph of both a rickshaw-puller and a client lying dead on the rickshaw. Journalist Shahidullah Kaiser sent us the news that Shangbad office was also on fire and inside the poet and journalist Shahid Saber had been burnt alive. Such news came from all over, of fire being set, people being massacred and many lying as corpses everywhere.

In Narayanganj, a relative of ours was in Sattar Jute Mills. They also told us that there had been killings down there as well and in one house a mother and child were murdered as they lay under the same mosquito net. Eventually we got to know that the same kind of massacre took place in towns such as Chittagong, Khulna, Jessore, Rajshahi. A high official of the police force, Mamum Mahmud was in Rajshahi then and he was killed too. In different districts Bengalis working in high positions were targeted and killed. In the evening of 25th March,

- **In 1992**, as a part of people's protest and demand, "**The Peoples Court**", led by Jahanara Imam, was established to try the persons accused of atrocities in 1971. This Court took the *Russell Tribunal* as model. **On 26 March 1992, this symbolic court accused Ghulam Azam of war crimes and demanded his punishment to the Government.** But the Government did not take any initiative for the trial.



- **International Crimes Tribunal of Bangladesh was set up in 2009** under the International Crimes (Tribunal) Act, 1973 to try the persons who allied with Pakistani army in carrying out atrocities in 1971 liberation war. This is a domestic tribunal established for the trial of international crimes.



we clearly saw machine guns were being fixed on the rooftop of the Dhanmondi Girls School on the other side of the bridge (there were no other houses at that time) over the lake near Bangabandhu's home. Even on the lakeside, the Pakistani forces were roaming around with machine guns. Thus, from the evening of 25th March there were adequate preparations being made for planned attacks.

“Operation Searchlight”

When we walked on the pavement of Road 32, after the curfew had been lifted the next morning, I saw with my own eyes that the Pakistani soldiers were carting away furniture into a truck from the residence of Bangabandhu. We returned home when curfew was declared again. We learnt from BBC and other radio stations that in the former East Pakistan an operation named Operation Searchlight was initiated that was turning into a genocide. Hundreds and thousands of people fled from their homes, went from one village to the other and even tried to cross the border of India to seek refuge. From women with newborn babies to people aged 80 year olds, all were seen to be running from their homes. Thus, people of all ages, from all backgrounds were forced to flee from their homes and run to and fro to save their lives, with a deep sense of insecurity. In our view, this was an extreme offence towards humanity and worst form of violation of human rights.

Meanwhile, we received the news that the independence of Bangladesh had been declared on 26th March. We learnt of that from the Shadhin Bangla Betar Kendra as well. Some of our friends, who were part of various movements, also brought in news of Mukti Bahini being formed. They were continuously joining the Mukti Bahini and kept communications with us. This is how we had the opportunity to join the liberation war. Centered on our mother, our family became a point of communication for the freedom fighters, and both my sister and I got actively involved in the movement. We got busy with passing information, creating scope for people to join the liberation war, while the mass killings went on in the country.

- **Ghulam Azam, a self-confessed collaborator and former Ameer of Jamaat-e-Islami Bangladesh, was arrested on 11 January 2012. On 13 May 2012 he confessed to the ICT-1 that he was a collaborator.** “I do not consider myself guilty,” Azam later said when the tribunal asked him to reply precisely how he pleads.



- The above photographs were taken during the liberation war where Ghulam Azam was seen to be having open meetings in Pakistan with General Tikka.



Around April we came to know that some religion based political parties had joined hands with the Pakistani army and took the role in opposing the liberation war.

The newspapers prominently featured news on this issue. Hence we also came to know the names of those involved in this heinous activities.

“The names of Jamaat-Islami, PDB Muslim League started appearing”

A name would always come into our attention, and it was of Ghulam Azam. He would often have meetings with Tikka Khan and other leaders of the Pakistani forces to discuss how Pakistan can be kept undivided, and he would deliver speeches and statements on this. From their statements, two things would be emphasized: that Pakistan meant Islam and going against Pakistan meant going against Islam. Thus, to save Islam, it was necessary to protect Pakistan and annihilate the “miscreants” (in their words, the freedom fighters were the miscreants). Towards this end, the countrymen had to be awakened and they wanted to take that responsibility. To realize this goal, they mobilized organizational activities to form the Shanti Committee as the first step and instilled fear into the general public or used religious sentiments to force them into joining this committee.

“Ghulam Azam’s name would be consistently cited as the highest commanding leader in these activities”

Then we saw, that in May, they formed another contingent called the Razakar Bahini. As far as I remember, the start of Razakar Bahini was in Khulna, under the leadership of Jamaat-e-Islami. We also came to know that they had planned to form a secret killer force. Al Badr, Al Shams were formed for that purpose. We heard that they would discretely conduct their brutal activities. Then we heard that the students and youth members of the Jamaat-Islami were being recruited to make up the force. Ghulam Azam’s name would be consistently cited as the highest commanding leader in these activities. Often high officials in the Pakistani army, even Tikka Khan were heard praising the name of

- Quader Mollah Verdict



- 5 February 2012
Shahbag Uprising



Sultana Kamal : Testimony



Ghulam Azam and commending his contribution towards maintaining a united Pakistan. He made visits to West Pakistan during that time too. He would deliver statements in opposition to the liberation movement and freedom fighters and pledged to do anything to uphold Pakistan's unity.

In the month of June in 1971, my sister Syeeda Kamal, whose freedom fighter registration number was 1835 and I (my number was 1838) were compelled to cross the border of India into Agartala. An event in June made us take this decision to cross over to India. Squadron Leader Hamidullah Khan lived in front of our home. He heard that the Bengalis in the Air Force never came back once they were called in for duty. When he was told to report at the Headquarters and was instructed to handle an operation in a Hindu majority area near Rayerbazar, he came to my mother for advice on how he could get out of this situation. At that time, we helped him get into the Mukti Bahini. Unfortunately, the boy who was their household help was captured by the Pakistani forces the next day. We were anxious that when interrogated, he may speak about Mr. Hamidullah Khan's connection to our family, and thus, our role in communicating with the Mukti Bahini may be known to the enemy forces. Then my sister and I were advised to escape by crossing the border.

On the 16th of June we set out by road from Dhaka, crossed the river to Chandina or Comilla, and then by rickshaw reached Shonamura in Agartala. An acquaintance of ours, Dr Captain Akhtar Ahmed, working in the army had opened a makeshift health center in a forest bungalow at Shonamura to treat injured freedom fighters. He and his wife Khuku Ahmed were both friends of ours and were staying there. We met them and we both joined their efforts. The health center was under Sector number 2. The commander of that sector was the then Major Khaled Mosharaf. We met with him. He gave us permission to join there and we registered as freedom fighters. A plan for a big hospital was being made then, and it would be later known as Field Hospital in Bangladesh. We formed this hospital in Bisramganj, about 60 miles from Agartala. We were joined by Dr Zafrullah Choudhury, Dr. Mobin, Dr. Kamruzzaman, etc. who are well known and respected as freedom fighters. Later Dr. Captain Sitara joined us, and she would later be conferred a Bir Pratik title. Our patron Captain Akhtar Ahmed was also given Bir Pratik title later. Following our path, many other women volunteers, who had been working inside Bangladesh with freedom fighters, also came and joined the hospital. Of them, Professor Zakiya Khatun, Asma, Reshma, Meenu, Anupoma, Padma, Nilima, Dr Daliya, Dr. Shamsuddin are worth mentioning. We all worked in this hospital together. We were updated on news from Bangladesh, thanks to different radio stations, especially the BBC, Shadhin Bangla Betar Kendra and letters written in code language from my mother to our brother who was resident in the United States (that we would receive from him). We also got news from freedom fighters after they returned from combat in places within the country.



“We knew that the Razakar, Al Badr, Al Shams were providing information to the Pakistani forces”

We were updated on the actions of fighters of Sector 2 wherever they went to fight and also updates on activities of those opposing the war, such as the Shanti Committee, Razakar, Al Badr, Al Shams. We heard all the regular news on the radio sitting in the hospital – of the bombing in Sheraton, and different guerilla operations of Rumi, Bodi, Alam, Badal, Chullu, Samad, Alvee etc . We knew that the Razakar, Al Badr, Al Shams were providing information to the Pakistani forces on day to day situation of the country, particularly the information on whereabouts and activities of families that were supporters of the liberation war.

We also got the news that they would kidnap women of various age groups and would offer them to the camps of the Pakistani occupation forces. As a result of this, many of these women were victims of repeated sexual violence and rape. Many of them lost their mental sanctity and resorted to committing suicide or died at the bunkers due to this type of violence. Most of the time, we would hear the name of Ghulam Azam in relation to his leadership role of the razakar, Al Badar and Al Shams forces. We also heard other names along with Ghulam Azam, for example, Matiur Rahman Nizami, Ali Ahsan Md. Mujahid, Abbas Ali Khan. But Ghulam Azam’s name would always be mentioned as a leader of Jamaat. As the leader of Al Badar, Al Shams and Razakar forces, Ghulam Azam was established as a symbol of someone who is against the freedom fighters fighting for liberation. The way Bangabandhu Sheikh Mujibur Rahman became the symbol of liberation war, similarly, Professor Ghulam Azam became a symbol of the opposition.

As for the Hindus, Christians and Buddhists at that time – they fled from their homes to save their lives, and took refuge in India from persecution for their religion. Some were forced to convert into Islam. We know of many who left all their property in the country and had to escape to India only to save their lives . They were shot inside churches; temples were burned to the ground; they were tortured and brutally persecuted only for their religious faith. Not only the people from other religions such as Hindu, Buddhist and Christians were attacked, but anybody believing in Bengali nationalism and wishing for a free country, regardless of their race and religion, were attacked and tortured. Those from Christianity, Buddhism, Hindu faiths were specifically targeted and they endured brutalities such as murder, torture, looting, rape and other forms of violence.

‘Operation Searchlight’ of 25th March is the worst form of genocide for the reason that there were armed attacks on unarmed civilians who wanted a free, democratic nation. It should be mentioned here that the massacre on teachers in Dhaka University and the hindu students in Jagannath Hall and all students supporting the independance movement ; burning of Iqbal Hall; killings inside Rokeya Hall; attack on the Kali temple; arson attacks in Hindu majority areas such as Shankhari Bazar, Rayer Bazar, Hatkhola, Wari etc.; uncountable police personnel wiped out in Rajarbagh; attack on the members of



the Pilkhana Rifles – all testify to the evidence of brutal genocide. This form of mass killing went on all over the country from 25th March till 16th December that year.

Let me give the example of Barisal. Unarmed civilians gathered in the market were shot at from a helicopter. When the fearful people ran and jumped into the river, the Pakistani forces shot at them from the opposite side from launches. These were not isolated events; these were happening all over the country. This was the means of ensuring the Pakistani unity and those who gave active support and assistance are criminals, no less.

Newspapers and radio were the major sources of information supply at that time. Most of the newspapers and radio reported that the mastermind behind this collaboration was Jamaat and Ghulam Azam, who is the top leader of Jamaat. We also heard that in 1971, he himself was present on the 23rd and 31st August in Lahore in Pakistan and in Hyderabad and gave his support to the activities of the Pakistani forces. He spoke spiteful ly against the Mukti Bahini and exhibited his desire to annihilate them. Interestingly, when the new government of the then East Pakistan was formed, two Jamaat members were given positions in the cabinet. At their reception programme, Ghulam Azam stated that Jamaat members were part of the cabinet to serve the same purpose as the formation of Shanti Committee and Razakar force.

An issue needs to be clarified here, whether Shanti Committee was participating in any armed combat. From the information we received, they did partake in armed conflict alongside the Pakistani forces. Everyone knew that the Razakars had weapons. We notice that, on the 1st of December, as the freedom fighters were almost reaching victory, Ghulam Azam was meeting with Yahya Khan and announced in a press conference that Mukti Bahini would have to be defeated and brought under punishment. He also proudly proclaimed that Razakars are enough to ensure this. When a person is able to meet with the leaders of the government that is executing genocide, and also speaks on their behalf, there is no doubt about how trusted this person is to that government. The most gruesome and desperate act of genocide was committed by the Razakars, Al Shams and Al Badr forces through the merciless killing of intellectuals from the 10th to the 14th of December. The methods of torture and oppression used by them will put the Nazi period atrocities to shame. We know that Ghulam Azam gave theoretical and strategic guidance to Razakars, Shanti Committee, and forces of Al Badr and Al Shams.

On 9th November, 1971, we left the Field Hospital for Kolkata, returning to a free Bangladesh the next year on 4th January. We heard of the surrender of the occupying forces on the 16th of December sitting in Kolkata. The condition of road communication was deplorable then. We came by train to Benapole, then managed to enter Dhaka by taking rickshaws, buses or boats at different points. The roads and highways were completely destroyed by war. We arrived home in a situation where someone or the other among our relatives, friends and neighbors had been killed. We lost our respected teachers, lost



our classmates and friends who had joined the war. Each family suffered from harsh times due to the loss of the sole earning member to war.

Women were in the worst of conditions, since they were oppressed in various ways. We all know that two hundred thousand women were victims of rape; another two hundred thousand women suffered other forms of torture. In a patriarchal society, they became helpless living with the loss of male guardians over their heads. Many of them came to my mother Sufia Kamal to talk about their distress. They urged her to find them a way to live and means of livelihood for them to carry on. In December 1971 my mother and her colleagues took many initiatives to rehabilitate the women. It may be noted that my mother was the first Chairperson of the reputed institution that is BRAC. By forming BRAC and Naree Punorbashon Kendra (Women's Rehabilitation Center), she and her colleagues dedicated themselves into the rebuilding of a newly liberated, war torn country and rehabilitation of citizens. Our family members also joined these efforts.

“Many of them were handed over to the troops by local collaborators”

Thus I got the opportunity to work closely with the activities undertaken to rehabilitate the women. Parallel to this, I started working on issues of human rights violation and crimes against humanity. Following this, I got involved with human rights activism and eventually studied law to become a lawyer in 1978. The crucial activity in the Naree Punorbashon Kendra was to provide medical treatment to those who came for help. This is because most of them had been victim of some form of violence. We looked into their security, meeting of relevant requirements, finding means of livelihoods so they could support themselves, arranging various work opportunities for them and ensuring that those who wanted to return to their families could do so with dignity. I was in charge of a specific responsibility which involved interviewing nineteen women, all of whom were raped by the Pakistani troops. Many of them were handed over to the troops by local collaborators. They were in extreme mental trauma due to their experiences and these interviews were conducted to address their mental state in order to give them psychological support. Dr. Davis was a foreign doctor at the center. In addition, there were local women, men, volunteers and doctors.

My mother Sufia Kamal, politician Badrunnesa Ahmed, social worker Saira Ahmed, Maleka Khan, Afifa Hoque and others were at the centre at all times and managed the entire operations of the center. It was located at Eskaton in Dhaka. We gave the options to mothers of war babies at the center that they could give them up for adoptions.

I gradually grew a keen interest in human rights, democratic rights, respect for humanity as a conscious citizen from my active involvements with the war, and post war movements. From that standpoint, my earnest expectation from the Tribunal would be to ensure appropriate punishment for

Sultana Kamal : Testimony



the crimes against humanity through trial. I demand punishment for those involved in the most heinous genocide in history, those who gave direct assistance to these genocidal activities, and within nine months massacred 30 lakh (3 million) people, forced one crore (million) out of seven crore citizens to leave the country, instilled fear on those in the land to flee for shelter, raped and tortured thousands of women and destroyed lives of uncountable families. I hereby submit my testimony to the investigation officers of this case. Professor Ghulam Azam is today awaiting trial as a criminal in the docks of the Tribunal. This is my testimony.