

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Who was the Minister for Communications in February 2007? Was it Mr Nazmul Huda?**
- 2. Was he imprisoned on 28 February 2007 for 13 years?**
- 3. Which branch/district did he represent in Parliament?**
- 4. Was Mr Mohammed Kamrul Islam the Member of Parliament for Dhaka in January 2007?**
- 5. Are his whereabouts currently known?**

RESPONSE

- 1. Who was the Minister for Communications in February 2007? Was it Mr Nazmul Huda?**

Sources indicate that in February 2007 responsibility for the Communications portfolio would have lain with a Caretaker Adviser rather than with a Minister. The CIA's *The World Factbook* advises that "the country has a caretaker government until a general election is held; Iajuddin AHMED remains as President and Minister of Defense, and all other Cabinet portfolios are held by Caretaker Advisers" (Central Intelligence Agency 2008, *The World Factbook: Bangladesh*, 19 June <https://www.cia.gov/library/publications/the-world-factbook/geos/bg.html> – Accessed 11 July 2008 – Attachment 1).

A *Reuters* article dated 4 February 2007 refers to Nazmul Huda as the "former communications minister" (Ahmed, A. 2007, 'Bangladesh detains politicians in corruption drive', *Reuters*, 4 February <http://www.reuters.com/article/latestCrisis/idUSDHA126311> – Accessed 11 July 2008 – Attachment 2), as do the following articles relating to Huda's detention and sentencing in 2007 and 2008.

2. Was he imprisoned on 28 February 2007 for 13 years?

Sources indicate that Nazmul Huda was initially detained early in February 2007 and that he has since been sentenced on various charges, most recently in June 2008.

The previously mentioned *Reuters* article of Sunday 4 February 2007 reported that Nazmul Huda had been detained by the security forces. According to the article:

Security forces in Bangladesh detained seven ex-ministers and other influential figures including a media tycoon on Sunday in a drive against corruption, officials and media reports said.

It was the biggest such action against high-profile figures since the declaration of a state of emergency on Jan. 11 that followed weeks of street protests and pre-election violence.

...

BNP figures detained included former communications minister Nazmul Huda and four ex-state ministers (Ahmed, A. 2007, 'Bangladesh detains politicians in corruption drive', *Reuters*, 4 February <http://www.reuters.com/article/latestCrisis/idUSDHA126311> – Accessed 11 July 2008 – Attachment 2).

An article dated 23 February 2007 from *Bangladesh News* reported that Huda had been arrested on 4 February and that his bail petition had been rejected on 22 February. According to the article:

A Dhaka court yesterday rejected the bail petition of detained former communications minister Nazmul Huda in a case filed for illegal possession of local and foreign currencies.

...The joint forces arrested the BNP big shot at his Dhanmondi residence on February 4. During the raid, they seized 18,68,470 takas, 1,796 Singapore dollars, 1,350 pounds, 300 euros, 18 Kuwaiti dinars, 14 revolver bullets, four passports and a mobile phone set.

Later on February 14, a case was filed against him under the Special Powers Act, Money Laundering Act and Excise Act. The following day he was shown arrested in the case filed with Dhanmondi Police Station.

A day after his arrest, Huda was sent to detention on charges of anti-state activities, sabotage and corruption. He had been in Dhaka Central Jail before being taken to the Rangpur jail ('Bail petition of Nazmul Huda rejected' 2007, *Bangladesh News*, 23 February <http://www.bangladeshnews.com.bd/2007/02/23/bail-petition-of-nazmul-huda-rejected/> – Accessed 11 July 2008 – Attachment 3).

In an article dated 4 April 2008, the *Independent Bangladesh* mentioned that Nazmul Huda had been arrested on 3 February 2007, that his name had appeared in a list of graft suspects published by the caretaker government on 18 February 2007 and that he had been sentenced to seven years imprisonment on 27 August 2007. The article also reported that Huda had subsequently been sentenced to 12 years imprisonment on charges of "amassing illegal wealth and concealing wealth-related information". According to the article:

A Dhaka court sentenced former communications minister barrister Nazmul Huda to 12 years in jail on Thursday, and fined him Tk 1 crore or another year in prison, on charges of amassing illegal wealth and concealing wealth-related information.

The court acquitted the ex-minister's wife Sigma Huda who was accused of abetting her husband. However, Sigma will not be freed as she had already been sentenced to three years in jail in another case.

The verdict of judge Md Ashraf Hossain, of the Special Judge's Court-5 set up in the Sangsad Bhaban premises, also ordered confiscation of the couple's illegal assets. Huda's sentences will run concurrently and will be effective from the date of his arrest. Joint forces arrested Nazmul Huda on Feb 3, 2007.

Sigma Huda was arrested on July 5. The Anticorruption Commission filed the graft case against the Huda couple on July 11, 2007, with Dhanmandi police.

The case details accused Nazmul Huda of illegally acquiring wealth of Tk 7.62 crore, and concealing information regarding assets worth Tk 2.59 crore in his wealth statement submitted to the ACC.

Sigma Huda was accused of abetting her husband. Charges were framed against the couple on Dec 9 and witnesses depositions began on Jan 13.

A total of 92 prosecution witnesses testified in the case. The court set the verdict date of Apr 3 on March 20, after hearing closing arguments. The caretaker government published a list of 50 graft suspects on Feb 18, 2007, naming politicians, businessmen and bureaucrats among others, and asking them to submit wealth statements within 72 hours.

Nazmul Huda's name appeared on the list. Advocate Mosharraf Hossain Kajol conducted the case on behalf of the ACC. On Aug 27, 2007, Nazmul Huda was sentenced to seven years' rigorous imprisonment for taking Tk 2.5 crore in bribes in 2003 ('Huda gets 12 Years for graft, wife Sigma acquitted' 2008, *Independent Bangladesh*, 4 April – Attachment 4).

An article dated 13 June 2008 in *The Daily Star* reported that Huda had been sentenced to 12 years imprisonment on charges relating to extortion. According to the article:

A Dhaka court yesterday sentenced former communications minister barrister Nazmul Huda to 12 years' rigorous imprisonment (RI) and acquitted his wife advocate Sigma Huda on all charges in an extortion case.

...The court also fined him Tk 50,000, defaulting on which will carry another six months in jail.

Earlier, the prosecution and the defence had completed their arguments: the court recorded the statements of 11 prosecution witnesses.

Former BNP lawmaker and owner of Cab Express Ltd GM Siraj filed the case with Dhanmondi Police Station on July 27 last year, stating that the Huda couple on February 23 in 2003 demanded two Maruti cars from him for weekly *Khaborer Antaratay*, published by Sigma Huda.

He said the couple finally intimidated him into giving them a Maruti car worth Tk 3.95 lakh on February 27 the same year.

Police pressed charges against Nazmul and Sigma on November 29 last year.

Huda, accused in a dozen other criminal cases, has already been sentenced in two cases ('Nazmul Huda gets 12yrs' 2008, *The Daily Star*, 13 June <http://www.thedailystar.net/story.php?nid=40958> – Accessed 11 July 2008 – Attachment 5).

3. Which branch/district did he represent in Parliament?

An article dated 27 December 2006 in the *New Age* indicated that Nazmul Huda was the candidate nominated by the BNP for the constituency identified as "180. Dhaka-1" ('BNP, allies finalise candidates' 2006, *New Age*, 27 December <http://www.newagebd.com/2006/dec/27/front.html> – Accessed 8 July – Attachment 6).

4. Was Mr Mohammed Kamrul Islam the Member of Parliament for Dhaka in January 2007?

The sources consulted indicate that Mr Mohammed Kamrul Islam was a BNP member and a Member of Parliament in Dhaka. In most of the media reports sourced, he was referred to by name and title as Major (retd) Kamrul Islam.

The previously mentioned article dated 27 December 2006 in the *New Age* indicated that "Md Kamrul Islam" was the candidate nominated by the BNP for the constituency identified as "184. Dhaka-5" ('BNP, allies finalise candidates' 2006, *New Age*, 27 December <http://www.newagebd.com/2006/dec/27/front.html> – Accessed 8 July – Attachment 6).

An article dated August 2006 in *The Daily Star* mentions the "State Minister for Shipping Kamrul Islam" ('New investment zones planned' 2006, *The Daily Star*, 16 August <http://www.thedailystar.net/2006/08/16/d60816012917.htm> – Accessed 11 July 2007 – Attachment 7). An earlier article, from March 2006, refers to the "State Minister for Expatriates' Welfare and Overseas Employment Maj. (retd.) Kamrul Islam" ('Let us sit together to sort out differences: Bhuiyan tells opposition' 2006, *The Daily Star*, March 29 <http://www.thedailystar.net/2006/03/29/d60329060568.htm> – Accessed 11 July 2008 – Attachment 8).

5. Are his whereabouts currently known?

A search of sources consulted found no specific information regarding the whereabouts of Maj (retd) Kamrul Islam. Conversely, no mention was found of his whereabouts being unknown or otherwise controversial.

Articles dated 30 May 2007 in the *New Age* and *The Daily Star* reported a raid on his home, although the two reports differ on the matter of whether he was at home at the time of the raid. According to the *New Age*:

The joint forces also went to Baridhara Park Road residence of former state minister Major (Retd) Qamrul Islam but left without detaining him.

A New Age correspondent tried to approach him to talk but he only waved from the roof-top ('Jalil, Babar, Hashem remanded in custody' 2007, *New Age*, 30 May <http://www.newagebd.com/2007/may/30/front.html> – Accessed 10 July 2008 – Attachment 9).

According to *The Daily Star*, however, he was not present at his home at the time of the raid. *The Daily Star* reported that:

the joint forces also raided the residences of a number of political leaders, including BNP leader and former state minister Maj (retd) Kamrul Islam... None of the political leaders were present at homes at the time of the raids ('Jalil, Babar remanded; Altaf, Patal sent to jail' 2007, *The Daily Star*, 30 May <http://www.thedailystar.net/2007/05/30/d7053001011.htm> – Accessed 10 July 2008 – Attachment 10).

Major (rtd) Kamrul Islam was reportedly amongst those present at a briefing held on 3 September 2007 at the home of the former BNP Secretary General Abdul Mannan Bhuiyan, who had been expelled from the party by Chairperson Khaleda Zia on 2 September 2007 (Suman, R.H. 2007, 'BNP split imminent', *The Daily Star*, 4 September <http://www.thedailystar.net/story.php?nid=2597> – Accessed 10 July 2008 – Attachment 11).

An article dated 6 November 2007 in *The Daily Star* reported that Maj (retd) Kamrul Islam was amongst 11 "graft suspects" under investigation by the Anti-Corruption Commission (ACC). According to the report:

The Anti-Corruption Commission (ACC) will issue notices to 11 graft suspects including City Mayor Sadeque Hossain Khoka today, asking them to submit wealth statements, said sources.

...Besides Khoka, Awami League (AL) leaders Tofail Ahmed and Syeda Sajeda Chowdhury, former BNP state minister Maj (retd) Kamrul Islam, Rajuk CBA President Amir Khasru, former adviser to caretaker government Justice Fazlul Haque, former BNP whip Shahidul Haque Jamal, former finance minister M Saifur Rahman's son Shafiur Rahman Babu, former chairman of Bangladesh Road Transport Corporation (BRTC) Taimur Alam Khandaker, former APS (1) to ex-premier Khaleda Zia Deputy Secretary Shamsul Alam and former communications secretary Rezaul Hayat are to be at the receiving end.

The commission on October 18 ordered 11 of its officials to investigate allegations against the 11 suspects and report back within 10 days.

According to its rules, a graft suspect will have to turn in wealth statement within seven working days on receiving the notice. However, a suspect can apply for extra seven days if they need more time.

There will be legal measures against those who will not submit wealth statements within the stipulated time.

The number of high-profile suspects currently stands at 177 ('Wealth Report of Latest Graft Suspects: Khoka, Tofail, 9 others get ACC notice today' 2007, *The Daily Star*, 6 November <http://www.thedailystar.net/story.php?nid=10506> – Accessed 10 July 2008 – Attachment 12).

An article dated 6 December 2007 in *The Daily Star* provided details of the wealth statement submitted to the ACC by Major (retd) Kamrul Islam on 5 December 2007 ('ACC sues Aminul Haque, ex-MP Hashem for ill-gotten wealth' 2007, *The Daily Star*, 6 December http://www.thedailystar.net/pf_story.php?nid=14428 – Accessed 10 July 2008 – Attachment 13).

The most recent mention found was in an article dated 12 December 2007 in the *New Age* in which it was reported that banks had been asked to search accounts of former state minister Major (retd) Kamrul Islam and others under investigation (Ahsan, N. 2007, 'NBR freezes 2

accounts, orders search of 82', *New Age*, 12 December
<http://www.newagebd.com/2007/dec/12/front.html> – Accessed 10 July 2008 – Attachment 14).

List of Sources Consulted

Internet Sources:

Government Information & Reports

Bangladesh Election Commission website <http://www.ecs.gov.bd/English/>

Bangladesh Government website <http://www.bangladesh.gov.bd/>

Parliament of Bangladesh website <http://www.parliamentofbangladesh.org/indexeng.html>

US Department of State website <http://www.state.gov>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org>

Human Rights Watch website <http://www.hrw.org>

Odhikar website <http://www.odhikar.org>

International News & Politics

BBC News website <http://news.bbc.co.uk>

Independent Bangladesh website <http://www.independent-bangladesh.com>

New Age website <http://www.newagebd.com>

The Daily Star website, <http://www.thedailystar.net>

Search Engines

Copernic search engine

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

List of Attachments

1. Central Intelligence Agency 2008, *The World Factbook: Bangladesh*, 19 June
<https://www.cia.gov/library/publications/the-world-factbook/geos/bg.html> – Accessed 11 July 2008.
2. Ahmed, A. 2007, 'Bangladesh detains politicians in corruption drive', *Reuters*, 4 February
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