



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

London, 25th August 2013

STATEMENT

BHRC expresses concern at the contempt charges brought against Human Rights Watch by the Chief Prosecutor of the International Crimes Tribunal ("ICT") in Bangladesh.

The Bar Human Rights Committee ("BHRC") expresses its concern at the contempt charges that have been brought against Human Rights Watch (HRW) by the Chief Prosecutor to the Bangladesh International Crimes Tribunal ("ICT").

The charges relate to a report by Human Rights Watch on 16th August 2013 criticising the trial and subsequent conviction of Professor Ghulam Azam as falling far below international fair trial standards. Criticism of the ICT proceedings has been widely voiced internationally. The US Ambassador at Large on War Crimes Issues, Stephen J. Rapp, has publicly stated, in respect of earlier verdicts given by the ICT that "these convictions are not yet final. [These] issues are being raised in the submissions of the defendants in the appeals pending. It is not too late to get these things right in the Supreme Court or to adopt the [se] principles (of fair trials in accordance with international standards)."

Judges and the judicial process are open to criticism under the Bangalore Principles. The Commonwealth (Latimer House) Principles on the Accountability of and the Relationship Between the Three Branches of Government state: **"criminal law and contempt proceedings should not be used to restrict legitimate criticism of the performance of judicial functions."**

The UN Declaration on Human Rights Defenders states that human rights defenders have the right **"freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms."**

BHRC is concerned that the current charges against HRW amount to a chilling attempt to silence criticism of the ICT.

BHRC urges concentration upon examining those aspects of the trials and convictions that are criticized with a view to ensuring due process compliance rather than pursuing detractors. We support Stephen J. Rapp's invitation that it is not too late for flaws in the trials to be

accepted and remedied.

Kirsty Brimelow QC

Chairwoman of the Bar Human Rights Committee

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BHRC website

<http://www.barhumanrights.org.uk/>

NOTES FOR EDITORS

The Bar Human Rights Committee of England and Wales (“BHRC”) is the international human rights arm of the Bar of England and Wales. It is an independent body concerned with protecting the rights of advocates, judges and human rights defenders around the world. The Committee is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. The remit of BHRC extends to all countries of the world, apart from its own jurisdiction of England & Wales. This reflects the Committee's need to maintain its role as an independent but legally qualified observer, critic and advisor, with internationally accepted rule of law principles at the heart of its agenda.