



BAR HUMAN RIGHTS  
COMMITTEE OF  
ENGLAND AND WALES

London, 8 April 2015

## STATEMENT

### **BHRC calls for execution of Muhammad Kamaruzzaman to be stayed immediately pending independent review**

The Bar Human Rights Committee (BHRC) calls on the Government of Bangladesh to take all possible measures to bring about a stay of the imminent execution of Muhammad Kamaruzzaman following the Supreme Court's rejection of his death penalty review petition on 6 April 2015.

BHRC has raised serious concerns repeatedly about the fairness of trials before the International Crimes Tribunal (ICT) in Bangladesh, and in particular in respect of the trial of Muhammad Kamaruzzaman in a statement of 11 November 2014. There is evidence that the trial of Kamaruzzaman was flawed on a number of counts, including arbitrary limitation of witness evidence, limited ability to cross examine key witnesses and concerns relating to the impartiality of judges which resulted in an application to recuse two judges of bias being summarily dismissed.

Kamaruzzaman's death sentence was upheld on appeal in November 2014. His legal team filed an application for an independent review of his sentence to the Supreme Court on March 5, 2015. Regrettably the Supreme Court failed to hear the substantive application and instead, rejected the petition whilst upholding the death penalty.

BHRC draws particular attention to its previous statements on Bangladesh in which the flaws in the trial processes led to it calling for the ICT to be halted pending a full and impartial investigation into serious allegations of malpractice and unjust procedure. Those concerns have not been allayed or addressed at all. While the BHRC is opposed to the death penalty in all circumstances, it urges the Bangladeshi authorities now to take immediate steps to prevent an execution that arises out of a flawed trial. An independent review of this case and all other cases currently before the ICT must be conducted if victims are to gain genuine accountability for the atrocities committed in 1971.

Kirsty Brimelow QC, Chair of the Bar Human Rights Committee said, "The shortcomings of this trial, and others before the ICT, have raised serious doubts as to the capacity of the ICT to function independently, transparently and in accordance with basic fair trial norms. The

imposition of capital sentences in such circumstances is contrary to international law. A stay of this execution is a minimum requirement to demonstrate the start of commitment to due process."

**ENDS.**

#### **NOTES FOR EDITORS**

- For an interview with our spokesperson, please contact Céline Grey, Project Coordinator, on +44 (0)7854 197862
- For more information on the Bar Human Rights Committee (BHRC), visit our website at <http://www.barhumanrights.org.uk>
- The Bar Human Rights Committee of England and Wales (BHRC) is the international human rights arm of the Bar of England and Wales, working to protect the rights of advocates, judges and human rights defenders around the world. The BHRC is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. It is independent of the Bar Council.