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STATEMENT

BHRC calls for immediate suspension of executions of Mr. Ali Mujahid and Mr. Salauddin Chowdhury

The Bar Human Rights Committee of England and Wales (BHRC) calls for the executions of Mr. Ali Ahsan Mohammad Mujahid, a former leader of the Jamaat-e-Islami party, and Mr. Salauddin Quader Chowdhury, a former leader of the Bangladesh Nationalist party, to be suspended immediately in light of flagrant breaches of international fair trial standards.

These trials, conducted before the International Crimes Tribunal (ICT) of Bangladesh lacked due process. BHRC refers to its previously expressed concerns about the failings of the ICT to ensure a just and impartial process.

The violations of international law evidenced in these trials include: lack of judicial independence, witness interference and disappearance, falsifying of witness testimony, lack of safeguards against improper arrest, delay and arbitrary detention, conducting questioning in the absence of the defence counsel and the issuing of statements by the Judiciary, the Prosecutor and the Bangladesh Government that are contrary to the presumption of innocence.

To cite two specific examples: in the case of Mr Mujahid, the Tribunal has failed to identify evidence to support the offences for which he is convicted and has based its evidence on hearsay testimony. In the case of Mr. Chowdhury, the Tribunal refused to allow key witnesses to give evidence in support of his defence.

The UN Working Group on Arbitrary Detention has ruled that Mr. Mujahid and Mr. Chowdhury were detained arbitrarily and in breach of international law.¹

Whilst BHRC is opposed to the death penalty in all circumstances, international law is clear that ‘super due process’ must be applied in capital cases. States must ensure that all of the minimum guarantees and safeguards for a fair trial imposed by Article 14 ICCPR, to which Bangladesh is a state party, are provided for defendants facing the death penalty.

BHRC is committed to a process of accountability in Bangladesh for the grave crimes committed in 1971. However, such accountability can only be provided in accordance with international fair trial norms and guarantees to which the Bangladeshi Government has in the past expressed its own commitment.

BHRC calls again for the ICT and its executions to be halted pending a full and impartial investigation into the serious allegations of malpractice and unjust procedure. It urges the Bangladeshi authorities to take immediate steps.

ENDS.

NOTES FOR EDITORS

1. For an interview with our spokesperson, please contact Céline Grey, Project Coordinator, on +44 (0)7854 197862
2. See previous statements related to the International Crimes Tribunal (ICT) of Bangladesh [here](#).
3. For more information on the Bar Human Rights Committee (BHRC), visit our website at <http://www.barhumanrights.org.uk>
4. 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.

ⁱ <https://www1.umn.edu/humanrts/wgad/66-2011.html>