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Bangladesh: The President's commutation of death sentences should extend to all death row prisoners

President Zillur Rahman pardoned 20 death row prisoners on 7 September 2010. Amnesty International welcomes the pardon but is concerned that it benefits only a small number of more than 1,000 prisoners on death row. It urges the President to extend the pardon to other prisoners sentenced to death in Bangladesh, and commute their sentences.

Commutation of death sentences must not favour only members of the governing party. It should be extended to all prisoners on death row regardless of their party affiliation. The 20 who were pardoned appear to be all members or supporters of the governing Awami League. Amnesty International does not know of any public announcement from the authorities that other death row prisoners, except these 20 men, have received a Presidential pardon.

The pardoned prisoners were sentenced to death in 2006 by a Speedy Trial Tribunal set up to fast track high profile criminal cases. The court convicted them for the murder of a then-ruling Bangladesh Nationalist Party (BNP) activist Sabbir Ahmed Gama in northwestern district town of Natore.

Both the trial and the pardon are tainted with political controversy. Awami League officials have frequently said the trial, which took place at the time of the then BNP-led government, was a political show against the Awami League and the men were innocent of all charges. According to the BNP, the trial was fair and the presidential pardon is politically motivated because it benefits only the Awami League members. They say it is also a political move against the BNP because it gives impunity to those who killed a BNP local leader.

The death penalty is an irrevocable punishment. The authorities must ensure that prisoners are not excluded from Presidential pardons on politically motivated grounds.

The death penalty is the ultimate cruel, inhuman and degrading punishment. It violates the right to life as proclaimed in the Universal Declaration of Human Rights. Amnesty International opposes the death penalty in all cases regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner.

Amnesty International is urging President Zillur Rahman to declare a moratorium on all executions in Bangladesh. This will be in line with the United Nations General Assembly adopted resolution 62/149 on 18 December 2007, calling for a worldwide moratorium on executions, which was adopted by an overwhelming majority of UN member states.

The release of the death row prisoners convicted of killing Sabbir Ahmed Gama now places a clear responsibility on the government to find, and bring to justice, those who killed the BNP local leader. This requires a thorough investigation by an independent and impartial body.

Amnesty International is calling on the government and the President of Bangladesh to:

- Extend the pardon to other prisoners sentenced to death in Bangladesh, and commute their sentences

- Announce publicly if other death row prisoners, except these 20 men, have received presidential pardon
- Declare a moratorium on all executions in Bangladesh.
- Investigate the death of Sabbir Ahmed Gama through an independent and impartial body, and bring to justice those responsible for his death in a fair trial and with no recourse to the death penalty.

Public Document

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