

URGENT ACTION

EXECUTION OF OPPOSITION LEADER 'WITHIN DAYS'

A leading member of an opposition party in Bangladesh, Mohammad Kamaruzzaman, is at imminent risk of being executed, even though he has not exhausted all legal remedies available to him and has declared that he intends to appeal for a review of his case. The authorities have begun preparations for his execution, and have said it could take place soon.

Mohammad Kamaruzzaman, Assistant Secretary General of the opposition Jamaat-e-Islami party, was sentenced to death in May 2013. He was convicted of involvement in killings that occurred during the 1971 Independence War. Mohammad Kamaruzzaman appealed against the ruling, but on 3 November 2014 the Supreme Court upheld his death sentence.

Prisoners in Bangladesh whose death sentences have been confirmed have the right to petition the Supreme Court for a review of its ruling. They can, however, only make this petition after the Supreme Court releases the full text of the judgement. The full text provides explanations as to how and why it reached the judgement in question, and a request for a review has to be based on those arguments. Mohammad Kamaruzzaman has notified the authorities of his intention to appeal for such review.

However, the government of Bangladesh has begun preparations for Mohammad Kamaruzzaman's execution even though he has not exhausted the judicial process for a review of the Supreme Court verdict. He has been transferred to the Dhaka Central Jail and the authorities announced that they have instructed prison authorities to prepare for his execution. The exact date is unknown but it is feared he may be executed soon.

Please write immediately in Bangla, English or your own language:

- Urging the authorities to immediately halt plans to execute Mohammad Kamaruzzaman and allow him time to make use of his right to appeal for a judicial review by the Supreme Court;
- Explaining that international standards on the use of the death penalty state that no execution should be carried out while an appeal is pending and that Mohammad Kamaruzzaman has declared his intention to appeal as soon as technically possible;
- Calling on the Bangladeshi authorities to establish an official moratorium on executions immediately, with a view to abolishing the death penalty.

PLEASE SEND APPEALS BEFORE 26 DECEMBER 2014 TO:

Prime Minister
 Sheikh Hasina
 Prime Minister's Office
 Old Sangsad Bhaban
 Tejgaon,
 Dhaka - 1215
 Bangladesh
 Fax: +880 2 811 3244 / 3243 / 1015
 Email: pm@pmo.gov.bd
 info@pmo.gov.bd
Salutation: Dear Prime Minister

Minister of Home Affairs
 Asaduzzaman Khan
 Ministry of Home Affairs
 Bangladesh Secretariat,
 Building-8 (1st & 3rd Floor)
 Dhaka
 Bangladesh
 Fax: +880 2 7164788 (keep trying)
 Email: stateminister@mha.gov.bd
Salutation: Dear Home Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
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ADDITIONAL INFORMATION

The International Crimes Tribunal is a national court that was set up in Bangladesh in 2009 to try people accused of large scale killings, rape and other human rights violations during the 1971 Independence War.

So far the Tribunal has passed sentences on 13 people, 10 of whom have been sentenced to death. The tribunal has been accused of bias and not conforming to fair trial standards. All of the Tribunal's sentences have been against opposition party members with the majority of them against leaders of the Jamaat-e-Islami party. In addition to Mohammad Kamaruzzaman, whose death sentence has been upheld by the Supreme Court, two other Jamaat-e-Islami prisoners as well as another person (who was tried in his absence) have been sentenced to death by the Tribunal since 29 October.

Under international law, death sentences may not be imposed without the possibility of appeal. One of the convicted prisoners, Abdul Quader Mollah, was executed after a judicial process that denied the prisoner the right to appeal his death sentence. He had been sentenced to life imprisonment, but on appeal the Supreme Court increased it to the death sentence. Abdul Quader Mollah was the first known prisoner sentenced to death directly by the Supreme Court in Bangladesh, and the first prisoner with no right to appeal his death sentence.

International standards on the use of the death penalty guarantee the rights of prisoner to make use of all appeal and procedure available to them before an execution is carried out. Safeguard 8 of the Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, adopted by the UN Economic and Social Council in 1984, states: "Capital punishment shall not be carried out pending any appeal or other recourse procedure or other proceeding relating to pardon or commutation of the sentence." In resolution 2005/59, adopted on 20 April 2005, the UN Commission on Human Rights urged all states that still maintain the death penalty "not to execute any person as long as any related legal procedure, at the international or at the national level, is pending".

As of today, 140 countries have abolished the death penalty in law or practice. Bangladesh was one of only nine countries that carried out executions every year between 2009 and 2013. More than 1,000 prisoners sentenced to death by courts in Bangladesh remain on death row.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.

Name: Mohammad Kamaruzzaman

Gender m/f: m

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