

AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI index: ASA 13/005/2009
17th September 2009

Bangladesh: Welcome Supreme Court and government decisions could facilitate fair trials

Amnesty International welcomes the Supreme Court's clarification that army courts martial have no jurisdiction to try Bangladesh Rifles (BDR) personnel accused of mass killings and other criminal offences during the February 2009 mutiny.

The Supreme Court's clarification, which came on 11 September, was in reply to President Zilur Rahman's request for advice as to whether army tribunals could try BDR suspect.

The Supreme Court clarified that BDR suspects should not be tried in army courts martial because they are members of the civilian police force.

The Supreme Court's opinion is not binding on judicial processes, but the government has said that it will abide by it and announced on 15 September that crimes committed during the mutiny including killings, attempted murder, looting and arson will be tried in civilian courts under the Penal Code. Amnesty International welcomes this decision of the government.

Amnesty International called on the government of Bangladesh to ensure that the victims and survivors of the February 2009 mutiny receive justice and fair compensation. The government now has the opportunity to reinforce trust in the civilian courts by ensuring that the courts have the capacity to deal with such a wide range of mutiny-related criminal offences, which may involve several thousand defendants.

Focus should now be on the conduct of the civilian courts to ensure that trials conform to fair trial standards, the courts remain immune to external pressure, and the prosecution evidence is strong and credible so that the courts can deliver justice to the survivors and victims of the human rights abuses.

Background

Up to 3,000 BDR personnel accused of unlawful killings and hostage taking during a 33-hour mutiny on 25 and 26 February 2009 at the BDR headquarters in Dhaka, are awaiting trials. The mutiny aroused highly charged emotions within the army and led to calls from senior BDR officers for trials before army tribunals. Amnesty International and other human rights organizations opposed use of army tribunals to try BDR suspects.

Amnesty International has received reports of torture and ill-treatment of BDR detainees, including the death of at least 40 BDR personnel in custody.

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