

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Bangladesh: Appeals for commutation of death sentences

Amnesty International calls on the Bangladesh authorities not to carry out death sentences against five men found guilty of the killing 34 years ago of then President Sheikh Mujibur Rahman, and members of his family.

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. The death penalty violates the right to life as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

President Zilur Rahman should commute yesterday's death sentences as a matter of urgency. All other death sentences should also be commuted.

The killing of Sheikh Mujibur Rahman and his family members were grave human rights abuses, and those who committed them should be brought to justice. However, bringing people to justice must not itself violate the human rights of the accused.

Sheikh Mujibur Rahman and most of his family members were killed when a group of military officers entered his house and opened fire on them in an attempted coup on August 15th 1975.

Then acting President Kondaker Mushtaq Ahmed and his successor, President Ziaur Rahman, had granted the accused officers immunity from prosecution. It was lifted by Sheikh Hasina when she became Prime Minister in 1996.

The Supreme Court's verdict marks the final stages of the judicial processes open to these prisoners to appeal against their convictions. The prisoners can appeal to the Supreme Court for a review of the verdict but the final decision for a commutation of their death sentences sits with the President. Amnesty International calls on President Zilur Rahman to use his constitutional power to stop their execution.

Amnesty International also appeals to Prime Minister Sheikh Hasina to request President Zilur Rahman to commute the death sentences.

Moreover, Bangladesh should immediately establish a moratorium on executions with a view to abolishing the death penalty.

Background

The United Nations General Assembly adopted resolution 62/149 on 18 December 2007, calling for a worldwide moratorium on executions. The resolution was adopted by an overwhelming majority of 104 UN member states in favour, 54 countries against and 29 abstentions.

Although not legally binding, the UN resolution on the moratorium on executions carries considerable moral and political weight. The resolution is a reminder of member states'

commitment to work towards abolition of the death penalty. It is also an important tool to encourage retentionist countries to review their use of the death penalty.

Another resolution on the death penalty was adopted by the UN General Assembly on 18 December 2008 on the implementation of the 2007 UNGA resolution 62/149. 106 countries voted in favour, 46 against and 34 abstentions.

On 8 November 1998, a Dhaka court sentenced 15 of the 20 men accused of the murders to death. They were Syed Farooq-ur Rahman, Sultan Shahriar Rashid Khan, Muhiuddin Ahmed, AKM Mahiuddin Ahmed, Bazlul Huda, Khandaker Abdur Rashid, Shariful Haque Dalim, Ahmed Shariful Hossain, AM Rashed Chowdhury, SHMB Noor Chowdhury, Md Abdul Aziz Pasha, Md Kismat Hashem, Nazmul Hossain Ansar, Abdul Mazed, and Moslemuddin.

The case went for an appeal hearing to the High Court and on 14 December 2000, the high court delivered a split verdict. One judge upheld the death sentence for 10 of them and acquitted the other five. A second judge upheld the death sentences on all 15 defendants. The case then went for another hearing to a different High Court judge who delivered the final High Court verdict on 30 April 2001, upholding the death sentence for 12 of the defendants. The other three, who were acquitted, are Md Kismat Hashem, Ahmed Shariful Hossain, and Nazmul Hossain Ansar.

Five of those convicted who are already in detention in the Dhaka Central Jail had appealed to the Supreme Court against their death sentences. They are Syed Farooq-ur Rahman, Sultan Shahriar Rashid Khan, Mohiuddin Ahmed, AKM Mohiuddin Ahmed, and Bazlul Huda. Yesterday's Supreme Court verdict is a ruling on their appeal. The other convicts are not in Bangladesh and were tried in absentia.

Ends

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