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Halt imminent execution of Mir Quasem Ali after unfair trial

Bangladesh

The Bangladesh authorities must halt the imminent execution of a senior political leader who has been sentenced to death following a deeply flawed trial, Amnesty International said today.

“The people of Bangladesh deserve justice for crimes committed during the War of Independence. The continued use of the death penalty will not achieve this. It only serves to inflame domestic tensions and further divide a society riven by violence,” said Champa Patel, Amnesty International’s South Asia Director. The Bangladesh Supreme Court today upheld the conviction and death sentence against Mir Quasem Ali, a key financier of the Jamaat-e-Islami party, after rejecting his review appeal. It follows an International Crimes Tribunal (ICT) judgement – a Bangladeshi court examining war crimes during Bangladesh’s 1971 War of Independence – that found Mir Quasem Ali guilty of committing crimes against humanity in November 2014.

Last week a group of UN experts urged the Bangladeshi government to annul the death sentence against Mir Quasem Ali and grant him a retrial, noting how the proceedings had reportedly been “marred” by “irregularities”. Amnesty International and other leading human rights organisation have raised serious fair trial concerns about the ICT proceedings. These include denying defence lawyers adequate time to prepare their cases, and arbitrarily limiting the number of witnesses they could call on.

“The ICT proceedings have been marred by fair trial issues from the start. The death penalty is a cruel and irreversible punishment that will only compound the injustice of the proceedings. Those who suffered through the horrific events of 1971 deserve better than a flawed process. All executions must be halted immediately as a first step towards abolition of this punishment,” said Champa Patel.

The organisation also fears for the fate of Mir Ahmed Bin Quasem, Quasem Ali’s son and a member of his legal defence team. Mir Ahmed Bin Quasem was arrested without a warrant by men in plainclothes on 9 August. He has been held incommunicado ever since, and has not been charged with any crime.

“On the International Day of the Disappeared, the Bangladesh’s authorities must promptly, thoroughly, and effectively investigate the enforced disappearance of Mir Ahmed Bin Quasem,” said Champa Patel.

BACKGROUND

The ICT is a Bangladeshi court set up by the Government in 2010 to investigate mass scale human rights violations committed during the Bangladeshi 1971 Independence War. Amnesty International welcomed the Government's move to bring those responsible to justice, but insisted that the accused should receive fair trials without recourse to the death penalty. The proceedings of the Tribunal in previous cases were marked with severe irregularities and violations of the right to a fair trial.

Five people sentenced to death by the ICT have so far been executed since 2013. In 2016, Amnesty International has recorded a total of eight executions in Bangladesh, including the hanging on 10 May of Motiur Rahman Nizami who had been sentenced to death by the ICT.

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. The organization campaigns for total abolition of capital punishment.