

URGENT ACTION

POLITICAL LEADER AT IMMINENT RISK OF EXECUTION

A senior leader of Bangladesh's opposition party, ATM Azharul Islam, is at imminent risk of execution following Bangladesh authorities' issuance of a death warrant on 16 March 2020. Convicted and sentenced to death by Bangladesh's International Crimes Tribunal (ICT) in December 2014, the Supreme Court of Bangladesh denied the appeal on 31 October 2019 and upheld his death sentence. Amnesty International and other human rights organizations have consistently raised serious flaws in trial and appeal proceedings of ICT tribunals, leading to a gross miscarriage of justice.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President of the People's Republic of Bangladesh, Abdul Hamid
President's Office Bangabhaban, Dhaka
Bangladesh
Fax: +880 2 9585502
Email: secretary@bangabhaban.gov.bd

Dear President,

*I am writing to ask for your urgent intervention to halt the execution of **ATM Azharul Islam**, which could be carried out within days following a rejection of the review petition, that the defence team will have to file within 15 days of the publication of the judgement to commute his death sentence.*

ATM Azharul Islam, a leader of opposition party Jamaat-e-Islami, was convicted by the International Crimes Tribunal in 2014 of committing murders and genocide during Bangladesh's War of Independence in 1971. The Appellate Division of Bangladesh Supreme Court upheld the sentence on 31 October 2019. The government has sent his death warrant to the jail authority on 16th March 2020. ATM Azharul now faces imminent execution.

Those responsible for crimes committed during the 1971 Liberation War must be held accountable, but taking another life is not the answer. The death penalty is an act of vengeance; it will not deliver the victims the justice they deserve.

I call on you to:

- *Immediately commute the death sentence of ATM Azharul Islam to a term of imprisonment;*
- *Immediately establish an official moratorium on all executions with a view to abolishing the death penalty in Bangladesh*
- *Respect the most rigorous international standards for a fair trial*

Yours sincerely,

ADDITIONAL INFORMATION

Following the issuance of a death warrant, the defendant's lawyer can file for a review petition (reviewing the legality of the appeal decision). It is a very narrow window, which has proved ineffective in all ICT-related death sentences in the past and is likely to result in the similar outcome for ATM Azharul. The filing of the review petition can borrow additional few weeks for Mr Azharul; otherwise he is facing an imminent execution.

In 2019, the International Crimes Tribunal (ICT) sentenced 14 people to death. The total death sentences in 2018 were 319, according to an Amnesty International report. The ICT is a Bangladeshi court set up by the Government of Bangladesh in 2010 to investigate mass scale human rights violations committed during the country's independence war against Pakistan in 1971. 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.

Article 6 (1) of the ICCPR, to which Bangladesh is a State Party, protects against the arbitrary deprivation of life, which is absolutely prohibited under customary international law. The UN Human Rights Committee has stated that the imposition of a sentence of death after a trial which does not comply with standards for fair trial set out in the ICCPR is a violation of the right to life. The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has underlined that "it is arbitrary to impose the death penalty where the proceedings do not adhere to the highest standards of fair trial."

PREFERRED LANGUAGE TO ADDRESS TARGET: English and Bengali
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 April 2020
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: ATM Azharul Islam (He/ Him/ His)

ADDITIONAL TARGETS

Mr. Anisul Huq
Minister for Law, Justice & Parliamentary Affairs
Bangladesh Secretariat
Dhaka, Bangladesh
minoflaw@law.com

Also send copies to:

HER EXCELLENCY Ms Saida Muna Tasneem
High Commission for the People's Republic of Bangladesh
28 Queen's Gate London SW7 5JA
020 7584 0081
Fax 020 7581 7477
info@bhclondon.org.uk
www.bhclondon.org.uk