



ICRF's Press release regarding Sayedee's verdict

On 28th February, 2013 the International Crimes Tribunal (ICT) awarded capital punishment to Delwar Hossain Sayidee for various International crimes committed during Bangladesh's glorious war of liberation in 1971. Unfortunately, while disposing of the appeal on 17 September, 2014 preferred by Delwar Hossain Sayidee as well as by the prosecution, the death sentence was commuted and substituted the same by imprisonment for life. Although the International Crimes Research Foundation (ICRF) is fully respectful towards the prevailing law and the courts of Bangladesh, we feel that the Appellate Division's judgment was completely inconsistent with the judgment and the sentence the ICT awarded.

The judgment of the Appellate Division is unfortunate for the entire Bengali nation and the descendants of those who had fallen victim to Sayedee's atrocities. ICRF has not yet arrived at any conclusive decision on the generally perceived suspicion that the present government has arrived at an understanding with Sayedee's political party, Jamaat-e-Islami. Nevertheless, The ICRF is keeping constant vigilance and watch on the strongly held general belief on this point. ICRF however, wish to make it abundantly and unambiguously clear that the government has miserably failed to establish proficient coordination between the prosecutors and the investigation agencies, in consequence of which necessary documents, evidence, information, etc. could not be produced before the courts.

Crucial research that was essential to prosecute the war criminals successfully has not visibly been undertaken. The appalling state of the prosecution and the investigators became obvious to us when we noticed that none other than the chief law officer of the state, the learned Attorney General Mahbub-e-Alam, had to go to Pirojpur himself to conduct necessary investigation and collect necessary documents for this case. It is to be noted that procuring such information and documents were among the primary obligations of the investigators and the prosecution team. The overall picture of the indolence and failure on the part of the government's side shall become fully known once we receive the full text of the Appellate Division's judgment. We also note with regret that no useful investigation has been conducted to identify the person/persons who were responsible for maligning the tribunal by publishing the alleged Skype discussion between Mr Justice Nasim and the UK Based controversial person whose name has been published in the media time and again.

This matter has now been left completely out of consideration. The government has also taken no effective measure to provide security to the war crime witnesses even after

Mostafa Hawladar, an important prosecution witness was assassinated in the late hours of the night. Unfortunately, the government has remained totally indifferent to this core issue. We are of the belief that the alleged disclosure and the assassination of the prosecution witness are but part of the same conspiracy. Although the allegation of the alleged entente between the government and Jamaat-e-Islami is still under our investigation, we do nevertheless fully endorse the views of Gonojagoron Moncho, which reflect the general frustration that the Appellate Division's judgment has caused. We also whole heartedly condemn the torturous and repressive actions the law enforcing agencies have resorted to against members of Gonojagoron Moncho. Such unjust use of force against members of Gonojagoron Moncho only vindicates the general perception that the authorities have sealed an agreement with Jamaat. Notwithstanding our shock and surprise at the Appellate Division's judgement, we do believe that keeping this judgment as an isolated one will be the prime challenge to the government.

Keeping in mind the proven facts that, with the change of government, attitude to the spirit of liberation war and respect thereto also drastically change, we urge upon the authorities to be mindful to the question of amending Article 49 of the constitution, whereby the honourable President can commute sentences even to the extent of relieving individual convicts. We believe this is the demand of the day by the entire populace. This amendment will make it impossible for the war crime convicts to get reprieved by a president, if the governmental authority is subsequently vested in the hands of those who are not respectful to the spirits of our liberation war.

Alongside the said amendment to Article 49, the government must be vigilant to ensure that the alleged indolence of the prosecuting and the investigating authorities are not repeated. ICRF feels that a complete refurbishment of the investigative and prosecuting authorities is absolutely inevitable. They, against whom various rumours prevailed during the International Crimes trial, should be subjected to rigorous investigation and punitive action. We, the members of ICRF, urge upon the pro-liberation government of Bangladesh to look at our demands and suggestions as above with careful consideration.

International Crimes Research Foundation [ICRF]
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