

15 days in hand for review plea

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The development comes after the SC yesterday released the full verdict on Kamaruzzaman's appeal against his capital punishment handed by a war crimes tribunal about two years ago.

A copy of the full verdict reached the International Crimes Tribunal-2, which sentenced him to death in May 2013, last night. The tribunal may issue an "execution of death warrant" today or tomorrow, a tribunal source said.

Through the review petition, he can pray to the Appellate Division of the apex court for an examination whether there has been any error in the judgment on his appeal.

In case his petition is rejected, Kamaruzzaman, a key organiser of the infamous Al-Badr Bahini responsible for abducting, torturing and killing freedom fighters, intellectuals and pro-liberation people in 1971, may file for presidential mercy.

The death sentence cannot be executed while the review or the clemency petition is pending, according to an earlier order of the country's top court on Abdul Quader Mollah's review petition.

In that order, the SC had also said review petitions should be disposed of on a priority basis.

The war crimes accused are tried under the International Crimes Tribunal Act-1973. Since this law has no provision for filing review petitions, the SC has exercised its inherent power to reach the decision in Quader Mollah's petition to allow both the defence and the prosecution to file for reviews.

Jamaat leader Quader Mollah was executed on December 12, 2012, for war crimes committed during the 1971 Liberation War.

Shishir Manir, a lawyer for Kamaruzzaman, yesterday said his client would file a review petition in 15 days

upon receiving a certified copy of the judgment.

"The decision of seeking presidential mercy will be made if the review petition is rejected by the Appellate Division," he told The Daily Star.

Asked about the next course of action, the attorney general said now there was no legal bar on the government to fix a date for executing Kamaruzzaman and to start the process to this end.

"But the process will remain suspended if he files a review petition," he told this paper.

According to him, the Appellate Division might take maximum one week for hearing and disposing of the petition.

And if the president rejects Kamaruzzaman's mercy petition, he will walk the gallows within a day or two after the rejection, he said, adding that the entire legal procedure might be completed in three to four weeks from now.

Under the jail code, a death row convict is executed not before seven days and not after 21 days of the dismissal of the review petition.

But according to the apex court's order on Quader Mollah's petition, this provision is not applicable to war crimes convicts.

On May 9, 2013, the tribunal-2 found Kamaruzzaman guilty of five out of the seven charges brought against him and sentenced him to death on two charges, life term on two and 10 years' jail on another. He was acquitted of two counts of war crimes.

He challenged this verdict with the SC, which on November 3 last year upheld the death penalty for the mass killing at Sohagpur in Sherpur on July 25, 1971.

The four-member SC bench headed by Justice Surendra Kumar Sinha upheld his conviction on this charge unanimously, and his death penalty by a majority decision.

Justice Abdul Wahab Miah, however, sentenced Kamaruzzaman to life term imprisonment.

COURT OBSERVATIONS
In the 577-page verdict, the apex court said Kamaruzzaman and his force killed people of Sohagpur village in Sherpur one by one and this killing spree continued for six hours.

"The killing spree was such as if they were hunting birds and animals," said Justice Surendra Kumar Sinha, now the chief justice.

"We cannot imagine how the accused being a Bangalee citizen could involve in such gruesome inhuman acts and from such conduct, he does not deserve any compassionate consideration on the question of sentence," said Justice Sinha.

"We cannot think of giving him any lesser sentence at least in respect of this charge which will defeat the ends of justice," he asserted.

Justice Hasan Foez Siddique and Justice AHM Shamsuddin Choudhury Manik have fully concurred with the findings, analyses of evidence, interpretation of laws and sentences handed down by Justice Sinha.

"Every bit of the opinion of Mr Justice Sinha is based on law and evidence. There can, therefore, be no question of any disagreement therewith. I fully endorse the opinion expressed therewith," said Justice Foez Siddique.

"It is the duty of the court to impose a proper punishment depending upon the degree of criminality," he added.

Justice Manik said, "We must not be over compassionate when sentencing a felon of the appellant's type, but must think of the trail of horror his acts left behind for successive generations.... I remain indubitably convinced that the interest of justice can only be met if this appellant is shown the gallows."



Libyans celebrate in Tripoli's landmark Martyrs square yesterday to mark the fourth anniversary of the Libyan revolution which toppled strongman Muammar Gaddafi. Islamist militants have thrived in Libya since Gaddafi was toppled and killed in the Nato-backed 2011 uprising, with authorities struggling to contain dozens of militant groups with diverse motivations and ideologies.

PHOTO: AFP

Dialogue key to resolving crisis

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community."

"We have faith that Bangladeshis will use all of those resources, and all Bangladeshis will take responsibility for helping to resolve the crisis," she said while addressing a programme organised by the Federation of Bangladesh Chambers of Commerce and Industry (FBCCI) at Sonargaon Hotel.

The US diplomat also said her country had joined with other friends of Bangladesh in expressing deep concern over the current crisis.

"We offer condolences to the families and friends of those who have suffered from the violence that has been ongoing," she said.

At the programme, the US diplomat was joined by a large number of ambassadors, high commissioners and senior officials of the diplomatic missions and

development partners.

Benoit-Pierre Laramee, Canadian high commissioner in Dhaka, said the ongoing violence must be stopped, and there must be space for peaceful political programmes.

The current political situation is a matter of great concern for the FBCCI and others as it is a threat to the economic development of the country, said Alexander Nikolaev, ambassador of Russia.

"I am not in charge and don't dare to make any definition about who is responsible for the situation and whose fault it is. But I am absolutely convinced that any responsible government in any country around the world is obliged to protect its people and their businesses and economic activities," he said.

The Russian envoy also said any tolerance to the violence, extremism, terror-

ism and criminal killings was unacceptable. "Political and economic stability in any country is the number one obligation of any government by any course," he added.

South Korean Ambassador Lee Yan Young said, "We hope this kind of political crisis should end through compromise and consensus among political parties as soon as possible."

He supported the call of people, institutions and the civil society who were asking for peace and dialogue among the parties.

At least 71 people died, mostly from horrific petrol bomb attacks, as the violence broke out across the country after the government denied the BNP-led alliance permission to hold rallies on January 5.

Police arrested hundreds of political activists and leaders belonging to the protest groups for their

alleged involvement in the violence.

The ongoing blockade and associated violence have hit the economy hard, and the country is counting about Tk 2,700 crore in economic losses a day, said FBCCI President Kazi Akram Uddin Ahmed.

"Import-export trade along with shipment and commodity supply chain are all in vulnerable position due to transport disruption. Small and medium businesses have also been affected while day-labourers remained largely unemployed," he said.

"Our potential economy is now at a crossroad. Business people want a peaceful atmosphere to carry out their normal activities," said the country's top business leader.

Shiro Sadoshima, Japanese ambassador in Dhaka, also spoke at the programme.

ANTI-EXTREMISM SUMMIT

More than force needed to fight evil: US

AFP, Washington

US Vice President Joe Biden opened a high-profile meeting on global extremism Tuesday by facing down critics who say the White House should focus on defeating it militarily.

The summit hosted by President Barack Obama has been in the pipeline for months but has been given deeper significance after several similarly inspired attacks, including on a cultural center and on a synagogue in Copenhagen, which left two people dead at the weekend.

"We need answers that go beyond the military, we need answers that go beyond force," Biden told a group of religious, community and law enforcement leaders from around the world.

"All of us, including the United States, have to work this from the ground up," Biden said, stressing the need to "engage our communities and engage those who might be susceptible to being radicalized."

The White House has been criticized for not specifically focusing the three-day meeting on combating Islamic extremism or broader military efforts to tackle jihadist groups such as Islamic State.

On Sunday, a video emerged apparently showing Islamic State jihadists beheading 21 Egyptian Christians in Libya.

That and the Denmark deaths came just weeks after the Paris attacks by Islamist gunmen on the Charlie Hebdo satirical weekly magazine and a kosher supermarket that left 17 people dead.

Obama's Republican political foes say his avoidance of terms like "Islamic extremism" in the wake of these attacks shows he does not understand the threat.

His administration stress they have little to do with Islam and "absolutely no justification" in any religion.

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