

Odhikar Statement on the Reference to the Supreme Court regarding BDR mutiny case

Odhikar welcomes the decision of the Government to send the BDR mutiny matter to the Supreme Court to seek advice under Article 106 of the Constitution of the Peoples Republic of Bangladesh regarding the law under which the trial should take place signifying the sovereign jurisdiction of the Supreme Court in interpreting constitution and recognising the role Supreme Court can play in time of crisis.

Odhikar has been consistent in its campaign that the trial of BDR mutineers should take place in a transparent and open manner and be held in a civilian court to ensure the human rights of the accused and fair delivery of justice. Given the serious deterioration of relations between the Army and the BDR there are reasons to believe that the accused BDR jawans may not get justice in a military court. Breaching the institutional discipline the refusal of the incumbent BDR chief to wear BDR uniform has only contributed to that apprehension.

Since the mutiny was put down 31 number of jawans and non-commissioned officers have died as per Odhikar documentation. Family members of many of the deceased have claimed that they were victims of torture.

Odhikar demands fair trial so that the real perpetrators of this tragic event get punished. It draws the attention of the Hon'ble Supreme Court to take notice that the officially appointed inquiry commissions have come up with contradictory reports that have complicated the process of finding facts. It also requests the Hon'ble Supreme Court to investigate the deaths of the BDR personnel. Odhikar appeals to the Supreme Court that before it gives any opinion on reference these issues are taken into account without which trial in a military court will be seriously questioned by human rights defenders around the world and will seriously undermine the role of the judiciary to deliver justice to the citizens of the country.

A handwritten signature in black ink, appearing to be "Dr. C. R. Abrar".

Dr. C. R. Abrar
President

A handwritten signature in black ink, appearing to be "Adilur Rahman Khan".

Adilur Rahman Khan
Secretary