



ASSOCIATION OF DEFENCE COUNSEL
PRACTISING BEFORE THE ICTY
- AND REPRESENTING COUNSEL BEFORE THE MICT -

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FOR IMMEDIATE RELEASE

15 August 2016

PRESS RELEASE

THE ADC-ICTY REQUESTS THE IMMEDIATE RELEASE OF MIR AHMED, MEMBER OF DEFENCE TEAM AT BANGLADESH INTERNATIONAL CRIMES TRIBUNAL

THE HAGUE - The Association of Defence Counsel practicing before the International Criminal Tribunal for the Former Yugoslavia (ADC-ICTY) is an independent professional association which represents all defence counsel practicing before the ICTY and the Mechanism for International Criminal Tribunals (MICT). The ADC-ICTY works to promote and protect the interests of defence counsel and ensure the proper function of defence is respected in proceedings before international courts and tribunals.

On 9 August 2016, Mir Ahmed Bin Quasem, a member of a defence team at the Bangladesh International Crimes Tribunal, was abducted in Dhaka by law enforcement authorities without a lawful order. At this stage little is known about his whereabouts or safety.

Mir Ahmed is a member of the Bar of England and Wales and the Bangladesh Bar. He is an essential member of a defence team in Dhaka on the war crimes trials and his father is Mir Quasem Ali who has been convicted by the Bangladesh Tribunal and is facing execution in a matter of weeks.

The ADC-ICTY condemns detention without lawful reason which is in contravention of the international standards which Bangladesh is obliged to follow as a State Party to international human rights treaties.

The ADC-ICTY believes strongly in the right of an accused to be represented by independent defence counsel of their choice, who are free from political interference. This is paramount to ensure that the rights of the accused to fair trial are upheld and that the proper function of defence is respected. The detention of Mir Ahmed is a direct attack on the legal profession.

The ADC-ICTY respectfully calls for the immediate safe release Mir Ahmed Bin Quasem.

For further information, please see the attached briefing note or contact the ADC-ICTY.



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ENFORCED DISAPPEARANCE

MIR AHMED BIN QUASEM ABDUCTED IN DHAKA

AUTHORITIES REFUSE TO ACKNOWLEDGE WHEREABOUTS

- URGENT ACTION REQUIRED -

Mir Ahmed Bin Quasem is a member of the Bar of England and Wales and the Supreme Court Bar Association of Bangladesh.

On 9 August 2016 he was abducted by Bangladesh law enforcement authorities without a lawful order. His safety and whereabouts are unknown.

This is not a new phenomenon in Bangladesh. This is however a direct attack on the legal profession and must be condemned. The authorities must be forced to release Mir Ahmed immediately. Such a brazen attack on the legal profession has no place in a democratic system based on the rule of law.

The international community needs to recognise that the Government of Sheikh Hasina Wajed is no friend of democracy. It is an autocracy with no respect for the rule of law.

* * *

At approximately 23:00 on 9 August 2016, Mir Ahmed Bin Quasem, son of Mir Quasem Ali, was arrested and taken from his home by 10-12 plain clothed men. They abducted Mir Ahmed without any warrant or court order and the authorities are now denying that he has been arrested.



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The assumption is that he has been arrested, however, the individuals who detained him did not identify themselves and refused to do so, nor would they provide any justification for his arrest and subsequent detention; further, at the time of writing this letter, his whereabouts have not been confirmed.

This development is of significant concern, and warrants immediate action being taken.

At this stage, little more than the time and circumstances of detention are known. Mir Ahmed's wife, who was present at home when he was taken, was witness to the refusal to provide him with justification for the detention and is therefore unable to elucidate the position further, save to confirm that he was taken away from the property in a 'microbus' with tinted windows, and that his current whereabouts are not known.

The fact that he has been detained without being given reasons as to why is in itself an infringement of the Bangladesh constitution and legal framework, and those international standards to which Bangladesh is obligated to follow by being a State Party to the ICCPR and the UDHR.

Further, the deterioration and undermining of the Rule of the Law in Bangladesh has been obvious for some time, with instances of Enforced Disappearance having dramatically increased, and freedom of speech and association having been forcibly curtailed. The concerns about the welfare of Mir Ahmed are therefore significant and justified in equal measure.

Bangladesh is plunging headlong into violence and autocracy, where dissent is met with force, and opposition removed with prejudice.

It is unlikely to be a mere coincidence that Mir Ahmed has been arrested soon after an increasingly sensationalist and partisan media have published stories suggesting a global conspiracy against the State of Bangladesh, and one that is purportedly lead by Ahmed's father despite the fact that his father remains unjustifiably imprisoned awaiting execution following his conviction before the internationally condemned Bangladesh International Crimes Tribunal (ICT).

The fact that Mir Quasem Ali has engaged professionals to assist with his defence, and to raise his concerns internationally, is not evidence of an attack against Bangladesh as a nation; it is merely the actions of an individual who seeks to advance the most robust defence possible.



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To extrapolate this position further, the fact that Mir Ahmed has supported his father during the trial process, and continues to do so now, is not evidence of a threat to the foundation of a nation, and to seek to espouse such a position is nonsensical.

The inference from the detention is clear, Mir Ahmed is seen as an individual who opposes the Governments position insofar as the ICT is concerned, and further, is an individual with a profile significantly enhanced when compared to that of the majority of Bangladeshi citizens. Such an individual cannot be allowed to continue to go about their business, and thus he has been physically removed.

We, as members of the international community, as lawyers, as activists, as NGOs, as proponents of democracy and the rule of law, must raise this latest development at the very highest of levels and seek to secure Mir Ahmed's immediate released.

I therefore write to seek your support in this matter, and ask that you raise and highlight the detention of Mir Ahmed in all relevant professional spheres in an effort to both ascertain his whereabouts, and thereafter secure his immediate release.

Toby Cadman
Barrister-at-law
9 Bedford Row, London
10 August 2016