



# INTER-PARLIAMENTARY UNION

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## COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS

### **CASE No. BGL/14 - SHAH AMS KIBRIA - BANGLADESH**

#### ***Decision adopted by the Committee at its 114th session (Geneva, 10 - 14 July 2006)***

The Committee,

*Referring* to the outline of the case of Mr. Shah Ams Kibria, a member of the National Parliament of Bangladesh assassinated in January 2005, and to the resolution adopted by the Governing Council at its 178th session (May 2006),

*Recalling* that the investigation into the murder on 27 January 2005 of Mr. Kibria has been closed albeit incomplete, and that several applications for further investigation have been lodged on the ground that the investigation is incomplete, and that they have all been unsuccessful,

*Considering*, however, the following: on 14 May 2006, the High Court Dhaka Division in the Supreme Court of Bangladesh heard a review application for overruling the order refusing a further investigation in the case and issued a ruling in which it called "upon the opposing party (the State) to show cause as to why the order issued in first instance rejecting the application ... for further investigation should not be overruled ..."; pending disposal of the ruling, the Court stayed all further proceedings,

*Recalling* that on 26 January 2006, the High Court Dhaka Division of the Supreme Court of Bangladesh ordered the lower court to allow four of the suspects in Mr. Kibria's killing (Shahed Ali, Joynal Abedin, Amir Ali and Tajul Islam), "to file an application before the trial court for retraction of their confessions...".

1. *Regrets* that the Speaker has not provided any comments on the aforementioned resolution, in particular as regards parliamentary action to ensure due administration of justice in this case; and once again *invites* him to provide his comments;
2. *Wishes to ascertain*:
  - (i) the present status of the case, especially as regards compliance with the Supreme Court High Court Dhaka Division ruling of 14 May 2006;
  - (ii) whether the four suspects concerned have in the meantime been allowed to file an application for retraction of their witness statements and whether such retraction has actually taken place;
3. *Requests* the Secretary General to convey this decision to the Speaker, inviting him to provide the requested information;
4. *Decides* to continue examining this case at its next session, to be held during the 115th IPU Assembly (October 2006) when it hopes to have the opportunity of meeting again with the Bangladeshi delegation.