



Inter-Parliamentary Union
For democracy. For everyone.

Bangladesh

*Decision adopted unanimously by the IPU Governing Council at its 213th session
(Geneva, 27 March 2024)*



Shah Ams Kibria (right) presents the national budget in parliament on 13 June 1997 © MUFTY MUNIR / AFP

BGD-14 – Shah Ams Kibria

Alleged human rights violations

- ✓ Murder
- ✓ Excessive delays in proceedings

A. Summary of the case

Mr. Shah Ams Kibria, a member of parliament belonging to the then opposition Awami League, was killed on 27 January 2005 in a grenade attack during a political gathering. According to the complainant, the killing was politically motivated.

Almost 20 years have gone by and no one has yet been held accountable for the killing. It has been investigated three times by three different governments (the Bangladesh Nationalist Party, the caretaker government, and currently the Awami League). With each investigation, the list of persons charged has been expanded but a number of them have not been apprehended. A trial is under way but is progressing extremely slowly. The complainant has also raised a number of issues relating to general concerns about the independence of the judiciary and respect for fair-trial guarantees in Bangladesh and the fact that all the suspects targeted seem to be from the political opposition, which could indicate that the proceedings are politically motivated.

Case BGD-14

Bangladesh: Parliament affiliated to the IPU

Victim: Male opposition member of parliament

Qualified complainant: Section I.(1) (a) and (d) of the Committee Procedure (Annex I)

Submission of complaints: March and October 2005

Recent IPU decision: April 2017

IPU Mission(s): - - -

Recent Committee hearings:

- Hearing with the Bangladeshi delegation to the 148th Assembly (March 2024)
- Hearing with the complainant – online (March 2023)

Recent follow-up:

- Communication from the authorities: Report providing updates about the case shared by the Bangladeshi delegation to the 148th Assembly (March 2024)
- Communication from the complainant: March 2024
- Communication to the authorities: Letter to the Speaker of Parliament (February 2024)
- Communication to the complainant: March 2024

According to the complainant, Mr. Kibria's relatives – who are a party to the criminal proceedings – have not been kept informed of the proceedings. They repeatedly filed no-confidence motions against the successive charge sheets, which they considered incomplete. The family continue to believe that other individuals involved in the crime, particularly the potential instigators and masterminds, have not yet been charged or arrested owing to political interference. In March 2023, at a hearing before the Committee on the Human Rights of Parliamentarians, the complainant confirmed that the situation had not changed.

During the hearing conducted at the 148th IPU Assembly (Geneva, March 2024), the Bangladeshi delegation reaffirmed that judicial proceedings in Bangladesh take time, that courts have limited capacity and resources, and that the delays in the investigation were largely caused by the defendants, and by the family contesting the charge sheets and investigation reports. Acknowledging that justice delayed is justice denied, the delegation committed to continue to keep the IPU informed of any new developments in the case and to do its utmost, within parliament's constitutional mandate, to contribute to a satisfactory resolution of the case without further undue delay.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Bangladeshi delegation for the information provided during the hearing and for the spirit of cooperation; and *reaffirms its wish* to receive more detailed information on a regular basis on developments in the ongoing trial proceedings, including copies of the charge sheets, as well as further information on the grounds and evidence supporting the charges against the suspects, the names and status of all suspects and the identities of all individuals who remain charged today and those who are in custody;
2. *Notes* that the proceedings are still under way and that slow progress is being made; *takes note* of the reasons given by the parliamentary authorities in this respect; *remains deeply concerned*, however, that almost 20 years after the attack none of the perpetrators has yet been held responsible in a court of law; *solemnly affirms* that justice delayed is justice denied; and *sincerely hopes* that the trial will finally proceed swiftly and that further progress will promptly be made towards ensuring full accountability for this serious crime, in compliance with national and international standards on the right to a fair trial, including those regarding the application of capital punishment, without any political interference;
3. *Fails to understand* why the Awami League, in power since 2009, has not been able to take the necessary steps to shed light on the murder of one of its prominent members; *reaffirms*, in this regard, its strong conviction that the continued interest of the Awami League and parliament in the case – within the boundaries of the separation of powers – is crucial for helping ensure that justice is done and for sending a strong signal that the assassination of a parliamentarian must not be left unpunished; *notes with appreciation* that the Parliament of Bangladesh continues to monitor the case; and *wishes* to be kept informed of any steps it takes in this regard;
4. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information;
5. *Requests* the Committee to continue examining this case and to report back to it in due course.