

Mass conviction of 2009 Bangladesh mutineers

By Sarath Kumara
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The recent decision of a Bangladeshi court to sentence 152 people to death, for their role in the 2009 Bangladesh Rifles mutiny, marks a clear signal from Sheikh Hasina's government and the country's ruling elite as a whole, that any opposition will be ruthlessly dealt with. Along with the death sentences, Dhaka's Metropolitan Sessions Court on November 5 also sentenced another 161 to life imprisonment and 256 men to 3 to 10 years gaol. Another 277 were acquitted.

The 2009 mutiny by members of the Bangladesh Rifles (BDR), a paramilitary border security force, saw at least 70 people killed, mostly members of the Rifles' officer corps. The action was caused by anger over the low pay and poor conditions among the BDR rank-and-file and the privileges of their army commanders. To keep the BDR firmly under the control of the military high command, all the top posts of the force were occupied by army officers, blocking promotion from the lower ranks. Many of the BDR mutineers were drawn from the poorest layers of society and their demands reflected the deep social crisis in the country. Bangladesh is one of the poorest countries in the world, with 40 percent of the population living below the official poverty line.

The riot shook the ruling Awami League government and the military top brass. During the mutiny, the government promised an amnesty, but quickly reneged once the military and police reasserted control. The mass trial conducted by the Metropolitan Sessions Court was intended as an emphatic warning to any challenge to the authority of the military hierarchy. The verdict has been welcomed by the ruling elite. The *Daily Star* editorialised on November 7: "PUNISHMENT has finally been handed down to the perpetrators of the February 2009 BDR massacre. We are happy that justice has finally been done."

The trial was a farce and has been widely condemned by international legal and human rights organisations. The UN's human rights commissioner Navi Pillay said that the trials "failed to meet the most fundamental standards of due process". Brad Adams, Asia director at Human Rights Watch (HRW) commented: "Trying hundreds of people en masse in one giant courtroom, where the accused have little or no access to lawyers is an affront to international legal standards".

Amnesty International's deputy Asia-Pacific director Polly Truscott stated: "Justice has not been served with today's ruling, which, if carried out, will only result in 152 more human rights violations. With these sentences, Bangladesh has squandered an opportunity to reinforce trust in the rule of law by ensuring the civilian courts deliver justice. Instead, the sentences seem designed to satisfy a desire for cruel revenge."

In a July 2012 report, "The Fear Never Leaves Me: Torture, Custodial Deaths, and Unfair Trials after the 2009 Mutiny of the Bangladesh Rifles", HRW noted that there was "clear evidence of torture, or other mistreatment leading to death" of around 47 detainees. The *Economist* put this figure higher than 70.

Mohammad Rahibul Islam, the son of detainee Mohamed Abdul Jalil Sheikh, told HRW: "My father had trouble talking to me about it. It was still too painful for him to remember. He told me that they hung him upside down from the ceiling and he was beaten regularly, all the nails were ripped out of his fingers and toes, and he was subjected to electric shocks." He was accused of being one of the planners of the mutiny and almost kept blind-folded for about two months. As a result of torture he has "no control over his bladder or bowel movements" and is "suffering from memory loss and severe depression", the report noted.

M. Sultan Mahmud, a civil defence lawyer who

provided legal assistance for 450 of the accused, said after the court sentences that “justice has not been done by the verdicts”. He explained that those had who sought legal aid were given longer sentences for the same charges than those who did not seek any legal assistance.

Expressing satisfaction of the outcome, Major General Aziz Ahmed, director general of the Bangladesh Border Guards, said: “It was a huge massacre. We are glad that justice has been delivered”.

The government clearly hoped that the trials would strengthen its relationship with the military. The top brass was dissatisfied with the Awami League government’s previous efforts to negotiate with the rebels. Intervening into the judicial proceedings, Prime Minister Hasina last month accused defence lawyers of trying “to save the killers and hinder the trial process”.

The weak Bangladesh bourgeoisie has long relied on the military to safeguard its rule. From 1975 until 1990, the country was ruled by the military. In January 2007, a military-backed caretaker government overrode the constitution and postponed elections, amid bitter political infighting in the country’s ruling elites. Just prior to the mutiny, an Awami League-coalition won a landslide victory in the December 2008 elections, called after the caretaker-government relinquished power.

Under conditions of continuing political uncertainty, the Bangladeshi bourgeoisie is determined to ensure it can fall back on the military if needed. The major parties are again at odds over how the coming general election ought to be conducted, with the Bangladesh National Party (BNP)-led opposition demanding that the vote be held under a non-party caretaker government. The Awami League has rejected this.

Political tensions have also been aggravated by violent protests held by the Islamic fundamentalist Jammāt-e-Islām over war crimes trials organised by the government against their leaders for their role during the 1971 war that led to the break from Pakistan and the formation of Bangladesh.

Underlying the internecine fighting within the country’s ruling elite is an escalating social crisis. There have been numerous strikes and mass protests this year involving tens of thousands of garment workers, denouncing their appalling working conditions and poverty-level wages. Amid the growing

mass discontent, the sentences handed down to the BDR mutineers is a warning that the ruling elites will show the same ruthlessness towards any challenge to its authority from the working class.

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