

International Crimes Tribunal-2[ICT-2]

ICT-BD[ICT-2] Case No.02 of 2012 Chief Prosecutor v. Abdul Quader Molla

Order No.140 08 December 2013

1. Today this Tribunal[ICT-2] has received the case record from the Appellate Division of Supreme Court of Bangladesh together with its Judgment and order dated 17.9.2013 in Criminal Appeal Nos. 24-25 of 2013 enhancing the sentence of imprisonment for life awarded to convict AbdulQuader Molla by this Tribunal[ICT-2] to the ‘sentence of death’ allowing the Criminal Appeal No.24 of 2013 filed by the Government and dismissing the Criminal Appeal No. 25 of 2013 filed by convicted Abdul Quader Molla.

2. Convicted accused **Abdul Quader Molla** preferred appeal [Criminal Appeal No. 25 of 2013] against this Tribunal’s [ICT-2] judgment dated 05.2.2013[in the case of ICT-BD[ICT-2] Case No.02 of 2012] convicting and sentencing him to suffer imprisonment of life to the Appellate Division of the Supreme Court of Bangladesh under section 21(1) of the International Crimes (Tribunals) Act, 1973 seeking acquittal.

3. The Government preferred appeal[Criminal Appeal No. 24 of 2013] against the order of acquittal passed by this Tribunal[ICT-2] in respect of charge No.4 and also seeking enhancement of the sentence of imprisonment for life awarded by this Tribunal-2 in respect of charge no.6.

4. The Appellate Division of the Supreme Court of Bangladesh in its judgment dated 17.9.2013 has enhanced the sentence of imprisonment for life awarded by this Tribunal [ICT-2] in respect of charge no.6 to the **sentence of death** has ordered as below:

“Criminal Appeal No.24 of 2013 filed by the Government is found to be maintainable unanimously. The appeal is allowed by majority. The order of acquittal passed by the International Crimes Tribunal No.2 in respect of charge No.4 is set aside by majority and the respondent is found

guilty of the said charge as well. He is sentenced to imprisonment for life of that charge. He is sentenced to death by majority of 4:1 in respect of charge No.6. He be hanged till death.

Criminal Appeal No.25 of 2013 filed by Abdul Quader Molla is dismissed unanimously. The conviction in respect of charge No.6 is maintained unanimously. The conviction and sentence passed in respect of charge Nos.1, 2, 3 and 5 are maintained by majority of 4:1.”

5. Now in view of above let warrant of execution on a sentence of death be issued accordingly. Registrar, ICT-2 is asked to send the warrant of execution on sentence of death at once under his signature and seal of the Tribunal[ICT-2] . Registrar shall ensure quick transmission of other communications as ordered below.

(i) Let the Warrant of Execution be transmitted to the prison authority together with copy of the judgment and order of Appellate Division of Supreme Court of Bangladesh [as forwarded under signature of the Assitant Registrar-3, Supreme Court of Bangladesh, Appaellate Division to the IG(Prisons)] and copy of this order [of ICT-2] for causing necessary compliance according to law.

Prison authority is also directed to return this warrant to the Tribunal [ICT-2] with an endorsement certifying that the sentence has been executed.

(ii) Let copy of the judgment and order of Appellate Division of Supreme Court of Bangladesh [as forwarded under signature of the Assitant Registrar-3, Supreme Court of Bangladesh, Appaellate Division] together with a copy of this order [of ICT-2] be sent to the District Magistrate, Dhaka for information and necessary compliance according to law.

(iii) Let copy of this order also be sent to the secretary, Ministry of Home Affairs, Bangladesh Secertariat for information and necessary compliance according to law.

Justice Obaidul Hassan, Chairman

Justice Md. Mozibur Rahman Miah, Member

Justice Md. Shahinur Islam, Member