

Court correspondent

The International Crimes Tribunal-1 on Monday rejected a defence plea to allow two newspaper reports submitted earlier defending war crimes accused ATM Azharul Islam as documentary evidence.

The three-member tribunal, headed by Justice M Enayetur Rahim, passed the order after an hour-long hearing from both the defence and the prosecution before beginning the cross-examinations of the only defence witness (DW-1), a close relation of the accused.

A day before, the tribunal issued a suo moto rule over the two impugned newspaper reports asking Abul Asad, editor of vernacular daily Sangram, a mouthpiece of Jamaat-e-Islami, and three others to explain why contempt of court proceedings should not be brought against them for publishing statements over a pending trial despite legal restrictions.

The two reports were published apparently to show innocence of the accused during the war crimes trial proceedings, which amounts to contempt of court, according to legal norms.

The matter transpired when DW-1 Anwarul Huq on Sunday was making his testimony in support of accused Azharul referring to the impugned newspaper reports. Interrupting the deposition of the DW-1, the tribunal suo moto issued a contempt of court rule upon the four contemnors.

The three other contemnors are Ekramul Huq Dulu, ex-Deputy Commander of Muktiyoddha Sangsad Rangpur unit, Sangram's local correspondent, and Azizur Rahman Ranga, president of Chhatra League, Rangpur unit in 1971.

Meanwhile, during the cross-examinations, denying a prosecution suggestion, DW-1 Anwarul Huq said: "It's not true that he has come to testify in support of accused Azharul as none of his blood related kith and kin turned up to make evidence."

"It's also not true that he made the false evidence after being politically influenced," he added. After closing the evidence chapter from both sides, the tribunal set August 18 for summing-up arguments of the prosecution case.

On November 12, 2013, the tribunal framed charges against ATM Azharul Islam, a Rangpur commander of Al Badr, a secret killing squad of Jamaat-e-Islami during the Liberation War in 1971, for his involvement in crimes against humanity, including genocide, during the Liberation War, dismissing the discharge plea filed by the accused.

Also a leader of Jamaat-e-Islami, Azharul faces six counts of charges of crimes against humanity during the 1971 Liberation War like killing, abduction, confinement, torture, loot, arson, rape and genocide in Rangpur district.

A week after submitting the formal charge by the prosecution, the tribunal on July 25, 2013 took cognisance of the charge against the Jamaat-e-Islami assistant secretary general as it found a strong prima facie case against the accused under subsections 3(2) and 4(1) (2) of the International Crimes (Tribunals) Act 1973.

According to the prosecution case, Azharul had been involved in the killing of more than 1,200 unarmed innocent civilians in Rangpur during the Liberation War in collaboration with the Pakistan occupation army.

It mentioned that Azharul Islam had played a key role in the killing of intellectuals, cultural personalities, physicians and lawyers in different areas of Rangpur during the 1971 war.

On August 22, 2012, police arrested Azharul from his Moghbazar house in the capital in connection with the war crimes case, hours after the tribunal issued a warrant for his arrest following a prosecution plea.

