
A Report

On

the disclosures made by the Daily Amar Desh, the Economist, the
Wall Street Journal and tribunalleaks.be

December, 2012



CONTENTS

(Reference is made to paragraph numbers in the Report)

Para No.

I. Executive Summary

II. Report

1. Witness Selection and Training by Judges and Prosecutors.	...	1-6
2. Charge Framing Orders prepared by Dr. Ahmed Ziauddin.	...	7-11
3. Formal Charge of Professor Ghulam Azam prepared by Dr. Ahmed Ziauddin.	...	12
4. Collusion between Tribunal and Prosecution.	...	13-17
5. Executive Interference.		
- <i>Offer of promotion to Tribunal Judges as incentives/rewards.</i>	...	18
- <i>Appointment of Researcher.</i>	...	19
- <i>Appointment of Judges of the Tribunal on political considerations.</i>	...	20-24
- <i>Removal of Judges of the Tribunal</i>	...	25-26
- <i>Appointments of ATM Fazle Kabir, J as Tribunal Judge and Shawkat as Assistant Registrar because of their particular bias.</i>	...	27-28
- <i>Executive pressure to deliver verdicts by a certain date and in a certain order.</i>	...	29-31
- <i>Effect of cabinet reshuffle on Tribunal.</i>	...	32-33
- <i>Control over Tribunal-2 exercised by Tribunal-1 and Dr. Ziauddin with the help of the Executive.</i>	...	34-40
- <i>Political Character of Judges.</i>	...	41
6. Collusion between Judges and Prosecutors to deceive the Public.	...	42-43
7. Judges involvement in Prosecution Strategy.	...	44
8. How Dr. Ahmed Ziauddin finally established control over Tribunal-2.	...	45-50
9. Conclusion.	...	51-53

III. Index

EXECUTIVE SUMMARY

Until 11 December, 2012 the International Crimes Tribunal-1, Dhaka was composed of Mr. Justice Md. Nizamul Huq as Chairman, with Mr. Justice Md. Jahangir Hossain and Mr. Justice Anwarul Hoque as Members. The International Crimes Tribunal-2, Dhaka on the other hand was composed of Mr. Justice A.T.M. Fazle Kabir as Chairman, with Mr. Justice Obaidul Hasan and Judge Md. Shahinur Islam as Members. On 11, December, Justice Huq resigned when his clandestine Skype conversations with an outsider (i.e. Dr. Ahmed Ziauddin, a Bangladeshi lawyer living in Brussels) were disclosed by the Daily Amar Desh¹. Following the resignation, the Tribunals were swiftly reconstituted. Justice Kabir was brought in from Tribunal-2 to serve as Chairman of Tribunal-1. Mr. Justice Obaidul Hasan was promoted to the post of Chairman of Tribunal-2 and a new member was inducted into Tribunal-2. The disclosure of the skype conversations which led to Justice Huq's resignation show the level of impropriety and manipulation of the trials by the Executive and even the Judiciary itself. The following is revealed from the conversation:-

1. The conversations between Justice Huq and Dr. Ahmed Ziauddin, show that they had discussions not only as to who should depose as Prosecution Witness, but also as to the contents and length of the deposition. ([click for details](#))
2. Emails between Ziauddin and Justice Huq show that the Indictment Orders of Prof. Ghulam Azam, Salahuddin Quader Chowdhury and Delwar Hossain Saydee were in fact drafted by Ziauddin and emailed to Justice Huq the evening before they were announced in open court by Justice Huq. ([click for details](#))
3. Email exchanges between Ziauddin and Justice Huq clearly show that the Formal Charge (which was required to be prepared by the Prosecution and placed before the Tribunal) in the case of Ghulam Azam was actually prepared at the behest of Ziauddin. It is clear therefore the order of cognizance taken by the Tribunal on the basis of the Formal Charge drafted by Ziauddin is illegal. [Click for details](#)
4. Justice Huq had regular meetings with the Prosecutors during which decisions were taken regarding filing of petitions by the Prosecutors and passing of orders thereon by the Tribunal. Not only that, Ziauddin played an important

¹ Amar Desh is a daily national newspaper. The contents of the Skype conversations and emails of the two men were also disclosed by the Economist in its 15 December, 2012 edition and the Wall Street Journal on 20 December, 2012. Subsequently, the entire audio recordings and emails were available at <http://www.tribunalleaks.be>. The Economist in its report noted that it had no reason to believe that the recorded conversations or emails were 'fake' or 'tampered with'. None of the participants to the Skype conversation or the 20-odd people referred to in the Skype conversations have denied the authenticity of the contents.

role in advising Justice Huq and the Prosecutors, often acting as a conduit between the two. [Click for details](#)

5. The conversation between Justice Huq and Ziauddin also show extensive executive interference, in particular that of the State Minister² for Law Justice and Parliamentary Affairs, with the process of the Tribunal. The State Minister regular visited Justice Huq and directed him to pass judgments quickly.
6. Furthermore, there is evidence to show that Justice Huq had been offered a promotion to the Appellate Division by the Chief Justice and a senior Judge of the Appellate Division upon disposal of as many as three cases by December, 2012. [Click here for details](#). In light of this disclosure it is feared that similar rewards/incentives were given to other judges of the Tribunal.
7. The appointment of judges too is revealed to be made on a political basis. Judge Md. Shahinur Islam (Tribunal-2) and Justice Md. Jahangir Hossain (Tribunal-1) are described as Awami Leaguers. Justice Anwarul Hoque (Tribunal-1) is described as a ‘Yes-man’ of Justice Huq. Justice Kabir (Chairman of Tribunal-2 and now of Tribunal-1 since 12 December) is described as taking into account political considerations in making statements/taking decisions.

Conclusion: Most of the judges of the Tribunals appear from the Skype conversations to be appointed because of their political leanings. There is evidence of interference by Ministers. Ziauddin also seems to have influence over the judges in both Tribunals. Although the evidence of interference by Ministers is available in respect of one judge (due to the benefit of hacked Skype conversations), it is only reasonable that the same Ministers who influenced Justice Huq would also seek to influence other judges of the Tribunal. All the judges have been tainted. So the only course open is to hold a re-trial with new judges in all cases. There should also be an independent enquiry into the conduct of all the judges of both the Tribunals. [Click for detailed conclusion](#).

² A State Minister is a junior minister.

REPORT:

Witness Selection and Training by Judges and Prosecutors:

1. The conversations between Justice Huq and Ziauddin clearly show that they had discussions not only as to who should depose as Prosecution Witness, but also as to the contents of the deposition. The conversation also indicates extensive witness tutoring being conducted at the instance of Ziauddin. Furthermore, there is clear evidence of the Tribunal, Ziauddin and Prosecutor Zead Al Malum determining the contents of the deposition of the Prosecution Witnesses.
2. In a conversation on 10th September 2012, Ziauddin said that the deposition of Sultana Kamal³, a prosecution witness should not be too long, otherwise she would be subjected to ‘too many questions’ during cross-examination (Translation of transcripts of conversation of 10th September available at <http://www.tribunalsleaks.be/index.php/component/k2/item/246-e-2012-09-10>). Later on 15th September 2012, Ziauddin expressed his satisfaction with the deposition of Sultana Kamal noting that she had realized which points to emphasise after a ‘good number of discussions’ with her and after ‘supplying her all relevant information’. The following conversation takes place in this regard:

Ziauddin: after giving [her] the information we had no need to brief Sultana Apa (i.e. Sulatana Kamal) again. We just gave her some information and there was nothing further to tell her. We had a good number of discussions she understood it well. She knew what to emphasise and what not to do.

3. In a conversation on 13th September 2012, Justice Huq also stated that the deposition of Sultana Kamal was ‘high class’ and that according to his assessment, no further witnesses were required in the case of Prof. Ghulam Azam (apart from witnesses regarding the Siru Miah killing and a few seizure list witnesses). (Audio Conversation of 13th September may be accessed from the archive available at

³ Sultana Kamal, is the Executive Director of Ain O Salish Kendro, an NGO. She has campaigned for the trial of leaders of Bangladesh Jamaat-e-Islami for war crimes.

<http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive>
- Relevant excerpts of the audio at 04.30-4.50).

4. During the conversation of 15th September, Justice Huq stated that the incidents of 19th March 1971 in Joydebpur Park should be brought on record so as to facilitate in the delivery of his judgment. Ziauddin however expressed his dissatisfaction with Major General (Retd) Shafiullah's capacity to depose as Prosecution Witness, stating that Maj General (Retd) Shafiullah does not have a good memory and that he has the 'attitude of a commander' and that both he and Prosecutor Zead Al Malum were concerned that Shafiullah would portray the Pakistan Army as the 'main protagonist' [instead of the Jamaat-e-Islami, whose leaders were now on trial]. Ziauddin also went on to say that General Shafiullah was a 'heavy weight witness' and that if his deposition was off the mark, it would create major problems. Justice Huq agrees with such analysis and says:-

Justice Huq: Yes. The concern is genuine.

(Reported at Page 9 of Amar Desh on 11 December, 2012)

(Translation of transcripts of conversation of 15th September 2012 are also available at <http://www.tribunalsleaks.be/index.php/component/k2/item/218-e-2012-09-15>)

5. In the same conversation, Justice Huq *himself* proposes that Muntasir Mamun⁴, another prosecution witness, could be re-examined by the Prosecution to bring on record the incidents of 19th March 1971. The following conversation takes place

Justice Huq: Hmm. There is another way. Muntasir Mamun is deposing as an expert on the history [of 1971] so we could bring the event of 19th March on record through him in re-examination.

⁴ PW-1. He is the Vice President of the *Ekattorer Ghatak Dalal Nirmul Committee* ("Committee for Eliminating the Killers of 1971") and has been campaigning for the trial of leaders of Bangladesh Jamaat-e-Islami.

Ziauddin: Yes. That is why I suggested to Malum Bhai to identify the areas which have not been covered. Since he [Muntasir Mamun] is an expert of history and has writings on almost everything and as such is an authoritative witness. The Tribunal easily can accept him as the authority of 1971. So whatever gaps remain can be covered by him [Muntasir Mamun]

Ziauddin agrees to the proposal stating that Muntasir Mamun was a 'historian' and could be accepted as an 'authoritative witness' and that the 'back-up plan' would be to 'fill up the gaps' in the evidence by re-examining him (Reported at page 9 of Amar Desh on 11 December, 2012).

6. Earlier in their conversation on 2nd September 2012, Ziauddin and Justice Huq discuss an eye witness who would depose as Prosecution Witness against Salauddin Quader Chowdhury (Audio Conversation of 2nd September 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - for relevant excerpts, see 1.40-1.58 and 04.05-05.35).

Charge Framing Orders prepared by Dr. Ahmed Ziauddin

7. Email correspondence between Ziauddin and Justice Huq show that the orders of the Tribunal framing charges against Ghulam Azam, Salahuddin Quader Chowdhury and Delwar Hossain Saydee were in fact drafted by Ziauddin and emailed to Justice Huq the evening before they were announced in open court by the erstwhile Chairman of Tribunal-1. The order framing charges against an accused person (i.e. the indictment) marks the commencement of the trial. Since the order of indictment has not been passed by the Tribunal but by Dr. Ziauddin, the proceedings pursuant to such indictment has been vitiated, thereby necessitating a retrial.
8. In an email dated 27th September 2011, addressed to the then Tribunal Registrar, Dr. Ziauddin stated that they were conducting 'further research' and that according to ICC and ICTY jurisprudence, the 'crime of persecution' could be interpreted to include 'destruction, looting of private properties as international crimes.' By an email dated 2nd October 2011 (<http://www.tribunalsleaks.be/index.php/justice-denied/tribunal-delivers-orders>), Dr. Ziauddin sent Mr. Justice Huq a document titled '20111002-

Caseno1ChargesJV.doc' containing the charge framing order to be delivered in the case of Delwar Hossein Sayedee. In the text of the email, Ahmed Ziauddin stated that 'we are now suggesting to consider use of 'crime of persecution' on any of four grounds instead of 'inhuman acts' for arson, burning, looting.' A comparison of the draft order sent by the Ahmed Ziauddin and the charge framing order delivered by the Tribunal clearly shows that the Delwar Hossein Sayedee was charged for Crimes Against Humanity according to the dictates of Ahmed Ziauddin.

9. In an email dated 10th February 2012, Dr. Ziauddin informed Mr. Justice Huq he 'could not work on the SQC [Salahuddin Quader Choudhury] Charge'. Dr. Ziauddin also said that he would appreciate it if Justice Huq could share the draft that he was working on 'so that we can look at it and provide our inputs for your consideration.' He also proposed to reschedule the hearings of the cases so that the cases of Ghulam Azam and Matiur Rahman Nizami could be heard before that of Salahuddin Quader Chowdhury. In the email, Dr. Ziauddin stated 'Since there is not much time in hand, I am thinking whether you should consider postponing it so as also to bring up Golam. Also, for the same reason, Nizami's hearing could also be rescheduled accordingly.')
10. By an email dated 12th May 2012 (<http://www.tribunalsleaks.be/Archive/EmailsPICs/image147.png>) Ziauddin sent Justice Huq a document titled, "GhulamAzamChargesFinalDraft.doc". By comparing the draft order sent by Ziauddin with the order passed by the Tribunal dated 13th May 2012, it becomes clear that the Tribunal presided by Justice Huq has framed charges against Ghulam Azam as directed by Ziauddin. The order delivered by the Tribunal dated 13th May 2012 is exactly the same as that contained in the attachment by Ziauddin.
11. By an e-mail dated 27th May 2012 (<http://www.tribunalsleaks.be/Archive/EmailsPICs/image142.png>), Ziauddin emailed a document titled "Charges Against MotiurRahmanNizami.doc" stating in the text of the e-mail that the attached document "should be largely acceptable now". Ziauddin also expressed an intention to discuss with Justice Huq the contents of Charge Number 16 that he considers as genocide for the reasons set out therein. If one compares the draft order, sent by Ziauddin and the order passed by the Tribunal it is clear that the Tribunal has framed charges against Nizami as directed by Ziauddin. It is undisputed that no arguments were made either by the Prosecutor or by the Defence counsel regarding the contents of Charge Number 16 during the course of charge hearing. However,

acting at the behest of Ziauddin, Justice Huq delivered the charge framing order containing Charge Number 16, although the same has no basis in the formal charge submitted by the Prosecution.

Formal Charge against Ghulam Azam submitted by Dr. Ahmed Ziauddin

12. Between 10th and 19th December 2011, Ziauddin emailed Justice Huq as many as 5 drafts of the Formal Charge to be submitted by the Prosecution as per section 9 of the International Crimes Tribunal Act, 1973. On 23rd December 2011, Ziauddin sent an email (<http://www.tribunalsleaks.be/index.php/justice-denied/unparalleled-power>) to Justice Huq containing a structure of a revised version of the Formal Charge to be submitted against Ghulam Azam. The document attached to the email dated 23rd December 2011 (<http://www.tribunalsleaks.be/index.php/justice-denied/unparalleled-power>) sets out in detail the strategy to be adopted and the path to be followed by the prosecution in order to establish the commission of crimes against humanity by Ghulam Azam. In the document it was stated that “most importantly we have to establish a link, i.e. a chain of command between the top echelon of the Jamaat-e-Islami and Peace committee with these forces, i.e. Razakars etc.” In the same document ICSF expressed a desire to have Jamaat Islami established as an auxiliary force. On 5th January 2012, the Prosecution submitted a Formal Charge against Ghulam Azam adhering strictly to the structure and guidelines set out in the document dated 23rd December 2011.

Collusion between Tribunal and Prosecution:

13. Justice Huq had regular meetings with the Prosecutors during which decisions were taken regarding filing of petitions by the Prosecutors and passing of orders thereon by the Tribunal. Not only that, Ziauddin played an important role in advising Justice Huq and the Prosecutors, often acting as a conduit for the exchange of information between the two. These conversations clearly establish that the Tribunal had been acting in collusion with the Prosecution to secure conviction of the accused persons. A fair trial can only be ensured by removing the Prosecutors who were seeking to pervert the course of justice.

14. On 8th September 2012, Justice Huq informed Ziauddin that he told the Chief Prosecutor, that no adjournments would be granted in the case of ‘No. 1’ (i.e.,

Ghulam Azam). (Audio Conversation of 8th September may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 13.42-14.00). In fact, a large part of the conversation of 8th September shows how the Tribunal, the Prosecution and Ziauddin were working together to determine the pace at which the trials should run and as to the scope of the Tribunal-1 delivering Ghulam Azam's verdict before the others.

15. On 13th September, Justice Huq told Ziauddin that if he needed a copy of the day's proceedings, the Prosecutor Zead Al Malum could have simply called him (Justice Huq) and obtained a copy from him which could then have been scanned and sent to Ziauddin. Justice Huq explained that the normal process⁵ of obtaining copies of the proceedings was time consuming (and hence suggested such an alternative). He expressed disappointment that the Prosecutor did not call him to obtain a copy of the proceedings. This conversation clearly shows that Justice Huq was in constant communication with the Prosecutor Malum and that he did not consider it improper for a Prosecutor to speak to him over the phone. (Audio Conversation of 13th September may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 2.20-4.30).
16. In a conversation with Ziauddin on 5th October 2012 (on Friday, which is a weekly holiday), Justice Huq said that he had summoned the Prosecutors in the evening and had informed them that the Prosecution case against Prof. Ghulam Azam had reached a stage where it could be closed after producing the Investigating Officer. Justice Huq also said that he had asked the Prosecutors to file an appropriate application before the Tribunal so that he could restrict the number of Defence Witnesses. (Audio Conversation of 5th October may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 02.30-4.10). The next day (i.e. Saturday, also a weekly holiday), Justice Huq, informed Ziauddin, that the Chief Prosecutor and the Prosecutor Malum had come to visit him in the morning and that he had directed them to file an appropriate application whereupon he would pass 'proper orders'. Justice Huq also stated that he wanted the application to be

⁵ The legal process for obtaining copies of proceedings is to make an application to the Registrar. Such application can only be made by a party to the proceedings.

filed expeditiously by the Prosecution (Audio Conversation of 6th October may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 00.10-00.45).

17. In yet another conversation on 12th October 2012 (i.e. Friday, a weekly holiday), Justice Huq admitted to Ziauddin that the Chief Prosecutor and the Prosecutor Malum had come to visit him in the morning and that they had arrived at a ‘common conclusion’. (Audio Conversation of 12th October 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 00.10-00.30).

Executive Interference with the process of the Tribunal

18. The conversation between Justice Huq and Ziauddin shows extensive executive interference with the process of the Tribunal. There is also evidence to show that Justice Huq had been offered promotion (elevation to the Appellate Division of the Supreme Court – the highest court in the country) upon disposal of as many as three cases by December, 2012. According to Justice Huq, the Chief Justice (whom he refers to as the “Big Guy”) told him if he gave a verdict in Prof. Ghulam Azam’s case, he would be promoted. But another Appellate Division judge had asked for three verdicts. In the conversation he clarifies that the 3 verdicts are that of Delwar Hossain Sayeede, Prof. Ghulam Azam and Salahuddin Quader Chowdhury. (Audio Conversation of 6th September 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 57.00-58.59). Justice Huq says the following to Ziauddin in his Skype conversation on 6 September, 2012:

Justice Huq: The Big Guy [i.e. the Chief Justice] is waiting for that one [i.e Ghulam Azam’s case]

.....

Justice Huq: He [the Chief Justice] says – ‘give me one’. Sinha Babu⁶ - says - ‘give me three by December. This one [i.e. Delwar Hossain Sayeede], Ghulam

⁶ Justice S. K. Sinha, a judge of the Appellate Division of the Supreme Court. He is the senior most judge after the Chief Justice.

Azam's and SAQA's [i.e. Salahuddin Quader Chowdhury]. If you can deliver judgments in these three then its confirmed. Then we will bring you up here. You won't be needed there [at the Tribunal] anymore.' I told him – 'do whatever you will but give me the promotion first'.

(Reported in the Daily Amar Desh on 9 December, 2012)

In the ordinary course of events Justice Huq would never be promoted to the Appellate Division of the Supreme Court. He was offered an otherwise unattainable promotion as a reward/incentive. He would have to supersede 50 Judges in the Seniority List to be appointed as a judge of the Appellate Division. It is difficult to believe that other judges in both Tribunals-1 and 2 were not given similar incentives. In fact it is only natural that they were.

19. On 5th October, Justice Huq told Ziauddin that he would speak to the Law Minister and convey to him his concerns regarding appointing Dr. Tureen Afroze⁷ as a 'Researcher' for the Tribunal. Justice Huq told Ziauddin that he would tell the Law Minister, 'Sir, you can appoint Tureen as Researcher for the Prosecution ...' (Audio Conversation of 5th October 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 16.55-17.15). In a subsequent conversation on 8th October 2012, Justice Huq told Ziauddin that he would try to meet the Law Minister the next Friday with regard to the appointment of a researcher for the Tribunal (Audio Conversation of 8th October 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 08.30-08.50). The tenor of the conversation suggests that he meets the Law Minister on a regular basis.

20. In a Skype conversation of 27 August 2012, Justice Huq told Ziauddin that Justice Jahangir (of Tribunal-2) had been selected by the State Minister for Law. Ziauddin then asks how can *he* be appointed. He asks - does not the Prime Minister know about this? Justice Huq replies by saying that the Prime Minister does in fact know. This is the conversation:

⁷ Dr. Tureen Afroze has been actively campaigning for the trial of Jamaat leaders. She regularly participates meetings of the *Ekattorer Ghatok Dalal Nirmul Committee* ("Committee for Eliminating the Killers of 1971") an organisation headed by Mr. Shahriar Kabir.

Justice Huq: He [Justice Jahangir] is not our choice. He is not even the Law Minister's choice. However, his name came up and then he was recommended by the Chief Justice. He is a lawyer from the lower courts. Quamrul (i.e. State Minister for Law⁸) made him a Tribunal judge. He [Justice Jahangir] was a Public Prosecutor at the Smuggling Court. He has the nick-name "Gold Dealer Jahangir".

(Reported in Daily Amar Desh, 9 December, 2012)

Then again later on the following conversation takes place on the same day:

Justice Huq: I believe he has come on the 'Quamrul Quota'. He has been appointed on the 'Quamrul Quota'.

Ziauddin: How is this possible? Does not the Prime Minister know?

Justice Huq: She does but she really likes them (meaning Quamrul and his clique).....

(Reported in Daily Amar Desh, 9 December, 2012)

21. In the same conversation, Justice Huq describes the newly appointed Justice Jahangir as corrupt. And then he clarifies – "At least he was corrupt". He then says later on in the conversation that since Justice Jahangir is corrupt, he will not cause any problems⁹. (Reported in Daily Amar Desh, 9 December, 2012)

22. When Ziauddin asks Justice Huq of Justice Jahangir's political background, he replies that he is an Awami Leaguer (Amar Desh, 9 December ,2012) The following conversation took place:

Ziauddin: So what are his political leanings?

Justice Huq: Awami! Awami!

Ziauddin: My goodness. If there are too many Awami Leaguers, then?

⁸ Quamrul Islam, the State Minister for Law was a Public Prosecutor at the lower courts himself during the last Awami League Government of 1996-2001. This is probably why the State Minister appointed Justice Jahangir.

⁹ Presumably because Justice Huq thinks that he will not have the moral authority to disagree with him.

Justice Huq: I believe that's exactly what they had in mind. Babu¹⁰ is JSD [i.e. a socialist party] and Tagore¹¹ is CPB [i.e. Communist Party of Bangladesh]. So they thought they would appoint an Awami Leaguer.

Ziauddin: So divide and rule. Our Law Minister¹² could not do anything then.

23. On 1st September 2012, Justice Huq told Dr. Ziauddin that the latest appointee to the Tribunal, Justice Jahangir was a political person and has been 'instructed' to say 'Ok' in court to whatever Justice Huq says, and that if he wanted to say anything, he (Justice Jahangir) should do so privately in Justice Huq's room (i.e. chambers). (Audio Conversation of 1st September 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 11.15-12.40). The relevant portion of the Skype conversation of 1 September, 2012 is as follows:-

Justice Huq: I know him from before. He's good. He is a political person

.....

Justice Huq: Let's see. He won't be bad [i.e. harmful]. He has been instructed to express his views inside the room [i.e. the judge's chamber]. In court he has been told to say 'OK' [agree] to whatever the Chairman says.

24. In a conversation on 28th August 2012, Justice Huq informed Ziauddin that Justice Jahangir had been 'instructed' to say 'Yes' to whatever Justice Huq says (Audio Conversation of 28th August 2012 may be accessed from the archive available at

¹⁰ Babu whose full name is Md. Ruhul Quddus was a candidate under consideration for appointment as judge of the Tribunal. He is described by Justice Huq as being a socialist/communist and hence desirable. Both he [Justice Huq] and Ziauddin were communists/socialist in their student days so they prefer judges from socialist/communist backgrounds as opposed to judges of Awami League backgrounds. Although the present Government is a coalition of the Awami League and socialist/communist parties, communist/socialist parties had bitter relationship with the Awami League during the mid 1970s. This discussion reflects that past.

¹¹ His full name is Gopal Chandra Tagore. He was also being considered for appointment as a judge of the Tribunal.

¹² Law Minister too had a communist background.

<http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive>
- Relevant excerpts of the audio at 01.30-02.00).

25. Justice Huq also said that a former Member of Tribunal-1, Mr. A.K.M Zaheer Ahmed had been removed from the Tribunal at the behest of the Law Minister. Justice Huq stated that the Law Minister had summoned Mr. Zaheer Ahmed to his residence on the evening of 26th August 2012 and had asked him to resign and further that the Law Minister had assured Mr. Zaheer Ahmed of a compensatory appointment in the Law Commission (Audio Conversation of 28th August 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 03.30-04.25).

26. In a subsequent conversation on 1st September, Justice Huq said that he had advised Mr. Zaheer Ahmed to tell everyone that he had resigned on medical grounds (Audio Conversation of 1st September 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 07.05-08.00). On 1 September, the Skype conversation of Justice Huq reveals the following about his instructions to Mr. Zaheer Ahmed:

Justice Huq: I told him [Mr. A.K.M Zaheer Ahmed] ‘you will not talk to anyone about anything. You will simply say you resigned for medical reasons. You will not say anything else’. If he uses the language he used with me then we will have problems. He will also lose his job offer [at the Law Commission].

27. On 6th September 2012, Ziauddin expressed his satisfaction, in a conversation with Justice Huq, that Justice Kabir (the former Chairman of Tribunal-2 and the newly appointed Chairman of Tribunal-1) will make statements/take decisions on political considerations. (Reported in the Daily Amar Desh on 9 December, 2012.)

28. A conversation between Justice Huq and Ziauddin on 1st September 2012 clearly shows that the administrative functionaries of the Tribunal are political appointees. The two men discuss how the new Assistant Registrar, Shawkat,

had been involved beforehand with ICSF¹³ and that he was considered as reliable by them. (Audio Conversation of 1st September 2012 may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 03.15-05.25). Also see email dated 30 August 2012 of Rayhan Rashid to Ziauddin (copied to the Justice Huq) available at <http://www.bdictunveiled.com/bdictunveiled/index.php/component/k2/item/258-emails1-53> .

29. On 8th September 2012, Justice Huq and Ziauddin agreed that the case of Prof. Ghulam Azam should be disposed of first given that there was a ‘political signal’ regarding its disposal (Audio Conversation of 8th September may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 28.42-29.00). On 14th October 2012, Justice Huq stated that the Government had gone mad for a judgment and that they are extremely keen to have a judgment delivered by 16th December 2012. (See also Economist Report¹⁴ of 15 December, 2012- ‘Trying war crimes in Bangladesh’.)

30. On 14th October 2012, Justice Huq informed Ziauddin that the Government had gone absolutely mad for a judgment, but that he could only deliver a judgment in Sayedee’s case within December 2012, but not that of Prof. Ghulam Azam, which would continue till January-February 2013. He also said that the Government would ‘cool down’ only after a judgment has been delivered (Audio Conversation of 14th October may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 10.45-11.43). This is also reported in Amar Desh:

Justice Huq: The Government is mad for a judgment. If it’s Sayedee they want, I can deliver a judgment in December. The Government is mad. They want a judgment.

¹³ International Crimes strategy Forum, which has long been campaigning for the trial of leaders of Bangladesh Jamaat-e-Islami (www.icsforum.org)

¹⁴ Copies of the Economist containing this report were seized by the Bangladesh customs authorities when they arrived at the Airport in Dhaka.

(Reported in Amar Desh 9 December, 2012)

31. In a conversation on 15th October 2012, Justice Huq stated that the State Minister for Law¹⁵ had visited him and that he (the State Minister) had asked him to deliver judgment in the case of Prof. Ghulam Azam quickly. Justice Huq also stated that the State Minister had said that a meeting would be arranged of all the judges of the two Tribunals in order to ensure the delivery of the verdict in the case of Professor Ghulam Azam before any other case. Ziauddin also indicates that a similar message was sent by him to the Law Minister Audio Conversation of 15th October may be accessed from the archive available at <http://www.tribunalsleaks.be/index.php/documentation/archive/audioarchive> - Relevant excerpts of the audio at 00.20-01.15. This conversation was also reported in the Daily Amar Desh on 9, December. 2012.

Justice Huq: Today he [State Minister for Law] came to see me in the evening

....

Justice Huq: He [the State Minister for Law] says – ‘after I come back [from Hajj] I will make the two Tribunals sit together with Sir [i.e. Law Minister] in one room and discuss the matter. You [Tribunal-1] will deliver Ghulam Azam’s judgment first, then they will deliver theirs.’

32. Justice Huq and Ziauddin express their glee over the cabinet reshuffle. They are happy with the appointment of Dr. Mohiuddin Khan Alamgir as Home Minister in place of Sahara Khatun. They describe Dr. Alamgir as an ‘informal ICT contact person’. On 15 September Ziauddin and Justice Huq have the following conversation:-

Ziauddin: Sahara Khatun¹⁶ has been removed. This is good news. And the person who has replaced her has good access to a lot of people. And he was already the ICT’s¹⁷ informal contact person. So this will be positive.

¹⁵ A State Minister is a junior minister

¹⁶ Former Home Minister. Currently Minister for Posts and Telecommunications.

¹⁷ International Crimes Tribunal

(Reported in Amar Desh at page 9 on 11 December, 2012)

33. They also express satisfaction in their 15 September, 2012 Skype conversation over the appointment Hasanul Hoque Inu as the new Information Minister.

Ziauddin: On the other hand Inu Bhai¹⁸ has been given an important responsibility- Ministry of Information.

Justice Huq: Yes.

Ziauddin: We have to get two things done by him. There is a policy document which was being prepared on information or the web, with which I'm worried – this needs to be dealt with. Plus the Information Ministry has been sparingly used by the ICT. And the Government has done nothing. The ICT is the responsibility of the Law Ministry but giving publicity is the work of the Information Ministry. These two tasks have to be done through Inu Bhai. ... I have shared my concerns with Inu Bhai with respect to the ICT. He is aware of my concerns. This is good. So I'm happy with this appointment. Both appointments are good news. Both are key ministries.

(Reported in Amar Desh at page 9 on 11 December, 2012)

34. Skype conversations show Ziauddin and Justice Huq took control over Tribunal-2 through the prosecutors and one of the judges. It was easy for Ziauddin to influence proceedings in Tribunal-1 directly through its Chairman, Justice Huq. However, Ziauddin initially had no access to the judges of Tribunal 2. The two seem worried that Tribunal-2 is advancing really fast with three cases – (1) Abdul Quader Mollah, (2) Md. Kamaruzzaman and (3) Abdul Alim.

35. Skype conversations show how Ziauddin and Justice Huq planned and prepared to take control over the Tribunal-2. They both perceived that Tribunal-2 was trying to compete with it [Tribunal-1] to deliver the first verdict. They

¹⁸¹⁸ 'Bhai' literally means 'brother'. It is a form of address used in the sub-continent to address older/senior friends/relatives.

were of the impression that since they were dealing with the prominent leaders of Jamaat – Professor Ghulam Azam, Motiur Rahman Nizami and Delwar Hossain Sayeedee they should be the first in giving a verdict. According to Ziauddin, Justice Kabir and Judge Shahinur Islam of Tribunal-2 did not like Justice Huq. So they approached the other member, Justice Hasan to influence proceedings in Tribunal-2. Ziauddin also had meetings with the Prosecutors of Tribunal-2 to slow things down. They, in fact they even listed the help of the executive so as to be the first in giving a verdict. Justice Huq tells Ziauddin how the State Minister for Law offered to help:-

Justice Huq: He [the State Minister for Law] says – ‘after I come back [from Hajj] I will make the two tribunals sit together with Sir [i.e. Law Minister] in one room and discuss the matter. You [Tribunal-1] will deliver Ghulam Azam’s verdict first, then they will deliver theirs.’

(Reported in the Daily Amar Desh on 9 December, 2012)

36. On 8 September, 2012, Ziauddin tells Justice Huq that he has spoken to the prosecutors of Tribunal-2 who are willing to co-operate so that the cases in Tribunal-2 fall behind, and Tribunal -1 can deliver the first verdict in Prof. Ghulam Azam. The following conversation took place between Ziauddin and Justice Huq:-

Ziauddin: Day before yesterday I spoke to a few of them –those who are in the Prosecution there [the Tribunal-2]. Saiful¹⁹ and others.

Justice Huq: Yes.

Ziauddin: I wanted to know their views. They too were perhaps thinking about the matter (i.e. about order in which cases should be disposed) ... They (i.e. Tribunal-2) are moving ahead swiftly with three cases – Quader Mollah, Kamaruzzaman and Alim

....

¹⁹ A.K.M. Saiful Islam is the prosecutor in Md Kamaruzzman’s trial which is being conducted in Tribunal-2.

Ziauddin: That day for the first time a number of prosecutors from this side [meaning from Tribunal-1] were present in the Skype meeting. Malum, Simon and Tarek [Saiful's informal name] were also there..... We agreed on two things considering all the legal aspects. Firstly, that the first verdict must be given by Tribunal-1. There can be no competition here

(Reported in Amar Desh on 9 December 2012)

37. Ziauddin is also heard to say later on:-

Ziauddin: So now that the Prosecutors will cooperate in Ghulam Azam's matter [i.e . they will make sure that Ghulam Azam is first and the other cases in Tribunal-2 will be slowed down]

(Reported in Amar Desh on 9 December 2012)

38. Ziauddin continues:-

Ziauddin: There is a political signal as well. There is no way that Tribunal-2 can give the first verdict. .. If required we will engineer this outcome. And they [i.e. the Prosecutors] will agree to this. Everyone agrees that this case [i.e. Prof Ghulam Azam's case] will be very significant.

(Reported in Amar Desh on 9 December 2012)

39. That the Prosecutors of Tribunal-2 actually slowed down proceedings in the cases of Tribunal-2 is apparent from Justice Huq's conversation with Ziauddin. On 14 October 2012 regarding A.K.M Saiful Islam (informally called Tarek), one of the Prosecutors of Tribunal-2, Justice Huq tells Ziauddin:-

Justice Huq: Tarek [i.e. Prosecutor Saiful Islam] looks after Kamaruzzaman's case. He has slowed down proceedings there.

(Reported in Amar Desh on 9 December 2012)

40. So here there is an example of how the Prosecutors colluded with Ziauddin and Justice Huq to change the course of the Tribunal's proceedings. The Prosecutors of Tribunal-2 conspired to slow down proceedings there so that Tribunal-1 could deliver the first verdict.

41. One of the Judges of Tribunal-2, Md. Shahinur Islam is described by Justice Huq as having an Awami character. Ziauddin says that Shahinur Islam had applied for a job at the ICC and sought his recommendation at the time. So when he met Ziauddin, he fell on his feet and touched them as a mark of respect.²⁰ Ziauddin describes this as an Awami League trait. According to Ziauddin, he did this because he wanted the recommendation for the job. It is interesting to see that both Ziauddin and Justice Huq characterize Shahinur Islam as an Awami Leaguer. The conversation of 16 October is as follows:-

Ziauddin: Shahinur [Judge Shahinur Islam] suddenly fell on my feet and asked for my blessings.

Justice Huq: Huh

Ziauddin: He asked for my blessings. I was stunned.

....

Ziauddin: This is Sheikh Hasina's technique, I mean Chattra League's²¹ technique..... As soon as they get an opportunity they will fall on your feet. This is how they build up their careers.

.....

Justice Huq: That's the Awami character.

.....

(Reported in Amar Dosh on 13 December, 2012)

Judge and Prosecution acting in collusion to deceive the Public.

42. The Amar Dosh disclosed on 10 December, 2010 how Justice Huq and the Prosecutor Zead Al Malum, put on an act to show to the defence and the public that they (i.e. the Tribunal and Prosecution) are not on good terms.

²⁰ It is common in the sub continent to show respect to elders by touching their feet.

²¹ Student wing of the Awami League.

Justice Huq tells Ziauddin that he (Justice Huq) and the Prosecutor Malum have agreed that - Malum will stand up and make meaningless objections in court and Justice Huq will order him to sit down. All this would be done to show to the public that there was not a good relationship between the Tribunal and the Prosecution. Justice Huq is heard to say the following to Ziauddin in a Skype conversation on 12 September 2012 :

Justice Huq: No there was no reason. I told him off and asked him to sit down. Later, I called him back to my room. He then said – “you have done the right thing. I will stand up and you will order me to sit down. Let people see that you do not favour me.”

(Reported in Amar Desh on 10 December, 2012)

43. And then Ziauddin approves of this deception saying that this is Prosecutor Malum’s strategy to raise public confidence in the Tribunal.

Ziauddin: That is his strategy. It is appropriate from that aspect. People will see that the Prosecution is trying and failing. That will inspire confidence in the trial process.

(Reported in Amar Desh on 10 December, 2012)

Judge involved in Prosecution Strategy.

44. Judge, Prosecution (particularly Prosecutor Zead Al Malum) and Ziauddin were acting in collusion throughout the trial. Ziauddin says that the Prosecution strategy should only be known to 5 people – i.e. 3-4 core Prosecutors and to the two of them (i.e. Justice Huq and Ziauddin). Ziauddin tells the Chairman:-

Ziauddin: Only 5 of us will know [the prosecution strategy] - 3 to 4 core prosecutors and the two of us.

(Reported in the Amar Desh on 10 December, 2012)

How Ziauddin and Justice Huq exercised control over Tribunal-2

45. It may be mentioned here that in Kamaruzzaman's case which was specifically being dealt with by Prosecutor A.K.M Saiful Islam (i.e. Tarek), 13 prosecution witnesses were produced and examined from 15 July to 15 October, 2012. However, from 16 October to 1 January, 2013 the deposition of only one additional witness has been complete. Interestingly, the judges of the Tribunal-2 have also facilitated this slowing down. This Prosecutor spent one and a half months in the United States after mid-October and the Tribunal-2 (rather uncharacteristically) adjourned Kamaruzzaman's case to facilitate Saiful Islam's holiday. Compare this with the situation where Defence Lawyers who were absent on a hartal²² day (4 December, 2012) were asked to explain in writing as to why they did not appear before the Tribunal-2 on that day.

46. The slowing down of proceedings would not have been possible without collusion of the judge(s) of Tribunal-2. In this regard they [Ziauddin and Justice Huq] tried to establish contact with Justice Hasan, a Member of Tribunal-2. In his Skype conversation dated 6 September, 2012, Justice Huq says he contacted Justice Hasan, who when approached by Justice Huq said:

“Let me see and understand how things are going on.”

(Reported in Daily Amar Desh on 9 December, 2012)

47. Now according to Ziauddin, two of the judges of Tribunal-2 (Justice Fazle Kabir and Judge Shahinur Islam) do not like Justice Huq. So they had to establish contact with the other judge - Justice Hasan of the same Tribunal.

48. On 8 September, 2012 the following conversation take place:

Ziauddin: I don't know how you'll take this but those two - ATM Fazle Kabir and Shahinur Islam [judges of Tribunal-2] - don't like you.

²² Hartal means a general strike. This is a day on which offices stay closed and people do not bring out their vehicles on the call of an opposition party. The Judges of the Supreme Court have traditionally not sat on a hartal day. However, due to politicisation of the judiciary in recent times, this practice has been departed from. A few benches of the High Court Division (which are extremely loyal to the Government) now sit despite a hartal. On 4 December, 2012 of the 50 or so benches of the High Court Division only 2 benches sat. The Appellate Division sat for a token few minutes and then retired for the day.

Justice Huq: Hah Hah.

Ziauddin: These two – they are not gentlemen. Their main target is just that [i.e. to give a verdict first]. And that’s what they have told the Law Minister. They even told the Law Minister: “assign to us Prof. Ghulam Azam’s case²³ – we will do it better

(Reported in Daily Amar Desh on 9 December, 2012)

49. So on 16 October, 2012 Ziauddin tells Justice Huq that he has not been introduced to the other Judge of Tribunal-2, namely Justice Hasan. He complains how Judge Shahinur Islam did not introduce Justice Hasan to him. Justice Huq then says he will introduce him to Justice Hasan at his own residence after Ziauddin comes to Bangladesh on 22 October, 2012

Justice Huq: We will meet at my residence.

(Reported in Amar Desh on 13 December, 2012)

Then again when Ziauddin complains repeatedly about how he was not introduced, Justice Huq says:

Justice Huq: God willing, this time it [meaning the introduction with Justice Hasan] will happen.

(Reported in Amar Desh on 13 December 2012)

50. Due to lack of availability of Skype conversations after 22 October, 2012 (when Ziauddin came to Bangladesh) one does not know what happened at that meeting or if took place at all. But looking at the proceedings in the Tribunal-2, one would have to say proceedings have slowed down dramatically. From mid July up to mid October an average of 4 witnesses were being examined in each month. After mid October not even one deposition is being completed in a month.

²³ Prof. Ghulam Azam was the leader of the East Pakistan wing of Jamaat-e-Islami during 1971. Both the Tribunals would like to pass the verdict in this case. Passing a verdict in Ghulam Azam’s case will be seen as an important factor which will contribute towards the advancement of the careers of the judges involved. Such judges are likely to be promoted sooner. (See the Chief Justice’s comments in this regard as quoted by Justice Huq at para 18 above.

Conclusions:

51. The above was information from one set of Skype conversations and emails with one judge of one Tribunal. This limited information show Executive pressure on judges to deliver judgments and incentives of promotion if judgments are passed within a specified time. It shows how judges are involved in the tutoring of witnesses. It also shows the extent of the influence of Ziauddin over both Tribunals.

52. Although strictly speaking it may be argued that the Skype conversations and emails show executive interference and giving of incentives in respect of one judge only, it is difficult to believe that this one judge having been so influenced, other judges were allowed to act independently. It would only be a logical conclusion that executive interference practiced on Justice Huq was practiced on all others. If there is evidence that Ministers gave directions to one judge and visited him, it is almost certain they visited the other judges. One cannot be expected to police judges. The judges were expected to be independent and honest. But they have fallen short of such standards. Now both the Tribunals have to be replaced by 'fresh judges'. Further, the prosecutors involved in perverting the course of justice should also be removed.

53. One cannot be expected to provide 'hacked' conversations and email of all the judges. It is a miracle that these conversations have been made available in the first place. But the information made available so far is more than sufficient to indicate a serious miscarriage of justice by both the Tribunals. The Tribunals have lost their credibility. In such situation, new Tribunals have to be constituted with new judges not tainted by Ziauddin, by Justice Huq and by the Executive. Moreover, an independent enquiry should be initiated to look into the conduct of each of the judges of both the Tribunals. The earlier this is done the better for Justice and the Judiciary.

INDEX

(References are made to paragraph numbers in the Report)

[A]		
Abdul Quader Mollah	... ..	34, 36
Ahmed Ziauddin, Dr.	... ..	1, 2, 4-20, 22-24, 27-35, 36-44, 46-51, 53
A.K.M Saiful Islam, Prosecutor	... ..	36, 39, 45
Ali Ahasan Md. Mujahid	... ..	X
Allama Delwar Hossain Sayedee	... ..	8, 18, 30
Amar Desh	... ..	4-5, 18-22, 27, 30-33, 35-39, 41-44, 46, 48-49
Appellate Division	... ..	18
Assistant Registrar	... ..	28
Awami League	... ..	22, 41
[B]		
Bangladesh Jamaat-e-Islami	... ..	4, 12, 35, Notes-3, 4, 7, 13
[C]		
Cabinet Reshuffle	... ..	32, 33
Charge Framing Order(s)	... ..	7-11
Chief Justice of Bangladesh	... ..	18, 20, Note-6
Chief Prosecutor	... ..	See Prosecutors
CPB (Communist Party of Bangladesh)	... ..	22
[D]		
Daily Star		X
Delwar Hossain Sayedee	... ..	See Allama Delwar Hossain Sayedee
[E]		
Ekattorer Ghatak Dalal Nirmul Committee	... ..	Notes-4, 7
Executive Interference	... ..	18-41
[F]		
Formal Charge	... ..	11, 12
[G]		
Ghulam Azam, Professor	... ..	3, 7, 9, 10, 12, 14, 16, 18, 29-32, 35-38, 48, Note-23
[I]		
ICSF (International Crimes Strategy Forum)	... ..	12, 28, Note-13
International Crimes Tribunal-1 (ICT-1)		
- Pressure to deliver verdict by December 2012	... ..	18, 29, 30
- Sitting with Law Minister	... ..	31

- To deliver verdict before ICT-2	... ..	14, 35, 36, 38-40, 48
- Competition between ICT-1 and ICT-2	... ..	35, 36, 38, 48
- First Verdict- Ghulam Azam or Delwar Hossain Sayedee	... ..	29-31, 37
- Order in which cases to be disposed	... ..	14
International Crimes Tribunal-2 (ICT-2)		
- Sitting with Law Minister	... ..	31
- Will deliver verdict after ICT-1	... ..	14, 35, 36, 38-40, 48
- Speed of ICT-2	... ..	34, 36, 37, 39
- Steps taken by ICT-2 to out pace ICT-1	... ..	X
- ICT-2 wanting to conduct Ghulam Azam's trial	... ..	48
- Slowing down proceedings to allow ICT-1 to deliver first verdict	... ..	35, 37, 39, 40, 45, 46, 50
Indictment Order(s)	... ..	See Charge Framing Orders
[J]		
JSD (Jatiya Samajtantrik Dal)	... ..	22
Judge A.K.M. Zaheer Ahmed		
- Resignation at the behest of Law Minister	... ..	25, 26
- Law Commission job offer	... ..	25, 26
Judge Shahinur Islam		
- Over reliance on international law	... ..	X
- Awami Character	... ..	41
- Application for job at ICC	... ..	41
Justice Md. Nizamul Hoque (aka Nasim)		
- Meeting with Prosecutors at home at weekends to discuss strategy	... ..	16, 17
- Suggesting the filing of applications to the Prosecutors	... ..	16
- Suggesting the recalling of witnesses	... ..	5
- Planning an elaborate drama with Prosecutor Zead Al Malum in court.	... ..	42-43
Justice A.T.M. Fazle Kabir		
- Cannot write more than 2-3 lines	... ..	X
- Takes into account political considerations	... ..	27
Justice Obaidul Hasan (aka Shaheen)		
- Proposed meeting with Ahmed Ziauddin	... ..	49
- Md. Nizamul Hoque, J attempting to establish contact.	... ..	46
- Prosecutors relying upon him to take over control of ICT-2	... ..	X
Justice Md. Jahangir Hossain		
- Awami League leaning	... ..	22
- Appointed by State Minister	... ..	20

- Corrupt	... ..	21
- Will not cause problems	... ..	21
- Asked to agree with Md. Nizamul Huq, J	... ..	23
- Prosecutor or Smuggling Courts	... ..	20
- Has the nickname of Gold Dealer	... ..	20
Justice Md. Ruhul Quddus (aka Babu)	... ..	22, Note-10
Justice Gobinda Chandra Tagore	... ..	22, Note-11
Justice S. K. Sinha	... ..	18, Note-6
[K]		
Kamaruzzaman, Mohammad	... ..	34, 36, 39, 45, Note-19
[M]		
Minister for Home Affairs		
- Informal contact person of ICT	... ..	32
Minister for Information	... ..	33
Minister for Law, Justice and Parliamentary Affairs	... ..	19, 20, 22, 25, 31, 48
Motiur Rahman Nizami, Maulana	... ..	9, 11, 35
Muntasir Mamun, Dr.	... ..	5
[P]		
Prime Minister	... ..	20, 41
Prosecution Strategy		
- Judge privy to	... ..	12, 44
- Judge dictates (recalling witness)	... ..	5
- Judge suggests filing of application	... ..	16
- Judge colludes to give false impression of fairness.	... ..	42-43
Prosecutors		
- A.K.M Saiful Islam (Tarek)	... ..	36, 39, 45, Note-19
- Chief Prosecutor	... ..	14, 16, 17
- Simon	... ..	36
- Zead Al Malum	... ..	1, 4, 5, 15-17, 36, 42-44
[R]		
Rayhan Rashid	... ..	28
Registrar	... ..	8, Note-5
[S]		
Salahuddin Qauder Chowdhury	... ..	6, 7, 9, 18
Sultana Kamal, Advocate	... ..	2, 3, Note-3
Shafiullah, Major General (Retd.)	... ..	4
Shahdeen Malik, Dr.	... ..	X
Simon, Prosecutor	... ..	See Prosecutors
Slowing down proceedings in Tribunal-2	... ..	35, 37, 39, 40, 45, 46, 50
[T]		
Tarek (A.K.M Saiful Islam)	... ..	See Prosecutors

Tureen Afroze, Dr.	... ..	19, Note-7
[W]		
Witnesses, Defence		
- Foreign Witnesses	... ..	X
- Limiting of	... ..	16
Witnesses, Prosecution		
- Selection of	... ..	1, 3, 4
- Tutoring of	... ..	2, 4
- Recalling of	... ..	5
Written Arguments	... ..	X
[Z]		
Zead Al Malum, Prosecutor	... ..	See Prosecutors

(X – not referred to in this Report but available in the reports of the Amar Desh or tribunalleaks.be.)