

IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(SPECIAL ORIGINAL JURISDICTION)

Present:

**Ms. Justice Fahmida Quader**

And

**Mr. Justice Sayed Jahed Mansur**

**Writ Petition No. 9836 of 2024**

**In the matter of:**

An Application under Article 102 of the  
Constitution of the People's Republic of  
Bangladesh.

**And**

**In the matter of:**

Md. Tanvir Ahmed

.....Petitioner

-Versus-

The Bangladesh, represented by the Secretary,  
Ministry of Home Affairs, Public Services Division,  
Bangladesh Secretariat, Dhaka-1000 and others

...Respondents

Mr. Md. Tanvir Ahmed, Advocate

.... Petitioner in person

Mr. Md. Shamsul Islam with

Ms. Shayema Chowdhury, Advocate

...for the Respondent No. 5

Mr. Mohammad Bakir Uddin Bhuiyan, Advocate

..for the Respondent No. 6

Mr. Mohammed Shafiqur Rahman, DAG with

Mr. Tanim Khan, DAG with

Mr. Mohiuddin Md. Hanif, AAG with

Mr. Eakramul Kabir, AAG with

Mr. Mowsumi Akther, AAG with

Mr. Sheikh Mohammad Faizul Islam, AAG

.....for the respondents/govt.

**Heard on: 30.07.2025**

**Judgment on: 21.08.2025**

**Fahmida Quader, J.**

In this application, filed under Article 102 of the Constitution  
of the People's Republic of Bangladesh, Rule Nisi was issued in the  
following terms:-

“Let a Rule Nisi be issued calling upon the Respondents to show cause as to why the respondents should not be directed to take necessary steps for holding trial of the offenders/accuseds for recent murders of the innocent public during the recent mass upsurge across the country and/or pass such other or further order or orders as to this Court may seem fit and proper.”

Subsequently upon the prayer of the petitioner supplementary Rule was issued in the following terms:-

“Let a supplementary Rule Nisi be issued calling upon the respondents to show cause as to why the respondents should not be directed to declare the said fact-finding reports as “Historical documents” (Annexure-D) and also preserve/save the said reports for the evidence/ knowledge for the future generations.”

The facts leading to disposal of the Rule, as averred in the writ petition, in a nutshell, is that, the petitioner is a citizen of Bangladesh and a practicing Advocate of the Supreme Court of Bangladesh (High Court Division). He holds the Constitution of the Republic in high regard and is devoted to upholding the Supremacy of the people as the embodiment of their will. As a regular member of Bangladesh Supreme Court Bar Association and a committed human rights activist, he has long supported student and public movements advocating for justice, equality and constitutional rights.

It recent times, the petitioner, alongside many other citizens, expressed deep concern over the escalating violence and suppression surrounding the student quota reform movement during July-August 2024. The petitioner actively participated in peaceful initiatives such as the March for Justice, which aimed to defend the rights of students and demand accountability from authorities. Despite the non violent nature of these demonstrations, numerous incidents of aggression, excessive force, and unlawful detentions occurred across the country, leading to significant casualties and human rights violations.

Reports from national and international observers, as well as leading news outlets, described widespread attacks on protesters, arbitrary arrests, media restrictions and the imposition of curfews and communication block outs. Educational Institutions were shut down indefinitely and security forces were deployed nationwide. Civil Society, including lawyers, teachers and medical professionals raised concerns about the deteriorating rule of law and the disproportionate use of state power against unarmed citizens.

The petitioner underscores that these events represent a severe infringement on fundamental constitutional rights - particularly the right to life, freedom of assembly and freedom of expression. He stresses that such actions contradict the principles of democracy and justice upon which the Republic stands. The

petitioner, therefore, seeks recognition of these violations and calls upon the judiciary to uphold the sanctity of the Constitution by ensuring accountability, transparency and protection for all citizens affected by state and institutional misconduct.

The interim Government permitted the United Nations Human Rights Commission to conduct an independent investigation into the mass killings that occurred during the July 2024 uprising in Bangladesh pursuant to the said permission, the United Nations Office of the High Commission for Human Rights carried out a comprehensive inquiry and in February 2025, published an extensive report detailing serious human rights violations committed during the July-August 2024 protests.

The said protests, which were initially triggered by public opposition to the reinstatement of the civil service quota system, subsequently evolved into a nationwide movement against the then Prime Minister Shiekh Hasina's Administration. The above fact finding report, released after thorough investigation, remains an authoritative record of these grave events.

Hence, the learned Advocate as petitioner has filed this writ and prayed to declare the said OHCHR fact-finding report as a historical document of significant international and humanitarian value, reflecting the collective acknowledgement of the atrocities and the pursuit of justice for the victims of the July-August 2024 uprising.

At the time of hearing of this writ petition, the petitioner Mr. Md. Tanvir Ahmed, the learned Advocate, appeared in person did not press the original Rule, as the prayer made therein had already been complied with and necessary steps had been initiated to hold trials concerning the July, 24 mass upsurge across the country.

The learned Advocate confined his submissions solely to the supplementary Rule. Accordingly, our judgment shall be limited to the issues raised in the supplementary Rule.

Mr. Md. Tanvir Ahmed, the learned Advocate submits in support of writ petition that the instant writ petition was filed to challenge the inaction and apathy of the concerned authorities in failing to take immediate steps to bring to justice those responsible for perpetrating violence during the mass uprising of July- August, 2024. The Writ specifically addresses the genocide of innocent student protesters and the systemic efforts to shields the offenders, which allegedly sustained a fascist regime.

He added that the interim government permitted the United Nations Human Rights Commission to conduct an independent investigation into the mass killings that occurred during the July uprising. Following this investigation, the United Nations Office of the High Commissioner for Human Rights (OHCHR) published a comprehensive report in February 2025, detailing grave human rights violations committed during the July-August, 2024 protests in Bangladesh.

The protests which initially began as demonstrations opposing the reinstatement of the civil service quota system, soon escalated into a nationwide uprising against Prime Minister Sheikh Hasina's government.

In support of the petition, reference is made to a comprehensive report published by the United Nations Office of the High Commissioner for Human Rights (OHCHR) in February 2025, which documented grave human rights violations during the July- August 2024 protests in Bangladesh. The OHCHR report, annexed herein with as Annexure-'D', which was officially downloaded from OHCHR website on May 2, 2025 provides significant international evidence confirming the petitioner's claim.

The report titled Fact - Finding Report on Human Rights Violation in Bangladesh (July-August 2024) out lined the following key findings.

- **Mass Casualties and Injuries:**

- Approximately, 14,00 people were killed, including children who counted for 12-13% of the fatalities, with thousands more injured.

- **Excessive use of Force:**

Security forces, including police and paramilitary units, used disproportionate and indiscriminate force, deploying rubber bullets, sound greases, and live ammunition both peaceful and violent protesters.

- **Targeted Violence Against Vulnerable Groups:**

Children were subjected to arbitrary arrest, inhumane detention, and torture and maiming. Women and girls were subjected to sexual violence and gender-based abuse, including rape and threats thereof.

- **Collusion with Political Groups:**

Armed supporters of the ruling party, including the Bangladesh Chatrালেague, reportedly collaborated with law enforcement to suppress protests violently, apprehending and handing over protesters to police.

- **Suppression and Obstruction of Justice:**

The former government made no genuine effort to investigate or prosecute those responsible. Instead, coordinated attempts were made to suppress evidence, including confiscation hospital records and removing bodies.

As the core prayer of the Rule has been substantially complied with and legal processes have been initiated, the petitioner now confines submissions to the supplementary Rule and prays that the Court be pleased to:

- Declare the OHCHR Fact Finding Report of February 2025 (Annexure- “D”) as historical documents, recognizing its national and international significance;

- Direct that the report be preserved and safeguarded for the purposes of future reference, legal evidence, academic research and historical records.

Mr. Mohammed Shafiqur Rahman, the learned Deputy Attorney General, has candidly conceded that the OHCHR Reprot constitutes a comprehensive fact finding document. He has further acknowledged that it deserves to be recognized and declared as a historical report, warranting preservation for purposes of future reference, academic research and potential use as legal evidence. The learned Deputy Attorney General has, therefore, raised no objection to the prayer made in the Supplementary Rule.

The Respondent No. 5, Civil Aviation Authority of Bangladesh, filed Affidavit in Opposition in which it has been specifically mentioned that the statements of the writ petition are matter of record as such call for no comments.

Md. Shamsul Islam, the learned Advocate appearing on behalf of the Respondent No. 5, Civil Aviation Authority of Bangladesh submits written statement (Annexure-2) which provides as follows:-

*“Section 3 of the Civil Aviation Authority Act, 2017, the establishment of the Civil Aviation Authority of Bangladesh is clearly defined. Moreover Section-4 of the same act outlines in detail the powers and functions vested in the authority. The preamble of the Civil Aviation Act, 2017 further affirms that the Act has been enacted for the purpose*



*of the implementing the Convention on International Civil Aviation (the Chicago Convention) and ensuring the safety and security in Bangladesh. In addition, section 13 of the same Act confers upon the Chairman such powers and responsibilities as may be necessary to uphold and promote the safety and security of Civil Aviation within the jurisdiction of the Authority.*

*The light of the above statutory provisions, it is evident from a legal standpoint the CAAB is entrusted with the mandate to ensure compliance with the Chicago Convention and to maintain the overall safety and security in Bangladesh.*

*Upon examination of the subject matter of the aforementioned writ petition, it appears that the issues raised therein do not pertain to, nor have any demonstrable connection with the safety and security of civil aviation.”*

The learned Advocate submitted the above written opinion for the perusal of this Court.

We have heard the learned Advocates of the respective parties, perused the writ petition, supplementary affidavit, affidavit in opposition and the Annexures.

Upon hearing the learned Advocate, the petitioner as well as learned Deputy attorney General and considering the supplementary prayer and having perused the comprehensive fact finding report published by the United Nations for Human Rights (OHCHOR) in February 2025, this Court is of the view that the

supplementary prayer deserves to be allowed for the following reasons:

**1. Grane and Systematic Violations:**

The OHCHR report, based on more than 230 in depth interviews, thousands of verified documents, medical and forensic evidence and authenticated videos, concludes that there were reasonable grounds to believe that the former Government and its affiliated security forces, in coordination with political leadership, committed widespread and systematic human rights violations. This includes:

- Extrajudicial killing of over 1400 people, including children and students;
- Torture, sexual and gender based violence and summary executions;
- Use of military grade firearms and lethal pellets on unarmed civilians;
- Suppression of free speech, media censorship and internet blackouts.

**2. International Recognition and Credibility:**

The report is a product of independent investigation by the OHCHR, a globally recognized human rights body under the United Nations and is based on a neutral and exhaustive methodology. It holds historical significance not only for the

victims but also for the nation and international legal communities.

### **3. National Interest and Historical Duty:**

The mass uprising of July- August 2024 and the resulting crackdown are now part of the collective memory of the nation. As such, it is imperative to preserve authoritative documentations for future generations, academic inquiry, judicial accountability, and truth –telling.

### **4. Constitutional Mandate:**

As the guardian of fundamental rights under article 102 of the constitution, this Court holds an obligation to ensure that justice is not only delivered but recorded, preserved and made accessible. Declaring this report as a “Historical Document” aligns with this constitutional duty.

This court reiterates that truth telling, transparency and preservation of history are essential elements of transitional justice. The OHCHR report stands as a monument record of one of the most critical episode in our nation’s democratic struggle. Preserving this document is not only a legal necessity but a moral obligation.

In view of the foregoing discussion, it is evident that OHCHR Report constitutes an authoritative and comprehensive record of the grave and systematic human rights violations perpetrated during the July-August 2024 mass uprising and the

ensuring state crackdown. The report founded upon more than two hundred in-depth interviews, thousands of verified documents and corroborated forensic and audiovisual evidence, has established reasonable grounds to believe that the former Government and its affiliation security apparatus – acting under political direction engaged in widespread violations of fundamental human rights.

The July-August 2024 revolution was a defining moment in the nation's modern history, representing the collective struggle of its people for democracy, accountability and the rules of law. The violent suppression of this movement, as meticulously documented by the OHCHR, resulted in loss of life, suppression of dissent, and erosion of the civil liberties. This report, therefore, transcends the bounds of ordinary documentation, it stands as a testament to the resilience of the nation's people's and a solemn reminder of the cost of authority excess.

Gives its independent and internationally recognized provenance, the OHCHR report possesses unquestionable credibility and historical significance. Declaring it as a Historical Document is essential not only for preserving the truth but also for ensuring that future generations have access to authentic authoritative evidence of this dark chapter. Its preservation will facilitate academic inquiry, guide transitional-justice processes and contribute to the pursuit of legal accountability. It will also serve as

an enduring moral compass for the protection of human rights and consolidation of democratic values.

Accordingly, this Court finds that OHCHR Report is liable to be declared and preserved as a Historical Document – a monument of truth, a record of collective suffering and cornerstone for future generations seeking justice, knowledge and reconciliation.

In the light of above decision and discussion, we find merit in this Supplementary Rule.

**In the result, the Supplementary Rule is made absolute.**

Accordingly, -1. respondents are directed to declare the OHCHR Fact Finding report dated February 2025 titled “Findings of human Rights Violations during the July-August 2024 Protests in Bangladesh”, annexed to Writ Petition as Annexure- “D”, as Historical Documents.

2. The Government of Bangladesh, through its Ministry of Law, Ministry of Information and Ministry of Education is hereby directed to:

- Preserve and archive the said report in national record repositories, including the National Archives and relevant Public Libraries;
- Make the report publicly accessible through official government website for public awareness, academic research and legal reference;

- Registrar General of the Supreme Court, the Ministry of Foreign Affairs, Bangladesh National Human Rights Commission as well as all the respondents are directed to take necessary action.

The Respondents are hereby directed to implement the above directives within 03 (three) months from date of receipt of this judgment.

- Compliance to be submitted immediate after implementation.

There will be no order as to costs.

**Sayed Jahed Mansur, J.**

I agree.