

## Victims of lesser justice

STAR REPORT

A mother can only weep clutching the photograph of her dead son in a remote village in Sylhet, a wife's dreams of getting justice for the killing of her husband gets shattered in the capital, a foster mother will never call her son 'son' in a Chittagong village.

All this because they all died in torture after arrests during the ongoing Operation Clean Heart and that the perpetrators have been indemnified; they cannot be tried in the courts of law.

There are 44 bleeding hearts today, doubly denied. There are many more, probably thousands, who will carry the scars of torture after arrests but will never know

how to heal the wounds.

Mehnaz Hossain Anjana, widow of Abul Hossain Litu (32) who allegedly died in army torture on October 28 in Dendabor, Nabinagar of Savar, filed a case with a court seeking justice. The court ordered the Savar Police Station to investigate the case and there were some progresses in the probe.

### Chronology of deaths in joint drive on page 11

But the ordinance promulgated on Thursday has put a lid on the investigation and sealed the fate of getting justice in the court of law.

Now, Anjana with her two-and-a-half-year-old daughter Raisa

## Lawyers move to challenge ordinance

STAR REPORT

Challenging the indemnity ordinance, some senior lawyers of the Supreme Court are preparing to file a writ petition.

Talking to The Daily Star, one of the lawyers said the move was being taken as a number of aggrieved family members of persons killed or affected during the anti-crime drive by the joint forces pleaded with them to help ensure justice.

The lawyers are now scrutinising articles 26 and 46 of the Constitution. Article 26 says that

SEE PAGE 11 COL 4

Tahmina Hossain, asks, "Where would we go to seek justice for the killing of my husband? Why won't I get justice?"

"The government should declare Bangladesh a 'barbaric state'. There is no law, no court of justice here. There will not be any trial, even if anybody commits murder," she said.

"The indemnity ordinance proves that the joint forces committed misdeeds during the drive. So, the government should have enough guts to confess the crimes and try the killers. And it should apologise to the nation for the act," Anjana, a student of business administration at Dhaka University,



PHOTO: ANISUR RAHMAN

Bangladesh striker Alfaz Ahmed is about to take a shot in front of the Nepalese box during the third SAFF (South Asian Football Federation) Championship at the Bangabandhu National Stadium yesterday.

## Alfaz-powered Bangladesh

Maldives bury Bhutan

SPORTS REPORTER

A 30th minute strike by Alfaz Ahmed gave hosts Bangladesh a winning start in the Third South Asian Football Federation (SAFF) Championship yesterday.

But the lone goal victory against Nepal at the floodlit Bangabandhu National Stadium was far from impressive for George Kottan's men who have been working together for the last two years.

Earlier in the afternoon, Maldives greeted Bhutan into international football with a 6-0 thrashing with Ali Shiham, the striker of the much-improved tiny islanders, scoring the first hat-trick of the eight-nation meet.

Alfaz, a doubtful starter in the

SEE PAGE 11 COL 4

## JS goes into session January 26

STAFF CORRESPONDENT

The eighth Jatiya Sangsad goes into its sixth session on January 26, according to an official announcement issued yesterday.

As envisaged in the constitution, President Iajuddin Ahmed will address the session, the first of the New Year, scheduled for a 6:15pm start. Earlier on Thursday, a special cabinet meeting approved the draft of the president's speech.

The forthcoming session is considered very significant following promulgation of the Joint Drive Indemnity Ordinance, 2003.

The ordinance precludes any move to seek justice in the court of law for custodial deaths and human rights violations during the country-wide clampdown on crime. Forty-four people have been in killed since

SEE PAGE 11 COL 3

## Army pullout from dists complete New strategy of joint operation laid out

STAFF CORRESPONDENT

Though troops pulled back to their barracks yesterday, a 150-member company will be stationed at each of the divisional headquarters in the country.

"The troops were completely pulled back from the districts and upazilas to the barracks by yesterday evening," an army official told The Daily Star.

The troops stationed at the divisional headquarters, if required, would be called out in aid of the civil administration. "If necessary, they will be called out for arresting notorious criminals and godfathers," said an official.

Sources said the government is considering whether the companies would be given magistracy power. If they are not given the power, there would be a magistrate for each of the

companies.

They pointed out that the indemnity ordinance granting immunity to troops involved in the joint forces operation from October 16, 2002 to January 9, 2003, would not be applicable to these companies.

Law Minister Moudud Ahmed told journalists yesterday that a 'new strategy of joint operation in the next phase' had already been formulated. "We don't want to lose the success we achieved through the joint forces drive," he added.

Relying to a question, the law minister said the government is thinking of ways to make sure that the joint operation is conducted properly and accountability is established.

Sources said the home ministry would soon issue a gazette notification in this regard.

SEE PAGE 11 COL 2

## Complainant jailed for false case

COURT CORRESPONDENT

The Speedy Trial Court, Dhaka (South), yesterday sentenced a complainant to three years' imprisonment for filing a false case against six persons to harass them.

Magistrate Muksudur Rahman Patwary sentenced Mohammad Hasib for filing the case, falsely accusing the six persons for extortion.

The magistrate also directed the commissioner of Dhaka Metropolitan police (DMP) to take departmental action against the investigation officer (IO) of the case for being partial in investigation.

In the case filed with Dhanmondi thana on September 9 last year, Hasib, alleged that six persons — Nasir, Manik, Mintu, Kalam, Mizan and Jamal—had demanded Tk 50,000 as toll from him at his shop at

SEE PAGE 11 COL 3

## CEC to ask for troops again 'Govt's noncompliance a violation of constitution'

STAFF CORRESPONDENT

The government's noncompliance with the Election Commission (EC) amounts to violation of the constitution, said Chief Election Commissioner (CEC) MA Syed yesterday.

About obligation towards the EC, the CEC quoting Article 126 of the constitution said, "The government is bound to provide all support to the Election Commission as per its requirement, otherwise it will be

dubbed violation of the constitution."

"I said it will be a violation of the constitution," Syed repeated on a firm note, when his attention was drawn to the government's explanation questioning the EC's authority on whether it can decide on the troop deployment during the Union Parishad (UP) polls.

The CEC once again doubted neutrality during the UP polls without army deployment.

SEE PAGE 11 COL 3

## People's rights to justice denied, says Dr Kamal

STAFF CORRESPONDENT

Eminent lawyer and leader of the Oikya Procheta Dr Kamal Hossain said the indemnity ordinance has deprived people of their fundamental rights to equal justice and security.

Terming indemnity a very unusual kind of law, Dr Kamal said it also disallows the rights to save a citizen from repressive arrests and inhuman acts.

The government has suddenly promulgated the indemnity ordinance skirting the parliament, he

pointed out.

"Such a law that deals with public interest and fundamental rights had to be discussed in the parliament before its enactment," he said while speaking at a press conference in the city yesterday.

Dr Kamal, who also heads the Gano Forum, said that it was the government's responsibility to explain the reasons and necessities for enacting the law before the parliament.

He said the government did not discuss the 85-day long Operation

SEE PAGE 11 COL 2