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Announcement
 Today's issue of The Daily Star contains the full text of the Supreme Court's reply to President's reference on Pages 7, 8, 9 & 10.

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International
Chinese regime most aggressive in Asia-Pacific arms race: Taiwan
 Tamil, Sinhalese legislators praise fresh peace plan Page 5

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 ADP implementation in '94-95: 115.72pc progress achieved in power, mineral sectors
 Trade unions should aim at productivity increase, says Labour Minister Page 6

STOCK MARKET

DSE price index	770.16 (+0.24%)
Market capital Tk	47,830 billion
Transactions in volume	4895
Transactions in value Tk	12.63 million

Weekend Magazine
 Innovative Eugene Ballet Performs in Dhaka; The Lure of Ancient Indian Legends; Of the Dancers; Behind the Stage; Magic on the Podium; A Play that Entertains and Enlightens; Viewing Video; Kevin Costner's interview
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NEWS BRIEFS

Biswas donates 5 days' salary
 President Abdur Rahman Biswas will donate his five days' salary in aid of the flood-affected people of the country, reports BSS.

One falls from 5th floor, dies
 By DMCH Correspondent
 A labourer died after falling from the fifth floor of an under-construction building behind the Bangladesh Bank at Motijheel in the city yesterday. The labourer Dulal Munshi, 28, was working on the floor when the accident occurred at about 5:15 pm. The details of accident could not be known immediately.

Troops in Bosnia safe
 All members of the Bangladesh Military Contingent, including Military Observers in Bosnia-Herzegovina, are safe and sound. Quoting the latest report received yesterday, an ISPR press release said the condition of Bangladeshi soldier Sepoy Md Kazi Monirul Haq, who was injured on July 21, has further improved. Bangladesh Army Headquarters is in constant touch with them, reports UNB.

Walkout and boycott are absence, says Supreme Court

Speaker to determine period

By Staff Correspondent

In a unanimous opinion on the presidential reference, the Supreme Court yesterday declared that the "walkout" from and "boycott" of the Parliament by the Opposition members must be construed as "absence", resulting in the vacation of their seats. The five-judge Appellate Division also expressed the view that the prorogation period should be excluded in computing the 90 consecutive sitting days and that it is the Speaker who will compute and determine the period of absence.

The advisory opinion of the Supreme Court on the first-ever presidential reference was sent to the President by Registrar Ali Asgar Khan yesterday morning. President Abdur Rahman Biswas sent the reference to the Supreme Court on July 4 seeking its opinion on four specific questions relating to the walkout and boycott of Parliament by 147 Opposition

MPs since March 1, 1994 and the constitutional provisions for vacation of seats due to absence without leave. The Reference was heard for seven days between July 16 and 24. Six eminent lawyers — S R Pal, Syed Ishtiaq Ahmed, Dr Kamal Hossain, T H Khan, Khandoker Mahbubuddin Ahmed and Rafiqul Haq — appeared in the hearing as *amicus curiae* (friends of the

court) while Asrarul Hossain represented the government. Attorney General Aminul Haq, who was also supposed to appear in the hearing, died of a heart attack.

Editorial on page 4

Dr M Zahir, Maksudur Rahman, Yar Ahmed, Shudhangshu Shekhar Halder and A B M Nurul Islam also appeared in the hearing voluntarily.

The leading opinion was formulated by Chief Justice A T M Afzal. Justice Muhammad Abdur Rouf and Justice Mohammad Ismailuddin Sarker concurred fully with the opinion while Justice Mustafa Kamal and Justice Latifur Rahman also agreed but recorded separate observations.

In the preface to the opinion, the Chief Justice observed that the period of non-return by all the opposition parties taking exception to a remark of a ruling party Minister be construed as 'absent' from Parliament occurring in Article 67(1) (b) of the Constitution resulting in vacation of their seats in Parliament?

Questions in the ref

(1) Can the Walkout and the consequent period of non-return by all the opposition parties taking exception to a remark of a ruling party Minister be construed as 'absent' from Parliament occurring in Article 67(1) (b) of the Constitution resulting in vacation of their seats in Parliament?

(2) Does boycott of the Parliament by all members of the opposition parties mean 'absent' from the Parliament without leave of Parliament within the meaning of Article

67(1) (b) of the Constitution resulting in vacation of their seats in Parliament?

(3) Whether ninety consecutive sitting days be computed excluding or including the period between two sessions intervened by prorogation of the Parliament within the meaning of Article 67(1) (b) read with the definition of 'sessions' and 'sittings' defined under Article 152(1) of the Constitution?

(4) Whether the Speaker or Parliament will compute and determine the period of absence?



Arif Hossain Moon (far left) heaves a sigh of relief after an abortive Mohammedan attack during their Lifebuoy Premier football league engagement at the Dhaka Stadium yesterday. But incidentally Moon headed a ball into his own net at the stroke of the final whistle as Mohammedans picked up a scintillating 3-2 win. (Story on page 11). — Star photo

All for prolonging BNP rule: Opposition

By Staff Correspondent

Opposition political leaders yesterday expressed the view that the Supreme Court's opinion on the first ever presidential reference showed that the government had violated the Constitution in dealing with the issue of opposition MPs' absence from Parliament and vacation of their seats.

The issue was taken to the court just to prolong the BNP government's stay in power by not dissolving the 'illegal' Parliament, they said. They also reiterated the demand for immediate dissolution of the 'illegal' Parliament to pave the way for holding of fresh elections under a non-party caretaker administration.

Awami League chief Sheikh Hasina, who is currently on a private visit to the United States, in her reaction made available to the press last night, said the BNP government had taken to the court the issue of vacation of opposition MPs' seats following their boycott of the House

proceedings only to prolong its stay in power through buying time.

"We resigned from Parliament protesting this government's undemocratic activities — vote dacoity, corruption, terrorism, politicisation and inefficiency and demanding polls under a non-party caretaker administration much earlier. The issue ought to have been settled in the sovereign Parliament. But the government bought time on various excuses and finally took the matter to the court with an ill motive", she said, adding "It has been a bad precedence as regards sovereignty of Parliament".

Reiterating that they were agitating for a caretaker government to conduct the national elections, the AL chief said: "The government cannot but accept the popular demand". General secretary of the party Zillur Rahman, in his instant reaction, told The

World splits into two camps over US Senate move

PARIS, July 27: The world split into two camps today over a US Senate vote to lift the arms embargo against Bosnia, with major Western powers joining Russia in condemnation, while Islamic nations rallied to the move, reports AFP.

Britain, France, Germany and Russia all denounced Wednesday's vote to scrap the embargo, imposed in 1991 by the United Nations on all former Yugoslav republics, while a belt of Islamic states from Indonesia to Iran threw their weight behind the Senate move.

The Senate passed the vote by 69-29, more than the two-thirds margin needed to override President Bill Clinton's threatened veto, triggering an immediate welcome in the Bosnian capital Sarajevo.

The Bosnian government has repeatedly denounced the embargo, which hits the country's Muslims harder than either Serb or Croat forces, both of whom have

received backing in the three-year war from their brethren in neighbouring Serbia and Croatia respectively.

But despite the imbalance, London said today if the United States proceeds to lift unilaterally the embargo, Britain and other troop-providers would support withdrawal of the UN Protection Force (UNPROFOR).

"If this policy were pursued, the results would be first, a massive NATO evacuation operation with 25,000 US troops on the ground, and second, almost certainly, a wider Balkan war with all the dangers that entails," British Foreign Secretary Malcolm Rifkind said today.

"It seems to me bizarre that we should respond to the suffering of the people of Bosnia by withdrawing what measure of assistance we can offer them and letting fighting escalate further," he said.

In Paris, French Prime Minister Alain Juppe slammed the Senate and concurred with London's view that the move could lead to a troop withdrawal.

"If our American friends took the responsibility of provoking the withdrawal of UN troops, they should then assume (responsibility for)

the suffering of the people of Bosnia by withdrawing what measure of assistance we can offer them and letting fighting escalate further," he said.

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the suffering of the people of Bosnia by withdrawing what measure of assistance we can offer them and letting fighting escalate further," he said.

UN rapporteur resigns to protest world inaction

GENEVA, July 27: UN special rapporteur for human rights in the former Yugoslavia Tadeusz Mazowiecki said today that he was resigning in protest at world inaction over the fall of the Muslim enclave of Srebrenica and Zepa to the Bosnian Serbs, reports AFP.

He told a press conference here that he had sent a letter to UN Secretary General Boutros Boutros-Ghali and to the UN High Commissioner for Human Rights explaining that due to the current situation in Bosnia, "I cannot continue to participate in the pretence of the protection of human rights", the former Polish premier said.

He said the fall of the UN-protected enclaves "constitute a turning point in the development of the situation in Bosnia".

"One cannot speak about the protection of human rights in the service of the

6 more girls rescued from Tanbazar

From Our Correspondent

NARAYANGANJ, July 27: Six more teen-aged girls were rescued from Tanbazar 'red light' area by Bangladesh National Women Lawyers' Association (BNWLA) with the help of local police this noon.

The six are: Kulsum, daughter of Sadek Ali of village Gulbaria, Bogra district; Sathi, daughter of Golam Rabbani of Kotwali thana, Dinajpur; Nasima, daughter of Meher Ali of Rikabibazar, Munshiganj; Marjina, daughter of late Amiruddin of Sribordi, Sherpur; Hashi, daughter of Bazul Haq of Chatmahar, Pabna; and Nazu, daughter of Abdur Rashid Dewan of Bhedarganj, Faridpur district. They were rescued in a drive headed by two women lawyers.

Executive director of the BNWLA Salma Ali and Research and Investigation Lawyer Rashida Hossain, following newspaper reports on the rescue of Shadhina from the 'red light' area, went there along with police in an attempt to rescue two friends of Shadhina — Lipi and Josna.

"We failed to find out Lipi and Josna. They must have been removed from Tanbazar," Salma Ali told a group of newsmen after the rescue operation.

According to Shadhina, Lipi hailed from Mirpur and Josna from Matlab — both underaged.

Shadhina, along with 18 others was held by 'mistress' of the 'red light' area Shilpi from a house owned by an influential 'fish trader'. Shilpi was arrested yesterday.

While Salma Ali and Rashida Hossain were coming back from Tanbazar with the six teenagers, some people handed over two infants to Hashi and Nazu. Hashi and Nazu told Salma Ali that they were their children. But interrogation indicated otherwise.

"They are not even old enough to be mothers,"

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The city Awami League brought out a procession yesterday protesting the Serbian atrocities on Muslims in Bosnia. — Star photo

AL urges UN to lift arms ban on Bosnia

The Awami League yesterday appealed to the United Nations to lift the arms embargo on Bosnia and take immediate action to save thousands of Muslims from genocide, reports UNB.

"They have the right to defend themselves against armed aggression," AL acting chairman Abdus Samad Azad said.

Addressing a rally, organised to protest Serbian attack on Bosnian Muslims, the AL leader said, "Time has come to counter the attack of the Serb forces to save thousands of Muslims there."

The Serbian forces were capturing the Bosnian enclaves one after another and those who were committed to save humanity remained inactive, he said appealing to

HC rejects a second writ against Rouf

A High Court Division bench yesterday rejected a writ petition challenging under what authority Justice Mohammad Abdur Rouf is holding the office of a judge in the Appellate Division, reports UNB.

The writ was filed by Convenor of the Coordination Council for Lawyers Advocate Shamsul Haq Chowdhury on June 11 and the bench issued rule nisi on June 13 questioning the appointment of Justice Rouf as a judge in the Appellate Division.

The bench comprising Justice Habibur Rahman Khan and Justice M M Ruhul Amin unanimously discharged the rule, saying of five of judges of both the divisions of the Supreme Court are not in the service of the

republic. The court further held that no consultation is necessary for appointing judges in either division of the Supreme Court.

On Wednesday, the same bench rejected another writ petition against Justice Rouf, challenging his simultaneous holding of two constitutional posts — the Chief Election Commissioner and Judge of the High Court Division.

Justice Rouf was elevated to the Appellate Division on June 8. He was the Chief Election Commissioner for about four and a half years and returned to the High Court last April.

The HC bench, however, said it will hear on Sunday the law points on Barrister

BNP yet to decide next course of action

By Staff Correspondent

The ruling Bangladesh Nationalist Party (BNP) is yet to decide on its next course of action following yesterday's Supreme Court opinion on the Presidential reference, declaring that the "walkout" and "boycott" by the opposition MPs could be construed as absence from Parliament.

Prime Minister Begum Khaleda Zia thoroughly examined the advisory opinion and consulted the matter with some of her close aides when she got a copy from the President's office early afternoon, ruling party sources said yesterday.

In the evening, she also had talks with some of the ministers regarding the issue.

The party stalwarts would sit again to discuss the mat-

'Election doesn't ensure democracy'

By Staff Correspondent

Justice Latifur Rahman observed yesterday that "democracy needs elections, but election does not ensure democracy."

"Political democracy would never work unless we develop democracy in our culture," Justice Rahman said in a separate observation, while agreeing with the Chief Justice on the four basic questions of the reference.

In reply to the historic reference, he posed several questions regarding "democracy" and hoped that the political parties would cultivate respect and tolerance for each other to make the society truly democratic.

Justice Rahman said "It is very unfortunate that a situation has arisen in the country where after holding a free and fair general election on 27th February 1991 under the government headed by acting president Justice Shahabuddin Ahmed... the Parliament is functioning without all the opposition members."

Is it Parliamentary See Page 12 Col 3

Khaleda asks partymen to gear up activities

Prime Minister Begum Khaleda Zia yesterday asked her party workers to intensify their activities for ensuring a better turnout in the next general election, reports UNB.

She advised all to work unitedly and go to the doors of common people to apprise them of the development works of the BNP government.

"We have not enough time. Right now we have to go to the people," Begum Zia said addressing a function where a large number of leaders and workers of the Jatiya Party joined the BNP.

"Popularity of the BNP is increasing day by day," she said and asked all to utilise the popular support for strengthening the party.

To make the country self-reliant, there is no alternative to the BNP and the people will have to choose the BNP again in their own interest as well as for the development of the country, Begum Zia told the gathering at 30, Hare Road last night.

More than 2000 leaders and workers of district, thana and union levels of Jatiya Party's Patuakhali district chapter, led by district JP General Secretary Shahjahan Khan, formally joined the BNP.

Danis files petition with HRC in Geneva

Canadian lawyer and legal consultant of former President Hussain Mohammad Ershad, Marcel Danis formally filed a petition on behalf of his client with the Human Rights Commission HRC at Geneva on Wednesday, reports UNB.

The petition was addressed to Jose Ayala Lasso, High Commissioner for Human Rights, who had been requested to monitor Manjur murder case in order to ensure a free and fair trial so that Ershad's fundamental rights are protected, said a press release issued yesterday by press secretary of Danis.