

SC halts bail order

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case against Khaleda and Koko on September 2 on charges of corruption in awarding Global Agro Trade (Pvt) Co Ltd (Gatco) the contract for container management at inland container depots in Dhaka and Chittagong Port.

The complainant alleged that the selection meant a loss of over Tk 1,000 crore to the government exchequer.

Tarique, also BNP senior joint secretary general, stands accused of accumulating wealth worth over Tk 4.82 crore through illegal means and concealing information of properties worth over Tk 4.23 crore. On September 26, ACC Deputy Director Jahirul Huda filed the case against Tarique, his wife Dr Zubaida Rahman and mother-in-law Iqbalma Banu for withholding wealth information.

Zubaida and her mother were charged with aiding and abetting Tarique in attempts to show that his was legal income.

ACC Deputy Assistant Director Shariful Haque Siddiqui filed the case against former law minister Moudud Ahmed on September 16 for not declaring wealth worth Tk 4.40 crore. Moudud has assets worth Tk 7.38 crore which is disproportionate to his sources of income.

ACC Assistant Director Talebur Rahman sued former communications minister Nazmul Huda and his wife Sigma Huda on July 11 for discrepancies between their actual wealth and the statements they had submitted to the anti-graft body.

The two are also accused of concealing information of wealth worth over Tk 2.19 crore.

The ACC filed the case against Dulu and his wife with Adabar Police Station on April 19 for concealing Tk 3,06,55,246 in their wealth statements.

ACC Deputy Director Sharmin Ferdous filed a case with Ramna Police Station on August 19 against daily Jangantor Chairman Nurul Islam Babul, his wife and son for acquiring huge wealth illegally and concealing information of property worth Tk 4.40 crore in their wealth statements submitted to the ACC.

The government put all graft cases under the EPR. The counsel for the accused argued that the government's bringing the case under the EPR is illegal as the charges are based on incidents that took place before the declaration of the state of emergency. They also alleged that due procedures have not been followed in filing the cases.

Senior counsel for Khaleda barrister Rafique-ul Huq yesterday

moved for all the cases in the SC while Additional Attorney General Salahuddin Ahmed stood for the state.

Salahuddin argued that if the EPR only implies incidents that take place during the period of emergency, then it would be meaningless. So, incidents that had occurred before declaring the state of emergency will also have to be brought under the EPR.

The government formulated the EPR after declaring the state of emergency on January 11.

Following yesterday's SC decision, there is now no bar to continuing the proceedings of the graft cases against Tarique, Moudud, Huda, Dulu and Babul, said the additional attorney general.

ACC Secretary Mukhles Ur Rahman in his instant reaction to the SC ruling also said, "From now on there would be no legal obstacle to continuing the proceedings of the cases."

Khaleda's counsel barrister Rafique-ul Huq told reporters, "We are bound to abide by the court order." He also said his clients are politicians and they should come out through politics. "It is impossible for them to come out from jail through court," said Rafique.

Meanwhile, Khaleda expressed her deep shock to her lawyer Advocate Ahmed Aazam after hearing the SC decision when Aazam visited her yesterday. Khaleda discussed next legal course of action with her lawyer.

UNB adds: BNP Secretary General Khandaker Delwar Hossain yesterday expressed deep shock at the Supreme Court's rejection of bail for former prime minister and BNP Chairperson Khaleda Zia.

"After the High Court and the Chamber Judge's verdict granting bail to Begum Zia, we thought we have got justice," he told reporters at his Nam apartment.

"We had also expected that we would get justice from the Supreme Court. We don't understand why she was not granted bail," Delwar said.

Responding to rebel BNP leader Abdul Mannan Bhuiyan's call for unity of BNP, Delwar said he is not clear about Bhuiyan's statement.

Delwar said the BNP standing committee may consider the unity issue with Bhuiyan if he seeks apology for his past mistakes, accepting the leadership of BNP and participating in the election.

He said Awami League also want reforms but they want to do it by keeping their leader Sheikh Hasina. BNP should also carry on its reform by accepting the leadership of Khaleda Zia, he added.

Corruption suspects

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leader Shish Muhammad of Rajshahi, mentioned on yesterday's list, is charge-sheeted accused in three cases, two of them in connection with militancy.

With the publication of the fourth list, the number of alleged high-profile corruption suspects stands at 177. Earlier, names of 142 graft suspects were published by the ACC in three phases. The first list was published on February 18 with names of 50 graft suspects on it.

The ACC would now initiate primary enquiry into their alleged corruptions and based on the enquiry reports, the commission would serve notices to them asking the graft suspects to submit their wealth statements within 14 days.

The ACC is likely to confirm by next Monday when suspects against the new corruption suspect would be issued.

According to the ACC rules, after receiving the notice from the commission a graft suspect would get seven working days to submit his or her wealth statement. A person can apply for extra seven days' time, if the order is deemed to do so.

The commission would go for legal actions or file a case against a suspect if the suspect does not submit his or her wealth statement within the stipulated time.

The lists of the graft suspects had been prepared through a secret investigation initiated by the anti-graft body and different government intelligence agencies with the help of Bangladesh Bank, National Board of Revenue (NBR) and other government offices.

The taskforces of National Coordination Committee to Combat Corruption and Serious Crime have been saying for the last few days that a fresh list—the last one—of corruption suspects would be published soon.

However, on October 2, the ACC secretary told reporters that the new list of graft suspects would come to the commission in piecemeal fashion.

FULL LIST OF SUSPECTS

1. Dhaka City Corporation (DCC) Mayor Sadeque Hossain Khoka, 2. AL president member Toifal Ahmed, 3. Former BNP state minister Maj (ret'd) Kamrul Islam, 4. AL president member Syeda Sajeda Chowdhury, 5. Khulna City Corporation Mayor Shaikh Tayebur Rahman, 6. Former BNP MP Shahidul Haq Jamal, 7. Former adviser to the prime minister (Khaleda Zia) Prof Jahannara Begum, 8. Son of former finance minister M Saifur Rahman, Shaifur Rahman Babu, 9. Former BNP state minister AKM Mosharraf Hossain, 10. Former BNP MP Sardar Shakhawat Hossain Bakul, 11. Former BNP MP Elias Ali, 12. Former AL MP AKM Rahmatullah, 13. Former law secretary Alaaddin Sardar, 14. Former

adviser to a caretaker government Justice M Fazlul Huq, 15. Former AL state minister KM Jahangir, 16. Former APS (2) to ex-prime minister (PM) Khaleda Zia, Deputy Secretary Abdul Matin, 17. Former chairman of BRTC Taimur Alam Khandaker, 18. Former APS (1) to ex-PM Khaleda Zia, Deputy Secretary Shamsul Alam, 19. Former managing director of Essential Drugs Company Ltd Harun-Al Rashid, 20. Former communications secretary Rezatul Hayat, 21. Deputy Secretary Alaaddin Nasim, 22. Former AL MP Quazi Zafar Ullah, 23. Former BNP MP Fazlul Haque Miliun, 24. Former BNP MP Abdul Khayer Bhuiyan, 25. Former BNP MP Prof Jafar Abedin alias VP Jafar, 26. Former BNP MP Dewan Salauddin, 27. Proshika Chairman Kazi Faruque, 28. Former BNP deputy minister Asadul Habib Dulu, 29. Former Jatiya Party MP Mashiur Rahman Ranga, 30. Former managing director of Teletalk Md Obaidullah, 31. Building inspector and Rajuk CBA president Amir Khasru, 32. Former Bangladesh Chhatra League (BCL) secretary Eshaq Ali Khan Panna, 33. Former chairman of Srimangal municipality Moshin Mia alias Madhu, 34. Former BCL president Enamul Huq Shamim, and 35. BNP leader Shish Muhammad of Rajshahi.

7-yr-old boys

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accusing them of breaking open his shop and taking away valuables worth about Tk 15,000 at about 10:00am on August 2.

Following the case, police arrested them the same day and forwarded to the CMM Court the next day. They were granted bail from the court upon a bond of Tk 100 with two guarantors.

The General Recording Officer (GRO) yesterday placed the charge sheet of the case before the Metropolitan Magistrate Shah Alam Sardar for accepting it. But the court did not pass any order on the charge sheet.

The filing of the case and pressing charges against the boys created mixed reaction among the people, litigants and others.

Mothers of the boys yesterday told reporters on the court premises that the complainant had a grudge against them and the case was filed against their children to harass them. They wondered how such little children could break open the shop and take away valuables from the shop. They sought justice from the court and demanded exemplary punishment to the complainant of the case.

TIB terms NGOs

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activities are inflated to the donors to bring money for addressing problems that are actually 'artificial'. It, however, acknowledged the NGOs' contribution in socio-economic development of the country.

Sadhan Kumar Das said due to weak institutional framework, the NGO Affairs Bureau cannot monitor the NGOs' activities, while the NGOs give more than enough gifts to the donors to satisfy them and cover up their irregularities.

"There are also some 'well-trained' beneficiaries who always speak of the positive aspects of the NGOs every time the donors go for field visits," he said adding that many a time, same NGO gets fund from different donors, as there is no coordination among the donors.

The study found that in 85 percent NGOs, the members of the governing body are relatives of the governing body executive chairman. Besides, 90 percent NGOs appoint familiar auditors for auditing with 85 percent NGOs preparing their audit and financial reports with exaggeration.

The procurement process of the NGOs is also not transparent, Sadhan Kumar said adding that fake quotations are collected from the bidders that is pre-selected by the NGO. A fixed percent of money is also collected from the sellers on condition that materials will be bought from him or her, he noted.

The employees of the NGOs are also appointed as per the choices of the NGO boss or recommendations of the influential people, the study said adding that the employees are not paid salaries as per the proposal of the projects or pledged in the advertisements at times.

Retired high officials are appointed who can use their administrative network to gain special facilities from administration.

In addition to forming an independent umbrella body to monitor the NGOs' activities, the study recommended formulating a guideline for formation of governing bodies, making all information of the NGOs available to stakeholders and holding them accountable to the government, donors and beneficiaries.

Former adviser to a caretaker government M Hafizuddin Khan, Department of Social Services, Director Anzad Hossain, Campaign for Popular Education Director Rashida K Chowdhury, Awami League leader Asaduzzaman Noor spoke at the discussion among others moderated by TIB Executive Director Dr Iftekharuzzaman.

Polls by Dec '08

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well as activities related to holding election in a free, fair and neutral manner in the targeted timeframe. Mentioning various reform measures and preparation of voter list with photographs, the chief adviser said he is hopeful that the Election Commission would be able to accomplish its task as per the roadmap to arrange election in time.

He also mentioned the Election Commission's dialogue with the political parties on electoral rules and regulations and hoped that they would take necessary steps.

Referring to the reforms in political parties, Fakhruddin said democracy does not mean only casting votes or changing government, it is much more than that. There should be a change in political culture so that honest, dedicated and competent persons can come up to contest in elections.

John Dennis appreciated the Chief Adviser's speech at the 62nd session of UNGA and also his speech in the high-level event on climate change and Bangladesh's role in global initiative to face the challenge of global warming and climate change.

The British official stressed Bangladesh-UK cooperation in tackling the climate change.

British High Commissioner in Dhaka Anwar Choudhury, Secretary at CA's Office Kazi M Aminul Islam and DG (Europe and European Union) at the Foreign Ministry Md Nazmul Quanine were present during the meeting.

UN peacekeeping

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her contributions.

The peacekeeping operations chief assured the adviser that the UN would keep in mind Dhaka's case when future placements become available, according to a message received in Dhaka yesterday from the Permanent Mission of Bangladesh to the United Nations in New York.

Guéhenno also thanked Iftekhar for the role that Bangladesh is playing in this regard and praised the performance of Bangladeshi troops on the ground.

The two discussed possible future deployment in Sudan's troubled Darfur region.

The foreign affairs adviser was told that as Sudan might withdraw her objections to non-African infantry presence in the region, the UN would be in a better position to take up the offers from Asian countries of which Bangladesh is a prominent one.

"I told Mr Guéhenno that Bangladesh people enthusiastically support this noble role of our troops and we would be quite happy to expand our number, if called upon to do so," Iftekhar told reporters following the meeting.

"I also invited Mr Guéhenno to visit Bangladesh again and see for himself our capabilities", he added.

US trade office

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Although Bangladesh apparel sector does not enjoy GSP facilities from US, any anti-Bangladesh decision by the USTR after taking into consideration the AFL-CIO appeal will take a serious toll on the country's exports to US, he said.

Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA) President Fazlul Haque said the BKMEA is very much worried about the hearing but he hoped that the USTR would not consider the appeal.

Any decision accepting the appeal may send a wrong signal to US traders as well as consumers about use of Bangladeshi products, he noted.

Representatives from the ministries of commerce and foreign affairs, Bangladesh Export Processing Zones Authority (Bepza), BGMEA, BKMEA and Bangladesh Frozen Food Exporters Association went to Washington to participate in the hearing, sources said.

Meanwhile, the Centre for Policy Dialogue (CPD) in a submission to the USTR protested the AFL-CIO allegation, saying that the complaint made by it with regard to labour rights and human rights violation in readymade garment (RMG) sector in Bangladesh is most unwarranted.

The CPD, a leading think tank of the country, said, "Although Bangladesh RMG sector is not currently receiving GSP facilities in the US market (textiles and shrimp exports however get), the issue of zero-tariff market access for apparel products from Bangladesh is being discussed and debated in the USA at the moment. We think that raising this issue at this point of time is geared to distract attention from an issue which is of critical importance for the survival of Bangladesh's export-oriented RMG sector in the context of increasing competition in the post-MFA global market."

It further said various international organisations such as IFC, SEDE, GTZ etc are working with major trade associations in the RMG sector to ensure compliance standard at the factory level. Any concern with regard to labour rights-related problems, if any, should be taken up by appropriate bodies such as the ILO. The ILO has its office in Bangladesh since long, it pointed out.

The CPD urged the USTR not to

take any decision or action which will harm the interest of the export-oriented RMG sector, discourage investment and undermine the interest of RMG workers of Bangladesh in the final analysis.

It hoped that the AFL-CIO submission would be deservedly rejected by the USTR.

Different labour organisations under the banner of Bangladesh Garments Workers Union Council (BGWUC) on Wednesday urged the US government not to discontinue the GSP facility for Bangladesh just to satisfy the US-based labour rights group.

If the US government considers the 'false and baseless' petition filed by the rights body, Bangladesh's RMG sector will face a massive setback, resulting in joblessness for female garment workers, they said.

They noted that although Bangladesh gets very limited benefit from GSP facilities, lifting of such facilities would certainly establish the AFL-CIO claim about violation of labour rights in Bangladesh.

Nazma Akther, president of Sammito Garments Sramik Federation, told journalists, "If the US authorities want to empower global women, especially Bangladeshi poor women, they should not consider the complaint lodged by the AFL-CIO. Rather they should continue the GSP facilities for Bangladesh."

The AFL-CIO made four complaints in its petition. These include violation of domestic and internationally recognised workers' rights in the EPZs in Bangladesh, violation of domestic labour laws and internationally recognised labour standards in RMG industry, similar violations in shrimp and fish processing industries, and violent actions by government security forces against trade unionists, workers and labour rights groups.

Defence lawyers Sahara Khatun, Kamrul Islam and Abdur Rahman Howlader in their petition mentioned that they had earlier submitted a writ petition to the High Court (HC) challenging the legality of the case.

They said the court, after hearing, granted ad interim bail to Hasina in two cases filed with Gulshan and Tejgaon police stations and also issued a rule upon the government.

But the Supreme Court stayed the HC order following government appeals and directed the HC to dispose of the matter, the defence said adding that the matter was now on the HC's cause list.

They prayed to the court not to pass any judgment on whether to accept the charge sheet until the HC disposes of the matter.

Azam J Chowdhury, managing director of Eastcoast Trading Pvt Ltd, filed the case against Hasina and Sheikh Selim with Gulshan Police Station on June 13, accusing them of extorting Tk 2.99 crore from him.

Rehana's name was later included in the charge sheet as the IO found her involvement in the extortion during investigation.

Joint forces arrested the AL chief in connection with the case on July 16 and produced her before a magistrate's court which sent her to a sub-jail.

Two more extortion cases and a graft case were filed with Tejgaon Police Station against the former prime minister on April 9, June 13 and September 2.

EC not upset

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and the Jatiya Party (JP) led by Anwar Hossain Manju.

"Many people have disliked what we have said and they have told us that the people are our main clients. Yes, in a sense our main clients are the people and we communicate with them through the political parties," Huda said.

In defence of the proposals for electoral reforms including mandatory provision for political parties' registration with the EC, he said, "We want to introduce a healthy culture of politics by holding a free and fair election."

JP Secretary General Sheikh Shahidul Islam said the people have become frustrated with the activities of the political parties and the politicians and they have been put in the dock.

"But politicians have even sacrificed their lives in the greater interests of the nation in the past," Shahidul Islam, who led the JP-Manju delegation, said.

The JP placed a 14-point recommendation before the EC and asked it to declare terrorists and war criminals ineligible for the polls and being registered as voters.

In response to this proposal, Election Commissioner Brig Gen (ret'd) M Sakawat Hussain said, "We are agreed in principle on what you said. But they [war criminals and terrorists] will have to be identified by the court first."

At this stage the CEC inquired if anybody was convicted of war crimes. The JP secretary general

informed the CEC that a number of criminals were punished.

In an oblique reference to Jamaat-e-Islami Bangladesh, the JP leaders said the party is the local chapter of an international political party and it cannot get registered with the EC.

The JP delegation supported the proposal for making registration of political parties mandatory but suggested making a different law on it rather than incorporating it in the Representation of People Order (RPO).

On introducing transparent ballot boxes in the next parliamentary elections, the JP leaders said they do not bother whether the ballot boxes are transparent or traditional. "But the Election Commission should introduce transparent ballot box if a major political party demands it, otherwise the party may question the election in case it is defeated," Shahidul said.

The CEC informed the JP leaders that if a major political party demands introduction of transparent ballot box in the next parliamentary polls, the commission will go for it despite wastage of \$2-3 million.

"Transparent ballot boxes are not suitable for our country," Huda said, explaining the weakness of the boxes. "But we will have to take a decision soon in this regard as it will take at least 10 months to collect the boxes if we decide to introduce them," he added.

Hasina, Rehana

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sheet against the three to Dhaka's chief metropolitan magistrate's court.

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ACC quizzes

FROM PAGE 20
Dhaka Inland Container Depot (ICD) and Chittagong Port ICD yard to Gatco violating tender rules.

The inter ministerial committee members questioned yesterday are Abdul Matin, former joint secretary of the Shipping ministry, Jayanto Kumar Nandi, former joint chief of the shipping ministry, Abdul Matin, former deputy chief of the Planning Commission, and Khandaker Khalequzzaman, former joint chief of the shipping ministry.

The three incumbent bureaucrats are Rahmat Ullah Md Dastagir, deputy secretary of the establishment ministry, Nepal Chandra Sarkar, additional secretary and member of Land Appeal Board, and Barun Kumar Mitra, joint secretary of the education ministry.

The commission quizzed them whether there was any pressure on them while the Gatco deal was going on and how they forwarded documents of the deal when it was placed before them.

The ACC brought the case under the emergency power rules on September 17 and arrested six of the accused on September 22.

Floods

FROM PAGE 20
behalf of the Government and the World Bank, respectively.

It will allow the government to continue its implementation of the DSC IV-supported macroeconomic and budget framework.

The Supplemental Financing will contribute to assisting the government in covering immediate needs for relief, livelihood support, and reconstruction by accessing financial assistance necessary to mitigate the impact of the floods.

The additional financing to the Fourth Development Support Credit (DSC IV) will be an important source of resources for the government, as it will provide financing at a time when the full impact of the disaster on government revenues is unknown, and there is an urgent need for additional government expenditures.

The Supplemental Financing is quick disbursing, without any condition, and will contribute to timely provision of support to affected populations. It will also complement the support for medium and long-term rehabilitation that is under preparation.

Finally, the Supplemental Financing will contribute to minimising the risks to the overall reform program that is being supported through the DSC series, and maintain the integrity of the transition to a Program planned for 2008.

The credit from the International Development Association (IDA), the World Bank's concessional arm, has 40 years to maturity, including a 10-year grace period; and carries a service charge of 0.75 percent.

UK official

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Welcoming the chief election commissioner's statement that the polls could be held early if preparations are finished ahead of the schedule, the British official said he is encouraged by the rapid progress of the voter registration with photographs.

"We have welcomed the caretaker government's decision to ease the ban on indoor politics and will continue to urge the government, army and law enforcement agencies to act impartially with respect to public safety, human rights, media freedom, due process and the rule of law, in line with Bangladesh's international human rights obligations," he added.

Speaking about the state of emergency, he said a democratic process needs genuine debate and elections must be held in a conducive atmosphere but it is up to Bangladesh to determine when to lift the emergency.

Mr Dennis said the ACC, which he visited on his first day, is playing an important role in restoring credibility to the democratic process by applying anti-corruption measures and advising the government on how to make them sustainable.

When asked whether businessmen and politicians should be treated differently in the anti-graft crackdown, he said the watchdog's principles need to be consistent with every individual and maintained that the ACC is living up to that philosophy.

Mr Dennis also confirmed that New Scotland Yard would help the ACC retrieve assets that have been siphoned off the country and also pursue corruption suspects who have fled overseas.

British High Commissioner Anwar Chowdhury, who was present at the press conference held at his official residence, said a 'free, fair and safe' election is the main issue, adding that the reform process will be more successful with 'greater safeguards' against the political violence evinced late last year.

Asked whether Britain thinks due process is being followed in prosecuting political leaders, including the two detained former prime ministers, the British envoy said although they are closely monitoring events in Bangladesh they are not at liberty to comment on this as it is still sub-judice.

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