

Climate deal sealed

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figures as a target for slashing greenhouse emissions.

The deal instead only makes an indirect reference to scientists' warnings that the world must sharply cut back its emissions to prevent what could be a catastrophic rise in temperatures.

But after the summit went into an unscheduled 13th day of talks, the United States said it would not accept the statement as it wanted developing countries such as fast-growing China to make tougher commitments.

The senior US negotiator, Paula Dobriansky, said she had heard "many strong statements from many major developing country leaders on a greater role in helping to address urgently this global problem."

"It doesn't seem it's going to be reflected in our outcome here in the declaration," she said, explaining why the United States would reject the draft.

Dobriansky was loudly booed by other delegations, and a US environmental activist representing Papua New Guinea said to rousing cheers: "If you're not willing to lead, please get out of the way."

After repeated verbal lashings, Dobriansky again took the microphone and said that Washington would "go forward and join consensus," to the cheers of the conference.

German Environment Minister Sigmar Gabriel, a strong critic of US President George W. Bush's climate policy, said he was ready to ask through his mobile telephone for Chancellor Angela Merkel to intervene with the White House.

"I had already typed the SMS after Dobriansky's first statement but then I was able to cancel it," Gabriel said.

"In the end, nobody wanted to have a failure," including the United States, Gabriel said.

"We have achieved more than we could have expected previously, but it is less than what is needed to meet the urgency of the problem."

The agreement came after extraordinary scenes in which UN chief Ban Jettied in for a last-ditch appeal, the UN's exhausted climate chief nearly broke down in tears and conference chair Indonesia apologised abruptly for a disastrous procedural mix-up.

Rangs building

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Meantime, stinking bodies made the air stuffy around Rangs Bhaban yesterday noon where passers-by were seen covering their faces with handkerchiefs to ward off bad odour.

Farid's brother Murad Sheikh identified his brother's barely recognisable body at Dhaka Medical College Hospital morgue. Around 50 relatives who were still hanging around the site also rushed to the morgue as police and rescuers did not allow them to see the body on the spot.

Meanwhile, relatives of the dead labourers received the bodies yesterday afternoon after Rajuk authorities assured them of handing over other bodies soon after recovery.

Earlier on Friday relatives refused to receive three bodies belonging to labourers from Faridpur, demanding handing over of the bodies of 10 labourers who they said hailed from the same locality.

They said four of the five men whose bodies have so far been recovered and six of the seven persons believed dead inside the rubble hailed from Modhukhali village in Faridpur.

Draft coal policy

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will evaluate and adjust the royalty issue in the future. Other stakeholders of the coal sector would participate in such a committee.

The committee also deleted a part of the draft policy that bars giving any tax holiday to a mining company. Instead, it left the matter to the government to decide on such a kind of incentive.

The policy promotes the concept of creation of a national coal body, which may be named "Coal Bangla", to spearhead coal mining.

Headed by ex-VC of BUET Prof Abdul Matin Patwari, the committee also feels that the government, through the Petrobangla and private partnership, may spearhead one such open pit mine as a test case.

Petrobangla last year applied for a licence to explore the Dighipara mine. Once the Bureau of Mining Development (BMD) of the energy ministry issues it a licence, Petrobangla is expected to find a strategic partner from foreign or private coal developers.

The policy does not restrict open pit mining, as was initially demanded by some pressure groups. Instead, the policy identifies mining methods as technical issues that should be decided on the basis of technical viability and individual cases.

Though the committee believes that quick action is required to tap the coal resources as the country faces a huge energy crisis from 2015, "its go-slow approach with foreign and private investment puts a burden on the government," said a committee member.

The committee report will be sent to the energy ministry, which

"What we witnessed today was an incredible drama," said Alden Meyer of the US-based Union of Concerned Scientists.

"I've been following these negotiations for 20 years and I've never seen anything like this."

Yvo de Boer, head of the UN Framework Convention on Climate Change, said the deal showed global commitment and broke down the divide between countries with Kyoto obligations and those without.

"In that sense, what we're seeing disappear here today is what I would call the Berlin Wall of climate change," he said.

Hans Verolme of conservation group WWF accused the world of bowing to US pressure and removing a scientific punch needed to fight global warming.

But he also said the Bali talks would inspire environmentalists and activist nations until the end of Bush's mandate in January 2009.

"We have learned a historic lesson. If you expose to the world the dealings of the United States, they will ultimately back down."

As activists mulled whether the US U-turn was premeditated, US delegates said they believed from the reaction to their initial statement that developed countries would be serious about climate change.

"There is no question that we have opened a new phase in moving forward together," said senior White House aide James Connaughton.

Bush has argued that Kyoto is unfair as it does not require fast-growing emerging economies such as China, the second largest emitter after the United States, to meet targeted emissions curbs.

1 killed, 12 hurt

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engineer Suruj and 10 to 12 workers.

Rescuers from Fire Service and Civil Defence rescued the trapped workers. Of them, six critically wounded were admitted to different hospitals and clinics in Dhaka and Narayanganj.

The injured who have been identified so far are Akkas Ali Akash, 34, Salahuddin, 40, Solaiman, 40, Shahadat, 35, Kabir, 35, Kuddus Sarder, 45, Billal, 27, and Hannan, 21.

The CNG station was being constructed filling up a pond at Kanchpur on Dhaka-Sylhet Highway. Local Juba Dal leaders Alauddin and Salahuddin were awarded the construction work.

Fire service officials primarily suspected that low quality construction materials and faulty construction work led to the fatal collapse.

Huji man held

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Mufti Hannan, the main accused of the grenade attack on Sheikh Hasina's meeting in the capital on August 21, 2004.

Acting on a tip-off, Rab members raided the village at around 11:00pm and arrested him at a house. They recovered one revolver, one bullet, two Indian mobile phone sets and two air tickets from his possession.

Madina was arrested following Mufti Hannan's statement over his (Madina) involvement in the Uddichi concert bombing in Jessore and plotting the abortive bomb attack on former prime minister Sheikh Hasina at Kotapara in Gopalganj, Rab sources said.

will then be forwarded to the caretaker government's cabinet for approval and adoption.

The draft policy says that if Bangladesh's GDP remains as low as 5.5 per cent till 2025, the country needs to generate 19000 megawatt of additional power. If the GDP is as high as 8 per cent, it would need 41000 MW of power.

But at the same time, Petrobangla has said that production of gas -- which has been the key source for power generation -- will start to decline from 2011. This is where the country's coal resources should play a role.

The policy adds that to meet power demands in a GDP growth rate scenario of 5.5 per cent, Bangladesh will need 136 million tons (mt) of coal till 2025. If the GDP rate is 8 per cent, the country will need 450 mt of coal.

The draft says that the country's four existing coalfields of Barapukuria, Phulbari, Khalashpur and Dighipara can cater to this need till 2030 or so. Of these only Dighipara is being mined at present.

The country's lone coalmine is an underground mine producing around half a million ton of coal a year. The financially troubled mine may be able to produce up to one million ton a year in a best-case scenario.

The committee on reviewing coal policy was formed in June after the sixth draft version of the national coal policy drew vast criticism for being self-contradictory. It was also criticised for not being investment-friendly.

It held its first meeting one month after its formation.

President

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celebrate the Victory Day if any anti-Liberation War force is invited there.

These political and social bodies include Awami League and its partners in the 14-party alliance, Jatiya Samajtantrik Dal, Ekattorer Ghatok Dalal Nirmul Committee, newly formed Bangladesh Welfare Party, and South Asian People's Union against Fundamentalism and Communism.

Khandkar Delwar Hossain, secretary general of BNP loyal to its detained chairperson Khaleda Zia, also refused the invitation to the Victory Day reception as he has been invited there as an individual, not the party office bearer.

In October, Jamaat-e-Islami Secretary General Ali Ahsan Mojaheed and known Jamaat sympathiser and former Islami Bank chairman Shah Abdul Hannan described the Liberation War as a "civil war". They also denied that genocide took place in the country in 1971 and that war criminals exist in the country.

Another Jamaat leader Abdul Quader Mollah said many freedom fighters took part in the Liberation War to gain wealth and other opportunities.

"We will boycott the reception at Bangabhaban if any anti-Liberation War force is present there," former army chief Lt Gen (ret'd) M Harun-ar-Rashid told The Daily Star last night.

Lt Gen (ret'd) Mir Shawkat Ali, commander of sector-5 in the Liberation War in 1971, also expressed his solidarity with the view.

Rizvi Ahmed, BNP acting office secretary, told The Daily Star that inviting Delwar as an individual rather than the party secretary general is insulting for the leader. "Delwar Hossain has refused the invitation," said Rizvi.

The Awami League at its working committee meeting also decided not to attend the reception at Bangabhaban if Jamaat leaders and war criminals are invited there.

Bangladesh Welfare Party chief Maj Gen (ret'd) Syed Mohammad Ibrahim also refused to attend the reception programme protesting invitation to the anti-Liberation War elements.

WB now pledges

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paying close attention to the issue.

"The government alone cannot deal with a problem of such an enormous magnitude," the World Bank VP said appealing to the international community and the Bangladeshi people to help the country out of its economic challenges.

Patel also said climate change is a massive problem for Bangladesh's future which will severely affect the country's development goals.

He said it is imperative to incorporate the issue of climate change into the mainstream development agenda that would see 'climate change adaptation strategy integrated into all policy making and new infrastructural decisions'.

CS Karim said Cyclone Sidr was a wake-up call for Bangladesh for building up its coastal defences and to improve its adaptation strategies for mitigating and adapting to the climate change.

The WB is already working with the government looking into coastal zone management, the area most vulnerable to the effects of climate change. The programme includes building an infrastructure which is able to deal with the climate change by design, strengthening the management of the mangrove forest, and building cyclone shelters.

Patel added that the Bali conference proved that climate change is also an economic concern in addition to being an environmental problem, requiring an economic response too.

Asked about his discussion with Chief Adviser Fakhruddin Ahmed regarding his concerns on the government's capacity constraint, Patel said it is a joint challenge to overcome the administrative 'slow down'.

He said the private sector and the donors complained about the slow decision making and implementation process in the civil service. But he added that Chief Adviser Fakhruddin informed him about the government's plan to put in place mechanisms to ensure speeding up of the administrative processes.

CS Karim told journalists that the administrative performance of the government this year has been equal to last year's, despite the wide-ranging reforms undertaken by the interim government.

Patel said the WB scaled up its cyclone assistance to \$325 million from the initial pledge of \$250 million, with another \$25 million already requested by him after he had seen first hand the scale of the damage inflicted by Sidr.

Immediate relief funds will get \$100 million, while \$125 million will go to supporting medium and long-term managements, as articulated by the chief adviser.

The additional \$100 million will be available by April for livelihood restoration, a fund which will be generated jointly by the WB and the newly created Global Facility for Disaster and Recovery.

Patel complimented the government on its disaster preparedness and management during the recent cyclone.

He also met Finance and Planning Adviser M Azizul Islam, senior government officials, development partners, and members of the civil society during his three-day visit.

Sector commanders

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united on this issue," Maj Gen (ret'd) KM Shafiqullah, commander of Sector 3, told The Daily Star yesterday.

It would be easier to prepare a list of the collaborators than to list all the freedom fighters, he observed, adding: "Apart from those who had acted against our independence, all the people can be called freedom fighters."

Lt Gen (ret'd) Mir Shawkat Ali, commander of Sector 5, estimates that less than 2 percent of seven crore people of the then Bangladesh had acted against independence of the nation.

"We need to prepare a list of the freedom fighters who have been maimed and are hard up and help them. But what we need more is to list the collaborators and bring them to trial," he said.

LISTS OF FREEDOM FIGHTERS

Decrying the failure to prepare a complete list of the freedom fighters even after 36 years of independence, Air Vice Marshall (ret'd) AK Khondoker, the deputy chief of Liberation War forces, said "The then government should have finalised a complete list of freedom fighters immediately after the Liberation War as the sector commanders and the army headquarters had the lists then."

Some 1.20 lakh people had received arms training in India, he said adding that scores others who did not get any such training, also took part in the war.

KM Shafiqullah said that the first certificates for the freedom fighters were issued with the signature of General MAG Osmani immediately after the Liberation War. Those were distributed through the sector commanders, he added.

"While preparing lists of freedom fighters later on, different governments had made their own open freedom fighters and included

them in the lists," he observed.

Four separate lists have been prepared since 1980, which are incomplete, strewn with errors and contain fake names, while many real freedom fighters were left out.

Officials at liberation war affairs ministry said the work on the first list, 'Muktijoddhader Jatiya Talika' (national list of freedom fighters), began in 1980 and continued through 1986. The list has 1,02,458 names.

With the help of the Indian authorities, Bangladesh Freedom Fighters Welfare Trust prepared the second list between 1988 and 1989. The names of 69,833 freedom fighters were recorded in this effort.

In 1994-95, the then BNP government prepared the third list, 'Voter Suchak' (voter index), with the names of some 86,000 people.

The Awami League government during 1996-99, drew up the fourth list, 'Mukti Barta'. Some 186,790 people were enrolled in three parts of 'Mukti Barta'.

Acknowledging that many people have resorted to cheating for registering their names although they never fought against the Pakistani occupation forces in 1971, many real freedom fighters did not make it to the lists, the liberation war affairs secretary had observed on December 9.

The caretaker government is pondering about making a single list with the names of the genuine freedom fighters and including those who remain left out, he had added.

However, talking to The Daily Star on Thursday, he said that the decision to prepare the single list is yet to be finalised.

Strongly demanding a single complete list, AK Khondoker said, "An authentic list can still be prepared by checking with the sector commanders, company and platoon captains."

War criminals

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the war criminals only if it wants and can punish them without facing legal hurdles as sufficient number of evidence has been preserved by it.

The process of trial was halted in 1975 after the August 15 changeover.

"The government has absolute power to frame any sort of law to try the war criminals. But it does not have such power in case of framing any other law since it will be declared void if it contradicts the constitution," Ghulam Rabbani, former judge of Appellate Division of the SC, told The Daily Star referring to Article 47 (3) of the constitution.

Former attorney general Mahmudul Islam in his book 'Constitutional Law of Bangladesh' said that in 1973 the Constitution (First Amendment) Act was passed inserting Sub-article (3) in Article 47 whereby any law providing for detention and trial of war criminals was kept out of the purview of provisions of part III (of the constitution) relating to fundamental rights.

Another jurist, Shahdeen Malik, said even if there are legal difficulties in bringing the war criminals to trial, these difficulties can be removed or taken care of by promulgating ordinance or enacting law under the power given in Article 47 of the constitution.

"Article 47 authorises the government to take any legal measures for trial of war criminals and these measures cannot be challenged as unconstitutional," he said explaining the article.

Article 47 (3) of the Constitution says, "Notwithstanding anything contained in this Constitution, no law nor any provision thereof providing for detention, prosecution or punishment of any person, who is a member of any armed or defence or auxiliary forces or who is a prisoner of war, for genocide, crimes against humanity or war crimes and other crimes under international law shall be deemed void or unlawful, or ever to have become void or unlawful, on the ground that such law or provision of any such law is inconsistent with, or repugnant to any of the provisions of this Constitution."

Blocking the way for seeking remedy on grounds of breaching fundamental rights, Article 47-A says, "In applicability of certain articles, (1) The rights guaranteed under article 31, clauses (1) and (3) of article 35 and article 44 shall not apply to any person to whom a law specified in clause (3) of article 47 applies. (2) Notwithstanding anything contained in this Constitution, no person to whom a law specified in clause (3) of article 47 applies shall have the right to move the Supreme Court for any of the remedies under this Constitution."

On the right to protection of law, Article 31 of the constitution says to enjoy the protection of the law, and to be treated in accordance with the law, and only in accordance with the law, is inalienable right of every citizen, wherever he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

Article 35 of the constitution deals with protection in respect of trial and punishment and Clause (1) of the article says no person shall be convicted of any offence except for violation of a law in force at the time of commission of the act charged as an offence, nor be subjected to a

penalty greater than, or different from that which might have been inflicted under the law in force at the time of the commission of the offence.

Clause (3) of Article 35 says every person accused of a criminal offence shall have the right to a speedy and public trial by an independent and impartial court or tribunal established by law.

Article 44 deals with enforcement of the fundamental rights. Clause (1) of Article 44 says the right to move the High Court Division [in accordance with Clause (1) of Article 102 for the enforcement of the rights conferred by this part is guaranteed and Clause (2) says without prejudice to the powers of the High Court Division under Article 102, parliament may empower any other court, within the local limits of its jurisdiction, to exercise all or any of those powers.

Legal experts said the government of Bangabandhu in 1973 amended the constitution for the first time to ensure trial of the war criminals without facing any legal hurdles.

The government framed the Bangladesh Collaborators (Special Tribunals) Order, 1972, and started prosecution of the war criminals. But the August 1975 changeover changed the situation since the act was revoked on December 31 that year, burying the process of trial.

Asked why the successive governments in the past did not make any move to frame a law again under the constitutional provision, the jurists said they (governments) were busy with their partisan interests and tried to win support of the anti-liberation forces to grab state power. The successive governments also politically rehabilitated the notorious war criminals by amending the constitution and destroying the ideals of the Liberation War.

Bodies formed

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The committees will work on six sub-sectors--business entry and operation, business finance, foreign direct investment and investment promotion, total infrastructure and facilities for the private sector development, human skills development, and monetary and fiscal policy. They will fix the modalities and terms of reference of the committees.

The private sector will submit the names of their proposed representatives within December 31 to the Bangladesh Better Business Forum secretariat, which is the Board of Investment (BoI) with its executive chairman as the forum secretary.

The committees will recommend measures to the forum, based on which the forum will act, Elahi said.

On November 26, the current caretaker government formed Bangladesh Better Business Forum to address the deterioration in confidence among the business community and improve interaction between them and government high-ups.

"We had a very positive discussion. I hope this public-private partnership will contribute to increased trade and business activities in the country," said Anwar-ul-Alam Chowdhury, president of Bangladesh Garment Manufacturers and Exporters Association, who also attended the meeting.

V-Day back

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are yet to be fulfilled. A state of uncertainty, caused by political impasse, is prevailing in the country now. People hope that the leaders will show respect to their sentiment and break the stalemate.

General AAK Niaz, who commanded the occupation forces, surrendered on this day to the Mitrabahini (freedom fighters) and allied Indian forces at Suhrawardy Udyan in Dhaka with 93,000 soldiers following a miserable defeat in the March-to-December war.

President Iajuddin Ahmed will lead the nation in paying glowing tributes to the Liberation War martyrs by placing wreaths at the National Memorial at Savar in the morning.

Immediately after the birth of India and Pakistan in 1947, the nation started experiencing with awe the exploitation by the West Pakistani leaders. The discontent kept on mounting and saw an outburst when the Pakistan government tried to impose Urdu as the state language.

The struggle for upholding the dignity of the mother tongue Bangla and the supreme sacrifice made in the 1952 Language Movement did not go in vain. People of the then East Pakistan found it to be the basis of a greater movement for independence.

As the exploitation and disregard for people's rights climaxed, Bangabandhu in his historic address at the March 7 rally at Race Course (Suhrawardy Udyan) called upon the people to resist Pakistani rule.

"The struggle this time is the struggle for our emancipation; the struggle this time is the struggle for independence," he announced making it a turning point in the history of the nation.

Before his arrest in the early hours of March 26, Bangabandhu made the declaration for independence. Major Ziaur Rahman read out the declaration from Kalurghat Radio Station two days later.

Meanwhile, Pakistani forces committed one of the cruellest genocides in human history by killing indiscriminately the freedom-loving unarmed Bangladeshis in the then East Pakistan starting on March 26, 1971.

The Pakistani forces made an attack on India on December 6 on the pretext of assisting Bangladesh cause, forcing them to retaliate. Mitra Bahini (allied forces) was formed.

With their defeat looming large, the occupation forces aided by their local collaborators -- Razakar, Al-Badr and Al-Shams -- formed by Jamaat-e-Islami -- abducted frontline intellectuals and professionals of the nation and killed them, often after brutal torture, in an effort to cripple the emerging nation intellectually.

Today, the day dawns heralded by a 31-gun salute.

It is a public holiday today. The National Flag will be hoisted atop all government, semi-government and other important buildings.

Chief Adviser Fakhruddin Ahmed will place wreaths at the National Memorial at Savar in the early hours in homage to the martyrs.

The president and the chief adviser greeted the nation in separate messages on the occasion.

Saying that time has come now to make the democratic system stronger and more effective, the president urged all to work shoulder to shoulder to solve national problems, and contribute from their respective positions to building a happy and prosperous country.

The chief adviser called upon the people irrespective of political opinions and religious faiths to join hands to build a "true welfare state" accelerating the establishment of rule of law, and socio-economic development.

Social, political and other organisations have chalked out programmes to mark the occasion with daylong programmes.

Special prayers will be offered at mosques, temples, churches and other worship places, seeking divine blessings for peace and progress of the country. Bangladesh Television, Bangladesh Betar and private television channels will air special programmes while newspapers will bring out special supplements on the day.

Around 7,000 law enforcers including police and Rapid Action Battalion will keep strict vigil to ensure peaceful observance of the Victory Day programmes in the capital and at the National Memorial.

Major outage

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soon followed by the plants elsewhere.

Ashuganj is a major power generation area having eight units. Five of the units were producing over 575 MW when the national grid began to have trouble at around 11:45am. Three were already kept shut for maintenance work.

Our Brahmanbaria correspondent said: A 35-MW power unit at Ashuganj got back in operation in the afternoon. But the other ones could not resume functioning till filing of the report at 7:00pm.

Had the blackout not taken place, the PDB would have supplied a maximum of 3,430 MW yesterday, leaving still a deficit of around 200 MW. This is because several power plants have lately been undergoing overhaul.

The power demand shoots up to 5,200 MW during peak hours in most of the times, while the PDB can supply up to 4,200 MW in best of its times. Last month's cyclone had damaged some transmission and distribution lines leading to one of the worst blackouts in the country's history.

Bird flu flares

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Pakistan on Saturday confirmed the country's first death from the bird flu virus, the health ministry said in a statement.

It said six people had been infected with the H5N1 strain of avian influenza, all of them in North West Frontier Province, which borders Afghanistan.

"Five of them have fully recovered. One of the confirmed cases died in hospital while his brother, who could not be tested, has also died," the ministry said.

In Myanmar a seven-year-old girl has become the military-run country's first confirmed human case of bird flu, an official and the World Health Organisation said Saturday.