

Response to Indian dossier in 2-3 days: Zardari

PTI, Islamabad

President Asif Ali Zardari has said that India will be informed in two to three days about Pakistan's preliminary investigation into the information provided by New Delhi on the Mumbai terrorist attacks.

Zardari made this statement at a dinner he hosted Tuesday night for the ambassadors of France, Germany, Greece, Italy, Portugal and Russia, sources told the Dawn newspaper. Foreign Minister Shah Mahmood Qureshi and Interior Ministry chief Rehman Malik also attended the dinner.

Pakistan is "seriously conducting" its probe and the diplomats should play their role in defusing tensions for the sake of peace in the region, Zardari said.

Pakistan says US strikes are 'counter-productive'

AFP, Islamabad

Pakistan yesterday hit back against US Defence Secretary Robert Gates, saying US missile strikes inside its borders were "counter-productive" to anti-terrorism efforts.

"Our policy remains unchanged and we believe drone strikes are counter-productive," foreign ministry spokesman Mohammad Sadiq told AFP.

He was speaking in response to a statement from Gates that the United States would "go after Al-Qaeda wherever Al-Qaeda is" and affirming that the new US administration's position had been transmitted to the Pakistani government.

"Both President (George W.) Bush and President (Barack) Obama have made clear we will go after Al-Qaeda wherever Al-Qaeda is, and we will continue to pursue that," Gates told the Senate Armed Services Committee.

But the Pakistani foreign ministry spokesman branded the strikes by drones "counter-productive to our efforts to counter terrorism."

He declined to make any further comment. Two missile strikes in South and North Waziristan, on Pakistan's side of the border

with Afghanistan, where US and Nato-led forces are battling Taliban insurgents, on Friday last week were the first such attacks since Obama took office.

Pakistani security officials said at least 21 people were killed, including three children.

The strikes effectively dashed any hopes Pakistani officials were nurturing that the new Obama administration would halt such actions.

Dozens of similar strikes since August have sparked sustained and angry government criticism of the United States, a close ally believed to be firing the missiles from unmanned CIA aircraft.

Pakistan has repeatedly protested to Washington that drone strikes violate its territorial sovereignty and deepen resentment among the 160 million people of the nuclear-armed Islamic nation.

President Asif Ali Zardari and army chief General Ashfaq Kayani were quoted as telling top US General David Petraeus in Islamabad last week that they hoped the Obama administration would take their concerns into consideration.

Bomb kills 4 Afghan civilians

AP, Kabul

A roadside bomb struck a vehicle carrying civilians in southern Afghanistan, killing four and wounding nine, police said Wednesday.

Police blamed the Taliban for planting the mine that caused Tuesday's blast in the Zhari district of the southern Kandahar province, police said in a statement.

Southern Afghanistan is the center of the Taliban-led insurgency. As part of their resurgence, militants have increasingly relied on roadside bombs in their campaign against Afghan and foreign forces.

The number of roadside bomb attacks rose 33 percent in 2008 compared to a year before, according to NATO. Most of the victims in such attacks have been civilians.

Also Tuesday, gunmen kidnapped 10 construction workers building a police facility in the western Herat province, police said in a separate statement.

Authorities blamed "the enemies of Afghanistan" for the kidnapping, a term they use to describe the Taliban fighters.



Indian President Pratibha Patil (L) gestures while meeting wife Janaki (C) and daughter of former president R. Venkataraman in New Delhi yesterday. Former president R. Venkataraman, who ushered in the country's first coalition government in 1989, died in New Delhi on January 27, after a prolonged illness, officials said.

Sri Lanka pledges to respect 'safe zone'

AP, Colombo

Sri Lanka has pledged not to launch attacks inside a "safe zone" set up as a place of refuge for hundreds of thousands of civilians trapped by the fierce fighting between the military and Tamil rebels, the government said yesterday.

The announcement came after repeated reports of army forces firing artillery into the zone, which the government set up on the edge of rebel-held territory for ethnic Tamil civilians to seek shelter from the fighting. Scores of civilians were killed in those attacks, a health official said.

The military denied firing into the area during its offensive to root the Tamil Tiger rebels from the northeast.

Amid the reports of rising casualties, Indian External Affairs Minister Pranab Mukherjee rushed to Sri Lanka on Tuesday night and held emergency meetings with top officials, including President Mahinda Rajapaksa. Rajapaksa gave assurances Sri Lankan forces would respect the safe zone to "minimize the effects of conflict."

Sudan jails one for 'spying' for ICC

AFP, Khartoum

A Sudanese man was jailed for 17 years yesterday on charges of trying to help the International Criminal Court investigate a minister suspected of war crimes in Darfur.

Mohammed el-Sari is the first person to be convicted by a Sudanese court of trying to assist the ICC, a body which Khartoum does not recognise, and had faced a possible death sentence.

He was arrested in June accused of trying to solicit information about special police in Darfur, men trained and paid by the government and supervised by current Minister of Humanitarian Affairs Ahmed Haroun.

Last year, the ICC issued an arrest warrant for Haroun on 51 charges of war crimes and crimes against humanity allegedly committed in Sudan's western Darfur region in 2003 and 2004.

NEWS ANALYSIS

Dwindling options for Tamil Tigers

THE STRAITS TIMES

Pinned down by an army that has shown remarkable resilience, increasingly friendless around the world and despised by many of its own, Sri Lanka's Tamil Tiger separatists have never looked so vulnerable in a quarter century of violent campaigning for a separate Tamil nation.

Some 250,000 innocents are trapped between the advancing army and the retreating Tigers as troops fight through Tamil areas. The rebels have lost all their urban strongholds and now are mostly sheltered in the dense jungles of the Wanni, in the north of the island.

The International Committee of the Red Cross has warned of an imminent 'major humanitarian crisis' in the region, with medical facilities overwhelmed by 'hundreds of dead and scores of wounded' during the government offensive on the last strip of rebel-held territory.

On Tuesday Indian foreign minister Pranab Mukherjee flew to Colombo for talks with Sri Lankan government leaders as the army's continued shelling of a designated 'safe zone' took dozens of innocent Tamil lives.

New Delhi is concerned not only because of the unrest in a key neighbour but because of the spillover effects on India's Tamil Nadu state, whose 55 million Tamils have close links with Tamils across the Palk Straits. DMK, the party that runs Tamil Nadu, is Prime Minister Manmohan Singh's most vital coalition ally.

Mukherjee is expected to press Sri Lankan President Mahinda Rajapaksa to curb army excesses and particularly avoid civilian deaths.

Those deaths are a casualty of the ferocity with which the mostly Sinhala army, smelling blood, is grinding on through Tiger strongholds. Equally, it is because the Liberation Tigers of Tamil Eelam (LTTE) are using civilians as human shields to protect themselves against the attacks, hoping for precisely the sort of intervention that has now brought Mr Mukherjee to the country.

"We have seen that, unlike past wars in Sri Lanka, this time refugee arrivals in our state have been significantly less," a senior police official in Tamil Nadu told The Straits Times.

"We believe this is because the Tigers are refusing to let families leave the island, so as to keep them as human shields."

Sri Lanka's army, which used to be a largely demoralised force compared with the

highly motivated Tamil guerrillas, has shown newfound determination this past year.

For one thing, thanks to the widespread global disenchantment with the Tigers, many countries, including India, Pakistan and Israel, have supplied the army with much modern weaponry. Sri Lanka also now has a credible air force, which has not hesitated to pummel Tiger areas.

Besides, Colombo gets significant intelligence input from New Delhi, a factor that has helped it intercept dozens of arms shipments meant for the Tigers.

Rebel supremo Vellupillai Prabhakaran is a wanted man in India, which has issued a death warrant on him for orchestrating the murder of former prime minister Rajiv Gandhi during the 1991 election campaign. That murder

also eroded sympathy for the Tigers in Tamil Nadu, on whose soil Mr Gandhi died.

"We have no sympathy for any terrorist activities," Mukherjee said as he left New Delhi. "But we are concerned about the plight of the civilians."

Fund raising has also been a problem for the Tigers lately.

The money flows have eased after more than 30 nations banned the group, labelling it a terrorist outfit.

The Tamil diaspora across the world still has lingering sympathy for the 55-year-old Prabhakaran, who turned a docile people into a feared fighting force.

But many have been sickened by his methods: systematically wiping out fellow Tamil leaders who did not accept his supremacy, conspiring child soldiers and extorting money from people in the Tamil areas of Sri Lanka to fund his cause.

"Prabhakaran is facing one of the bleakest chapters in his long-drawn struggle," says M R Narayan Swamy, a Sri Lanka watcher and author of a biography on Prabhakaran, Inside An Elusive Mind.

"He has never been this badly cornered, militarily or diplomatically. As far as the Sri Lankans are concerned, 95 per cent of the battle is over."

For all that, analysts say that it is early days yet to pronounce the Tigers a vanquished force. They still have more than 1,000 fighters, armed and ready to die. They have been in the jungles before and re-emerged.

B Nadesan, head of the LTTE's political wing, told the BBC this week that "in a liberation war, it is normal for a force to lose territory and regain the same. In the past, we have withdrawn many times and bounced back."



Armoured cars carrying Sri Lankan soldiers drive through the newly captured area of Mullaitivu, the former military headquarters of the Tamil Tiger rebels yesterday. Security forces wrested control over the area on January 25, 2009 after a year of heavy fighting.

Telecoms watchdog

FROM PAGE 1 inter-ministerial meeting they rejected BTRC's intention to have independence in recruitment and salary.

Other parts of the ordinance could have been scrutinised by the Ministry of Law, the sources say.

"There is no scope for us to do anything about the ordinance. What we opposed was passed by the government," says a high official of the telecom ministry who attended a series of inter-ministerial meetings.

The amended telecom ordinance is out of 117 ordinances promulgated by the immediate-past caretaker government to be tabled as bills in parliament to make them laws.

Eminent citizens say it should not be passed in a democratic parliament, as laws of the land didn't follow its amendment.

"No government organisation can recruit manpower and fix up their salary as per their wish. Such ordinances should be dismissed," said former adviser Hafiz Uddin Khan.

Citing an example he said some other organisations like the Supreme Court, Auditor General Office and Election Commission had also sought such independence. But it did not happen as it mismatches with the present administrative rules and regulation.

"BTRC is not so important a commission, which must have independence in

recruitment and fixing up employees' salary," said Khan.

He also expressed disappointment to see the ordinance approved just seven days before the parliamentary elections. "There was no reason to hurry. A caretaker government can amend laws that are very necessary to keep the country peaceful."

"It's an unfortunate job done by the earlier unelected government," he observed.

Regulatory Reforms Commission (RRC) Chairman Dr Akbar Ali Khan said the ordinance should be discussed in parliament. "The concerned parliamentary committee should scrutinise the ordinance whether it is truly good for the country," he headed.

According to the finance ministry's observation about BTRC's proposal of recruitment and fix up salary, as no organisations in the country requires such financial freedom and the telecom watchdog cannot exclusively get the power.

Besides, a regulator's job is to monitor whether any unlawful activities are occurring in the industry. It should not work as a revenue collector, the officials of the ministry repeatedly pointed out at the meetings.

The ministry sources say some other organisations such as the central bank had also sought such independence long ago. "But that did not happen due to constitu-

tional obligations," comments a high official of the ministry.

The official adds the finance ministry rejected the proposal also because if one gets it, other regulators must seek such independence.

The BTRC chairman yesterday said the commission had no scope to amend the law. "The amendment came mainly after the telecom ministry's proposal and BTRC was present there as an audience."

He admitted that BTRC will enjoy more independence than what it enjoys now as per the Telecom Act-2001.

He said not only BTRC, Energy Regulatory Commission enjoys full independence in recruiting manpower and fix up salary. In this case, the establishment ministry approved the proposal.

"The finance ministry denied our proposal to keep 5 percent of the total annual earnings of BTRC for its expenditure. And then we cut the proposal."

Some salient features of the amendment to the Telecommunication Act, 2001

a) The BTRC can recruit officials or consultants and fix their salaries as per its wishes without government's permission [section-18, subsection-(3) (a) (c)].

b) If any operator violates the Telecommunication Act, regulations or licence conditions, the BTRC can penalise

up to Tk 500 crore instead of the previous Tk 10 lakh [section-46 (3) (d)].

c) The BTRC can seize equipment of any operator if it violates telecom rules and regulations and can appoint administrators to run the company [section-46 (3) (f)].

d) All offences declared in the ordinance will be treated as cognisable and no court can commence trial without BTRC report [section-77 (1) (2)].

e) Trail of offences would be conducted by magistracy instead of sessions court [section-77 (3)].

f) The BTRC shall have full control over enquiries and investigations of any telecom offence. The BTRC chairman can appoint any of his officials as investigation officer to detect offences in the telecom sector [section-78 (1) (2)].

g) The investigation officer will act as an officer-in-charge of a police station and can impose any legal action [section-78 (5)].

f) A BTRC investigation officer's findings would be treated as a police report [section-78 (5)].

h) The investigation officer can seek necessary support from any government agencies which are obliged to provide support [section-78 (11)].

i) The BTRC can appoint its own lawyers as special public prosecutors and special government pleaders [section-80 (1)].

Rights out in cold MRP alive again

FROM PAGE 16 almost mad in search of a new office building.

Whatever they did in those three days, there was nothing about human rights.

"We are struggling for a house and now we'll suffer from electricity and gas crisis as our present address does not have these facilities. But the current address would be a good one if the services are ensured," Munira claimed.

Prof Dr Niru K Chakma however admitted their situation. "We are nothing but knights without shining swords," he said.

"We joined office when there was not even a chair to sit on. It took about a week to manage necessary furniture. It's not the commissioner's responsibility to think about chair, table, office room and press releases," he added.

"As the present government has promised to strengthen the human rights commission we hope to get every kind of support from the government," NHRC Chairman Justice Amirul Kabir Chowdhury told The Daily Star.

He added the service rule for appointing people has already been drafted, while a draft organogram for appointing 65 staffs is being examined.

The three-member commission officially 'launched' its activities on December 1 last year with a high hope to maintain human rights in international standard.

The present crisis of office management can be taken as an example of the government's neglect in making the body functional. Allotment of Kalatan for NHRC expired in November last year but the housing ministry neither renewed the allotment nor informed the commissioners about it.

"The most important matter now is how proactively and quickly the government provides all the necessary personnel and logistic supports to the commission," said prominent lawyer Dr Shahdeen Malik.

The commission even could not determine whether about 35 complaints it received so far fall within its jurisdiction due to lack of an effective screening mechanism and management of complaints.

Pathetically, the commission does not have any investigator, lawyer and consultant to inves-

tigate complaints, review human rights condition, and provide legal aid to complainants in case of alleged violation of human rights.

Interestingly, the commission does not have any facilities like Internet, fax and television although its key vision is to make people aware of rights violation through information sharing.

"The existing capacity is not enough for the human rights commission. The more it will take time to ensure its necessary facilities, the more people will lose faith in it," said eminent human rights activist advocate Sultana Kamal.

The 35 appeals filed with the commission so far are related to conjugal life, teachers' sufferings, discrimination in Rajuk plot allotment, encroachment on land and illegal job dismissal.

BACKGROUND

The National Human Rights Commission Ordinance, 2007 came into effect with the aim of maintaining human rights in accordance with international standard. The aims included maintaining standards of prisons and correction facilities besides investigating reports or complaints about human rights abuses.

The NHRC draft had been gathering dust for 12 years. In the meantime several drafts were discussed and approved in principle by the cabinet, the latest of which was by the immediate-past caretaker government on September 8, 2007.

"It's very unfortunate that the commission does not have a permanent home yet. It should be a very high priority for the government to let the commission function freely and effectively without further delay," said Barrister Sara Hossain.

Rights activists and legal experts hope the government would take immediate step to make NHRC an effective and functional body by enacting a law in parliament.

Slamming the commission for lacking experts in human rights and representation from civil society, human rights activists consider the commission would be a "toothless body" unless it is equipped with "enforcement mechanism" including the power to initiate independent proceedings against violators and a defined jurisdiction.

FROM PAGE 1

In a quick move after the meeting, the home ministry sent the budget proposal to the finance and planning ministry seeking immediate allocation of funds to restart the much-awaited machine readable passport and visa project. New passports would be made under this project for the next five years.

"Hopefully, we can finish the project by the end of this year," said State Minister for Home Affairs Tanzim Ahmed Sohel Taj. He said they are working with the ministry of finance and planning and the planning commission to implement the MRP project quickly.

The state minister asked all concerned to maintain transparency in every step of the project.

"We need Tk 350 crore for software and hardware for the project and Tk 9 crore to engage the consultant firm but we have Tk 2 crore in hand," Abdur Rob Hawlader, director general (DG) of the Department of Immigration and Passport, told The Daily Star yesterday.

He said an international tender will be floated within a month to start the project if they get funding.

"The tender is almost ready and we can go for inviting bids after a minor review...so as soon as we get the money we will start the project," said the DG adding that Tk 200 crore from revenue will also be gradually spent on the project.

Earlier the government made preliminary selection of two German firms out of several foreign firms as no local ones could fulfil the criteria for the project or compete for the consultancy job.

The consultant firm's responsibilities include monitoring, evaluation and supervision of the project and training for passport officials and employees. The firm will develop a plan for introduction of the machine-readable passports and visas.

Bangladesh requires the introduction of the MRP project to bring an end to the frequent harassments its citizens face during international travel. The MRP will also

help curb the problem of forged passports, often used in human trafficking.

If Bangladesh fails to comply with the International Civil Aviation Organisation (ICAO) requirements by April 2010, Bangladesh citizens' access to international manpower markets as well as obtaining all types of visas would be at risk, immigration officials said.

Some 115 out of 187 member nations of the ICAO, including India and Pakistan have so far issued machine readable passports to their citizens.

Bangladesh is a member of the ICAO, a global forum for civil aviation and a specialised United Nations agency that codifies principles and techniques of international air navigation and fosters the planning and development of international air transport.

The Awami League government was the first to take an initiative for introducing MRP in 1998.

Assuming office, the BNP-Jamaat government took a fresh move but its Tk 1,546 crore mega project for MRP, MRV and national identity cards was scrapped in 2006 following controversies surrounding appointment of consultant and tender document manipulation.

Leaders in Hawa Bhaban allegedly made a frantic bid to grab the project with help of former state minister for home Lutfozzaman Babar and a consultant who tailored the tender documents of the project to serve their purpose.

During the caretaker government regime, during 2007-2008, the home ministry revived the project and took technical help of International Organisation on Migration (IOM), a body of the United Nations that deals with immigration issues.

The IOM helps different countries in introducing machine-readable passports and visas and has been working in Bangladesh since 2004. Sources said the caretaker government eventually decided to leave the project for the next elected government.