

Donors call for unity of Palestinian factions

Gaza aid and peace must go hand in hand, says Hillary

AFP, Sharm el-Sheikh

World leaders gathered in Egypt yesterday to pledge billions of dollars to rebuild war-battered Gaza urged feuding Palestinian factions to bury the hatchet to help steer reconstruction to success.

"Palestinian reconciliation is one of the keys to peace and one of the conditions for setting up a Palestinian state," French President Nicolas Sarkozy told the donors' conference in the Red Sea resort of Sharm el-Sheikh.

"I say clearly to all Palestinians gather around president (Mahmud) Abbas in a unity government. This way you will give him the necessary authority to negotiate peace."

Egyptian President Hosni Mubarak, whose country hosted reconciliation talks last week between the Islamist Hamas movement, which controls Gaza and Abbas's secular Fatah faction, echoed the call.

"The success of the reconstruction of Gaza depends on several factors, including a truce (between Israel and Hamas) and reconciliation between the Palestinian Authority and the Palestinian factions," Mubarak said.

The Palestinians must "set up a national unity government that would oversee reconstruction in coordination with the Palestinian Authority."

Cairo has been trying to broker a lasting truce between Israel and Hamas in and around Gaza, after the two sides announced separate ceasefires on January 18 that brought to an end Israel's deadly 22-day offensive against the territory.

Western governments insist that any aid for the post-war reconstruction of Gaza must be channelled through Abbas's Palestinian Authority not through Hamas, which they continue to blacklist as a terrorist group despite its upset victory in 2006 Palestinian parliamentary elections.

The Palestinian Authority is seeking 1.3 billion dollars in the coming financial year for the reconstruction of Gaza in addition to 1.5 billion dollars to shore up its budget.

But although Hamas agreed in the Egyptian-brokered talks with Fatah last week to work towards patching up their differences, the Islamist movement insisted on Monday that the issue of aid for Gaza should not be politicised.

"We call on all participants in the Sharm El-Sheikh conference to launch a rapid, urgent and serious operation to bring aid to Gaza without getting involved in internal Palestinian divisions," Hamas spokesman Fawzi Barhum said.

Speaking in Gaza City, he said Hamas would not accept any "politicised" reconstruction aid -- a reference to demands by the West that the Islamists renounce violence and recognise Israel and past peace deals in return for diplomatic engagement.



French President Nicolas Sarkozy (L) greets Middle East Quartet envoy Tony Blair (C) as UN Secretary General Ban Ki-moon is seen seated prior to the opening session of the international donors conference for rebuilding the Gaza Strip, in the Egyptian Red Sea resort town of Sharm el-Sheikh yesterday.

Obama more analytical than Bush, says Gates

ANI, Washington

US Defence Secretary Robert Gates has said that he finds President Barack Obama more analytical on issues than former President George W. Bush.

Speaking on NBC's "Meet the Press", Gates said: "It's hard to say. I think probably President Obama is somewhat more analytical, and he makes sure he hears from everybody in the room on an issue, and if they don't speak up, he calls on them."

In contrast, President Bush didn't go out of his way to elicit input from those in the room, Gates said.

Gates believes the possibility that the plan to withdraw all US troops from Iraq by the end of 2011 would change is "fairly remote," but noted that President Obama has the authority to alter the plan.

He also said that field commanders would have preferred keeping current troop levels through the end of 2010.

Maoist commitment towards press doubtful: Koirala

ANI, Kathmandu

Nepali Congress (NC) President Girija Prasad Koirala has said that Maoist's commitment towards press freedom and human rights is doubtful.

In his meeting with a delegation of Asian Journalist Association Media Mission here on Sunday Koirala said, "The Prime Minister says something and does something regarding the media."

Koirala also said his party is fully committed to press freedom while accusing the current Maoist Government of trying to curb free press. He said that the country's press is in danger because the current government has given protection instead of punishing those who have attacked press.

Koirala's statement comes a day after Prime Minister and Unified CPN (Maoist) Chairman Prachanda had alleged that the media organisations are trying to besiege the government.

Pet parrots help severely injured US fireman regain speech

ANI, London

Parrots have helped an American fireman speak again, after he had lost his power of speech following a traffic accident.

Brian Wilson from Damascus, Maryland, had lost his ability to speak after suffering life-threatening injuries in the accident 14 years ago. e revealed that doctors who saw him were convinced that he would spend the rest of his life in bed at a nursing home.

However, he said, that the chatter of pet parrots helped him regain speech.

"Two birds taught me to talk again. I had such a bad head injury I was never supposed to talk any more than a two-year-old," the Telegraph quoted him as saying.

IAEA urges Iran to 'unblock' nuclear stalemate

Tehran denies seeking nukes

AFP, Vienna/Tehran

UN atomic watchdog chief Mohamed ElBaradei urged Iran yesterday to "unblock" its nuclear standoff and expressed hope that a possible change in US policy towards Tehran would break the deadlock.

"I again urge Iran to implement all measures required to build confidence in the exclusively peaceful nature of its nuclear programme at the earliest possible date and to unblock this stalemate situation," ElBaradei said in his opening speech to the International Atomic Energy Agency's 35-member board of governors here.

And he added: "I am hopeful that the apparent fresh approach by the international community to dialogue with Iran will give new impetus to the efforts to resolve this long-standing issue."

The Egyptian-born diplomat did not specifically mention the United States, but he was clearly referring to the signal from new President Barack Obama that he is ready to talk with Iran directly to resolve the standoff.

Even after a six-year investigation, the IAEA has been unable to say once and for all whether Iran's controversial nuclear programme is entirely peaceful, as Tehran claims.

In the watchdog's latest report on the mat-

ter, ElBaradei complained that Iran was stonewalling on key questions regarding the possible military dimension of past nuclear work and also defying UN orders to suspend uranium enrichment, a process that can be used not only to make nuclear fuel, but also the fissile material for a bomb.

Referring to IAEA's investigation into allegations of illicit nuclear work by Syria, ElBaradei pressed Damascus to come clean on a suspect site in the remote desert, which the US alleges had been an undeclared nuclear reactor until it was bombed by Israeli planes in September 2007.

"The agency expects Syria to provide additional information and supporting documentation about the past use and nature of the building at the Dair Alzour site," ElBaradei said. Syria must also provide access to additional related sites, the IAEA chief said.

"Such access, together with the sampling of the destroyed and salvaged equipment and debris, is essential for the agency to complete its assessment," he said.

Earlier Iran on Monday reiterated its denial that it is seeking to make a nuclear bomb, after top US military commander Admiral Mike Mullen alleged that Tehran has enough fissile material to build such a weapon.

Millions warned as Australia braces for fire threat

AFP, Melbourne

Australia braced Monday for the worst conditions since firefighters killed 210 people last month, prompting authorities to send warning text messages to the mobile phones of five million people.

The unprecedented move comes after criticism that warnings ahead of the devastating blazes that hit on February 7 were insufficient, leaving residents inadequately prepared.

With firefighters facing a potentially lethal mix of flames, heat and winds approaching 150 kilometres (93 miles) an hour on Tuesday, Victorian Premier John Brumby said he wanted to ensure warnings reached as wide an audience as possible.

Afghan war unwinnable, says Canadian PM

INDO-ASIAN NEWS SERVICE, Toronto

Canada, the major US ally in the war in Afghanistan, said Sunday that the war against the Taliban insurgents in Afghanistan cannot be won.

In an interview with CNN, Prime Minister Stephen Harper said: "We are not going to ever defeat the insurgency."

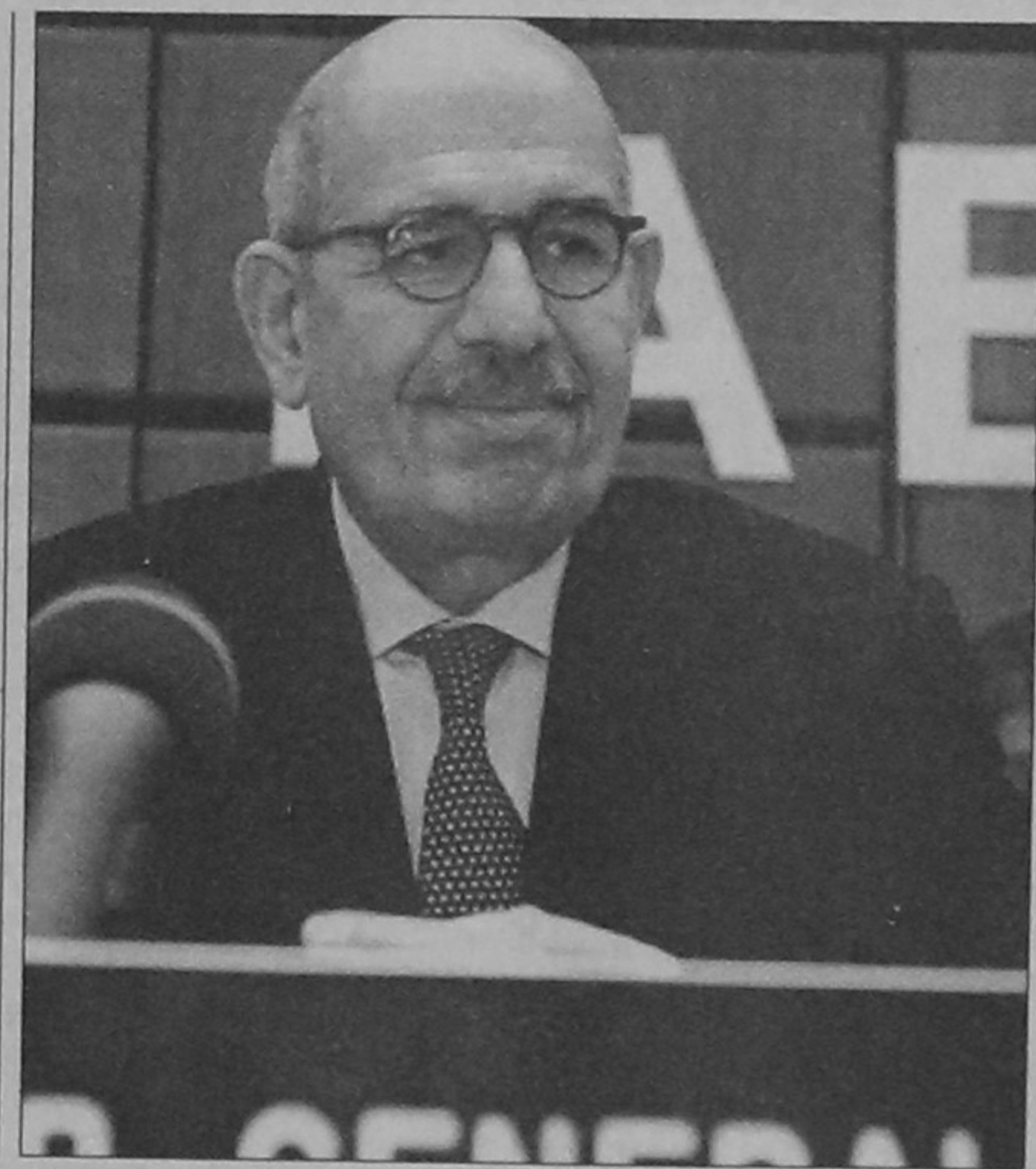
Harper, who has resisted pressure from the US to reconsider his deadline for withdrawal from Afghanistan by December 2011, said: "My reading of Afghan history is that it is probably had an insurgency forever, of some kind."

The most the Nato-led forces can accomplish, he said, is "to have an Afghan government that is capable of managing that insurgency and improving its own governance".

With Obama planning to send 30,000 more troops to Afghanistan soon, the Canadian prime minister said the US government must work out an exit plan for Afghanistan before asking for additional troops from its allies. He said he could comment on whether Canada would reconsider its proposed withdrawal from Afghanistan only after hearing 'strategy...for an eventual departure' by the US.

Canada has more than 2,500 troops fighting the insurgents in Kandahar province of Afghanistan.

With more than 100 of their troops killed by the Taliban insurgents, most Canadians are not in favour of the country's presence in Afghanistan. Last year the nation's parliament set the December 2011 deadline to pull out of Afghanistan.



The director-general of the International Atomic Energy Agency (IAEA), Mohamed ElBaradei, attends the opening of the agency's first meeting in Vienna yesterday since the change of president in the United States.

50 laid to rest

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was held with state ceremonies at the National Parade Square.

The president, the deputy speaker, ministers, MPs, chiefs of the three services, bereaved families, serving and retired army officials and general people in thousands joined the janaza prayers.

As coffins of the army officers and two others were carried to the Parade Square in a convoy amid 21 gun salutes at 10:15am and kept under a shed in lines, their family members broke down in tears.

Khatib of the Army Central Mosque at Dhaka Cantonment Md Mahmud Haque led the janaza.

President Zillur Rahman and chiefs of the three services then placed wreaths on the coffins.

Prime Minister Sheikh Hasina's military secretary placed wreaths on behalf of her.

Three fighter jets of the air force flew past in salute to the martyrs.

Bodies of 42 of them were

then taken to the army graveyard in a convoy and laid to rest at about noon. Bodies of the other eight were sent to their village homes.

At the army graveyard, a pall of gloom descended as members of the grieving families and many others burst into tears while the coffins were being lowered into the graves. Army officials present there also could not hold back tears.

The martyrs are BDR chief Maj Gen Shakil Ahmed, his wife Nazneen Shakil, Brig Gen Abdul Bari, Brig Gen Zakir Hossain, Col Mujibul Haque, Col Anisuzzaman, Col Mohammad Mashur Rahman, Col Kudrat Elahi Rahman Shafiq, Col Mohammad Akhtar Hossain, Col Rezaul Kabir, Col Nafiz Uddin Ahmed, Col Kazi Emdadul Haq, Col Samsul Arefin Ahammed, Col Mohammad Nakibur Rahman, Col Kazi Moazzem Hossain, Col Md Shawkat Imam, Col Mohammad Emdadul Islam, Col Md

Aftabul Islam, Lt Col Enshad Ibn Amin, Lt Col Enayetul Haque, Lt Col Golam Kibria, Lt Col Shamsul Azam, Lt Col Md Badrul Huda, Lt Col Md Saiful Islam, Lt Col Md Lutfar Rahman, Lt Col Mohammad Sajjadur Rahman, Lt Col Kazi Rabi Rahman, Lt Col Lutfar Rahman Khan, Maj Mizanur Rahman, Maj Mahbubur Rahman, Maj Md Makbul Hossain, Maj Md Abdus Salam Khan, Maj Hossain Sohel Shahnewaj, Maj Kazi Mosaddek Hossain, Major Mohammad Saleh, Maj Mahmud Hasan, Maj Mustak Mahmud, Maj Mahmudul Hasan, Maj Humayun Haider, Maj Md Azharul Islam, Maj Md Humayun Kabir Sarkar, Maj Md Khalid Hossain, Maj Mohammad Maksud-ul-Hakim, Maj Syed Md Idris Iqbal, Maj Md Rafiqul Islam, Maj Muhammad Mosharaf Hossain, Maj Mohammad Mominul Islam Sarkar, Maj Mostafa Asaduzzaman and Maj SM Mamunur Rahman, and soldier Zahurul Islam.

Govt asked to restore

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The judges are justices Md Abdus Salam, Md Mamtazuddin Ahmed, Md Shamsul Huda, Faruque Ahmed, Hasan Foez Siddique, Md Abdul Hye, Md Abdur Razzaque, Marzi-ul-Huq, Md Nizamul Huq and AHM Shamsuddin Chowdhury.

The lawyers on both sides of the case expressed satisfaction with the SC judgement and said there is no legal bar to reappointing them now.

One of the 10 judges told The Daily Star they would join their offices after the government gives them appointment in light of the latest verdict.

He added four of their contemporary colleagues, who were also not confirmed and did not opt for legal battle, can get the benefit from yesterday's verdict and be reappointed.

The five-member full bench of the Appellate Division headed by Chief Justice MM Ruhul Amin yesterday morning delivered the

judgement with a four-point guideline. The bench also disposed of all the four leave to appeals filed by 29 sitting HC judges and the then caretaker government against the HC verdict.

The bench observed: "In the matter of appointment of judges under Article 98 and 95 of the Constitution the convention of consultation having been recognised and acted upon has matured into constitutional convention and is now a constitutional imperative."

Such consultation is inherent in our constitutional scheme and is ingrained in the principle of independence of the judiciary being essentially the basic structure of our Constitution in the principle of rule of law, it added.

According to the observation, "In the matter of selection of judges the opinion of the chief justice should be dominant in the area of legal acumen and suitability for the appointment and in the area of anteced-

ents the opinion of the executive should be dominant. Together, the two should function to find out the most suitable candidates available for appointment through a transparent process of consultation."

Oath under Article 98 and 95 of the Constitution is separate and distinct and is required to be administered and made before one enters upon an office and a judge will be deemed to have entered upon the office immediately after he makes the oath and not before, in both cases, it said.

Dr Kamal Hossain and barrister Rokanuddin Mahmud, counsels for the 10 judges, told news persons their clients can discharge judicial functions as regular judges of the HC now.

It has been recognised through the apex court judgement that the recommendations of the chief justice in appointing the judges is a constitutional convention and it will have to be followed in the appointments of judges

in future, Kamal said.

Advocate TH Khan and barrister Moudud Ahmed, counsels for 29 litigant HC judges, said the SC did not allow seniority to the 10 judges as their clients challenged the HC verdict regarding that.

They also said the present government could have given fresh appointments to them excluding the seniority without moving to the SC.

A three-member special bench of the HC on July 17 last year, upon a writ filed by advocate Idrisur Rahman on behalf of the 10 HC judges, declared illegal and unconstitutional the BNP-led government's not confirming the services of the judges and directed the then caretaker government to reappoint them with seniority.

The caretaker government and 29 HC judges filed four separate leave to appeals with the SC against the HC verdict. Attorney General Mahubey Alam has recently prayed to the court to withdraw the government appeals,

7 bills placed in JS

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The ordinances promulgated by the immediate past caretaker government on the matters ceased to have effect on February 25, as those were not ratified in parliament within the timeframe as per the constitution.

Amid such circumstances, a total of seven bills were placed yesterday to keep in force the actions begun under the now defunct ordinances with retrospective effect from the date of their promulgation.

Meanwhile, BNP-led opposition lawmakers yesterday walked out of the House for not broadcasting the speech of the Leader of the Opposition Khaleda Zia live on Sunday on obituary reference over the deaths of army officers.

Post and Telecommunications Minister Raziuddin Ahmed Razu and Civil Aviation Minister GM Quader placed the bills to ensure smooth functioning of Bangladesh Biman, BTB and Bangladesh Sub-Marine Cable Company Limited (BSCCL) as public limited companies (PLCs).

By promulgating the ordinances, the caretaker government led by Fakhruddin Ahmed turned the state run organisations -- Biman and BTB and Dhaka Electricity

Supply Authority (DESA) -- into PLCs and also set up a new PLC named Bangladesh Sub-Marine Cable Company Limited (BSCCL).

Earlier the state minister for power, energy and mineral resources placed a bill seeking to enact a law for continuation of activities of DESA as a PLC and the bill is now with the parliamentary standing committee of the respective ministry for scrutiny.

Law Minister Shafique Ahmed placed three bills titled the Code of Criminal Procedure (amendment) Bill 2009, Human Rights Commission Bill 2009 and the Supreme Court Judges (remuneration and privileges) (amendment) Bill 2009.

IGRD and Cooperative Minister Syed Ashrafur Islam placed the Gram Sarkar (repeal) Bill 2009. The Supreme Court has already declared the Gram Sarkar Act 2003 unconstitutional and the caretaker government also repealed the act in an ordinance. The bill sought enactment of the ordinance that repealed the Gram Sarkar Act, enacted by the past BNP-led alliance government.

Commerce Minister Lt. Col (ret'd) Faruk Khan placed the Consumers' Rights Protection

Bill 2009 to ensure transparency in selling, distribution and hoarding of essential commodities to save consumers from unscrupulous traders.

All the seven bills were sent to the parliamentary standing committees of respective ministries concerned to place reports in parliament on scrutiny. WALKOUT Opposition lawmakers walked out of the House for not broadcasting the speech of the Leader of the Opposition Khaleda Zia live on Sunday on obituary reference over the deaths of army officers.

After the question-answer session ended Opposition Chief Whip Zainul Abidin Faruque took the floor and said the state-run BTV broadcast the speech of Prime Minister Sheikh Hasina live but it did otherwise in case of Khaleda Zia.

The oath-taking ceremony of the opposition lawmakers on January 15 also did not go live on the BTV, Zainul told the House.

"The speaker admonished the BTV for not broadcasting the oath-taking ceremony but still they did not bother to pay heed to the speaker's warn, Zainul said.

As soon as his speech was over the opposition members of parliament (MP) staged the walkout.

As the opposition MPs stormed out of the Jatiya Sangsad Chief Whip Abdus Shahid castigated them for the walkout.

The opposition lawmakers, however, returned to the parliamentary proceedings after Magrib break.

Khaleda Zia was not present in the House yesterday. KHALEDA CONDEMNS GOVT

Opposition leader Khaleda Zia has strongly condemned the government's "narrow mentality" manifested by its stopping broadcast live of her speech in parliament by the state-owned BTV Sunday night.

She told newsmen at her Gulshan office last night that it proved that the government wants to make parliament dysfunctional and hamper democracy.

She said by preventing telecast of her speech the government exposed the weakness that it had no logic to refute the points she raised on the tragic and barbaric killing of Army officers in BDR headquarters.