



Supporters of Pakistan's Chief Justice Iftikhar Muhammad Chaudhry arrive to attend the flag raising ceremony in Islamabad yesterday. Chaudhry took the charge as chief justice, cheered by hundreds of triumphant supporters 16 months after his surprise ouster threw the nation into chaos.

Pak CJ at centre of turmoil back at work

AP, Islamabad

Pakistan's top judge resumed his post at the Supreme Court yesterday following two years of political turmoil over his ouster in the al-Qaeda-threatened, US-allied country. Hundreds of lawyers and activists who have agitated for Iftikhar Mohammed Chaudhry's return gathered outside the judge's home for a ceremonial flag-raising. They carried balloons and threw rose petals, while bagpipers played. "It is a day of victory for the people of Pakistan," lawyer leader Aitzaz Ahsan said before the Pakistani and Supreme Court flags were raised after a rendition of the national anthem. Lawyers said they had asked that no political party flags be brought to avoid making the justice appear politicised, though many of the activists shouted slogans in support of opposition leader Nawaz Sharif and against former President Pervez Musharraf. Chaudhry

was not expected to make an appearance.

The top judge tackled routine duties Sunday such as approving panels of jurists and dates for hearings in criminal and civil cases, according to a press release from the court. He was formally back in office after midnight following the Saturday retirement of the chief justice who had replaced him.

Musharraf deposed Chaudhry in 2007 after the independent-minded judge began examining cases that could have embarrassed the military ruler and threatened his claim to office.

The justice's firing sparked a wave of lawyer-led protests that helped force Musharraf to allow elections that brought his foes to power. Musharraf resigned last summer.

His successor, Asif Ali Zardari, promised to restore the chief justice but kept stalling, apparently over fears that Chaudhry would examine a deal that granted him immunity from prosecution over corruption claims.

NC rejects Prachanda's offer to join govt

PTI, Kathmandu

Striking a conciliatory note, Nepalese Premier Prachanda has asked the opposition NC to join the Maoists-led government, an offer spurned by the party saying accepting it would be "suicidal".

Nepali Congress (NC) spokesman Arjun Narsingh Khatri Chhetri said joining the government in the present circumstances is not possible. "Nepali Congress has already decided not to join the Maoist government and we cannot change the decision in the present circumstances," Chhetri said.

"To join the government would be suicidal," he said. Chhetri also added that the government has destroyed the entire bureaucratic structure, demoralised the army and politicised the whole government institutions.

"In such a situation, we can't join the government just to become a mute spectator to such bullish and authoritarian acts of the Maoists," he said.

No US-Nato force on Pak soil for curbing terror breeding grounds

Says Holbrooke

ANI, Brussels

Raising serious concerns over the terror safe havens in Pakistan, which are being utilised by different terror outfits to carry out their activities across the world, the US's Special Representative to Afghanistan and Pakistan Richard Holbrooke has said that Pakistan itself should act to tackle this menace.

Holbrooke denied that the US or Nato forces would march in to Pakistani territory from the Afghan side to take-up the issue.

"The heart of the problem for the West is in western Pakistan. But there are not going to be US or Nato troops on the ground in Pakistan," Holbrooke said, adding: "There is a red line for the government of Pakistan and one which we must respect."

Addressing the Brussels Forum Conference ahead of his scheduled meeting with the European Union (EU) and Nato officials here, Holbrooke said the Obama Administration has asked all countries to train more and more Afghan security personnel to establish peace in the country. "The Afghan national police are an inadequate organisation riddled with corruption. We know they are the weak link in the security chain, so we have to figure out a way to increase the size and make them better at the same time," The Daily Times quoted Holbrooke, as saying.

He also expressed concern over the increasing opium trade in Afghanistan which has emerged as the major source of financial funding for the extremists, while announcing a revamped US policy to combat the issue.

Need to resolve Kashmir to focus on terror

Says Gilani to Panetta

PTI, Islamabad

Pakistan Prime Minister Yousuf Raza Gilani today underscored the need for an early resolution of the "core issue of Kashmir" with India to allow Islamabad to concentrate on eradicating extremism and terrorism.

During a meeting with visiting US Central Intelligence Agency Director Leon Panetta, Gilani briefed him on Pakistan's campaign against terrorism and its quest for peaceful relation with all its neighbours, particularly India and Afghanistan.

Gilani "underscored the importance of an early resolution of the core issue of Kashmir to enable Pakistan to singularly focus its attention on eradicating the menaces of extremism and terrorism," said an official statement. Gilani also briefed Panetta about the cooperation offered by Pakistan to India to bring the perpetrators of the Mumbai attacks to justice.

LTTE offers fresh talks without precondition

Govt says lay down arms first

PTI, AFP, Colombo

After being pushed to a small strip of land, the beleaguered LTTE has offered fresh talks without pre-conditions but the Sri Lankan government snubbed the proposal, asking the Tamil Tigers to lay down arms first.

Balasingham Nadesan, the political head of the rebels, has again called for an urgent ceasefire, saying the Tigers would enter negotiations with the government "without pre-conditions", The Sunday Times reported today.

"We call for a ceasefire, loudly and clearly," he told the newspaper in an interview. "Continuous denial of humanitarian access to the civilian population, and non-stop artillery and aerial attacks, are creating an unbearable situation," Nadesan said.

The daily bombing and shelling was described by Nadesan as "genocidal warfare". The government, however, said it has received no such proposal till now and stick to its position that it was committed to eliminate terrorism from the country and ending the 25-year-old protracted conflict.

"We have not got any specific details of Nadesan's interview (to the Sunday Times of Britain) and our stated policy has been the LTTE should lay down arms before coming for

negotiations," a senior Sri Lankan official told PTI. After suffering heavy defeat and casualties, the LTTE in recent months has called for ceasefire on several occasions but the government rejected every time.

Meanwhile, nearly 1,200 civilians have fled fierce fighting in northern Sri Lanka as government troops capture more territory from Tamil Tiger separatists, the military said yesterday.

About 1,055 of the civilians, including 380 children, reached military-held areas over the last 24 hours near Puthukkudiyirippu, where battles between government troops and the rebels have been raging for weeks, military spokesman Udaya Nanayakkara said.

Puthukkudiyirippu is the last town held by the rebels, fighting since 1983 for a separate Tamil state in the island's north and east.

Another 108 civilians fled the war zone by boat from the northeastern coast and reached safety further north on the Jaffna peninsula Saturday afternoon.

Troops are pushing into the last major block of Tiger-held land from three angles, and a military statement said Sunday they had captured another small junction.

Independent accounts of the fighting are not possible because access to the war zone is restricted.

Rights abuses threaten Nepal peace: UN

AFP, Kathmandu

A visiting senior UN official warned Nepal yesterday that the country's peace process could be derailed by the failure to bring to justice those guilty of widespread and continuing human rights abuses.

Former rebel Maoists who waged a bloody civil war for a decade now rule Nepal after a peace deal in 2006 and their election victory last year.

But serious human rights abuses -- including abduction, torture and murder -- that were committed by both the security forces and the Maoists during the civil war, continue to plague the country, rights groups say.

"The demands of victims' families are not mere wishes; they are supported by law," United Nations' High Commissioner for Human Rights Navanethem Pillay told reporters at the end of her five-day visit to the Himalayan nation.

"Until these demands for justice are fulfilled and accountability for past, and in particular ongoing violations, is ensured, a truly new Nepal will not emerge, and indeed, the peace process could be jeopardised," she said.



United Nations Human Rights commissioner Navi Pillay gestures as she addresses a press conference in Kathmandu yesterday. Pillay warned that the country's peace process could be derailed by the failure to bring to justice those guilty of widespread and continuing human rights abuses.

EC decides not to contest writ petition

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When The Daily Star contacted Election Commissioner Muhammed Sohul Hussain over telephone Wednesday, he confirmed the EC's decision.

"We will abide by the court's decision," he said.

Amid widespread objections raised by different political parties and rights organisations, the EC registered Jamaat, an anti-liberation force, as a parliamentary party on November 4 last year, which allowed the party to contest in the ninth parliamentary elections.

The EC had then ignored a number of recommendations made by a technical committee formed by the EC itself to look into parties' constitutions and determine whether those conform to the criteria set by laws for registration, officials in the EC Secretariat said.

The EC, however, ignored the recommendations of the technical committee and let Jamaat register with the EC

following the "doctrine of necessity". This was done to ensure participation of BNP-Jamaat alliance in the ninth parliamentary elections held in December, EC officials claimed.

"BNP might not have contested the ninth parliamentary elections if Jamaat was not allowed to get registered, which is mandatory for a party to contest the polls," a senior official in the EC Secretariat said.

Looking into Jamaat's revised constitution, the technical committee found a number of provisions that do not conform with the registration criteria. It found that section-5(3) of Jamaat's charter, which urges to end all types of repressions, injustice by establishing rule of Islamic justice and rule of honest people through organised efforts, does not exactly conform with the country's constitution.

The preamble of the country's constitution reads: "...it shall be a fundamental aim of

the state to realise through democratic process a socialist society, free from exploitation--a society in which the rule of law, fundamental human rights and freedom, equality and justice, political, economic and social, will be secured for all citizens."

The committee also found section-2(5) of the Jamaat charter as going against the country's constitution. The provision undermines the plenary power of the parliament, guaranteed by the country's constitution, to make laws. Jamaat's charter says people should not accept any one except Allah as the absolute law making authority.

It also found section-6(4) and -3(1) of Jamaat's charter to be against the country's constitution as the section deals with establishing the rule of Islamic justice.

Facing objections, Jamaat brought amendment to its charter again and accepted the parliament's plenary power to make laws but it did not bring

any changes to other provisions. At that stage, the EC accepted Jamaat's constitution and let it get registered as a parliamentary political party.

Bangladesh Tarikat Federation's Secretary General Rezaul Haque Chandpuri and 24 others on January 25 this year filed a writ petition with the HC challenging the registration of Jamaat as a parliamentary political party.

The petitioners said the constitution of Jamaat contains a number of provisions that go against the country's constitution and the registration criteria set by the Representation of the People Order (RPO).

The Jamaat charter does not allow any non-Muslims or women to hold the position of ameer in the party, which also go against the registration criteria and against the country's constitution that disallows sex, religion or cast discrimination.

Responding to the petition, an HC Division Bench compris-

ing Justice ABM Khairul Haque and Justice Md Abdul Hye issued a rule on January 27 upon the EC Secretary, the Jamaat-e-Islami chief and secretary general to explain as to why the registration of it as a political party should not be declared illegal and against the country's constitution.

The court asked them to respond before March 9.

Jamaat has yet to respond.

Contacted by The Daily Star on Wednesday over telephone Abdur Razzak, assistant secretary general of Jamaat, said they would respond to the rule once the date for hearing of the case is fixed.

The Jamaat leader said they are yet to prepare for their response to the rule. He said they did not communicate with the EC.

"I heard that the Commission would contest the case," he added.

61pc driving licences

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Seventy-four percent owners said they were harassed while getting route permits and 75 percent of them had to give Tk 100-20,000 bribe for it. Political influence is also used to get route permits of the public service buses.

The report says 69 percent owners bribed Tk 1,000-20,000 to collect documents for changing ownership of their motor vehicles and Tk 100-10,000 to get fitness certificates without getting the vehicles checked.

Rezaul Karim said, "In metropolitan areas, police take up to Tk 3,000 a month in extortion while they take Tk 300-400 per trip from vehicles of long routes leaving metropolitan cities."

The report notes that after accidents, police filed cases only against 21.43 percent vehicle owners and of those cases 60 percent were settled through bribing Tk 200-50,000 to police, who extort money from drivers both of short and long distance vehicles almost on all highways.

On road transport owners and labour organisations, the report says there is no transparency within these associations, which control terminals and extort money from all motor vehicles. They even use influence and force to get services from the BRTA.

Owners and trade union associations also extort Tk 500-1,000 monthly from motor vehicles when they enter district and divisional towns and intersections. For setting up counters on the routes of short distance bus services, new operators have to bribe the owners' association Tk 10,000-50,000.

The issue of extortion is directly linked to the excessive transport fare people have to pay, Rezaul said.

The research observes that the motor vehicle regulations are seriously hampered because of limitations in the laws and lack of accountability and supervision of BRTA officials and employees. The offi-

cials have to spend 90 percent time for clients' services, meaning they have little time to regulate motor vehicles.

The TIB suggested formation of a high-powered committee to identify the challenges in the transport sector, punish corrupt officials, formulate a moral code of conduct for BRTA officials, introduce online services and digital driving licence, and make accountable all stakeholders concerned.

The communications minister said, "We have already gone through the report and decided to bring institutional reforms to BRTA."

TIB Chairman Prof Muzaffer Ahmad said, "We will extend any help possible to minimise corruption."

Communications Secretary ASM Ali Kabir, BRTA Chairman Qamrul Hasan, lawmaker Shahjahan Khan, BRTA officials, transport owners and labour leaders were present at the programme moderated by the TIB executive director.

Separation of judiciary

FROM PAGE 1

the separation of judiciary from executive, as the immediate-past caretaker government officially announced separation of judiciary on November 1, 2007.

The court adjourned hearing of the case until May 12 and asked the government to convey the court by this period the progress in implementing the recommendations of the judicial service pay commission for enhancing facilities of judicial officials.

The parliamentary standing committee on the law ministry on Thursday recommended that the House allow the government discretion to empower the executive magistrates to take cognisance of offences for trial.

While talking to newsmen later yesterday, Amir-Ul-

Islam said when the magistrates place any person on remand or send them to jail after arrest in any case, those actions will be considered as judicial decisions.

The executive magistrates cannot take such judicial decision as per the SC directives in the case of separation of judiciary, he said.

He, however, said if the government passes any law providing judicial powers to executive magistrates, the SC can examine it and pass order.

During the hearing of the case, Attorney General Mahbub Alam informed the apex court that the government arranged vehicles for the judicial magistrates functioning in 19 districts in the country as per the court's earlier directives.

In another development,

the High Court (HC) yesterday upon a government's time prayer fixed April 20 for hearing its suo moto rule asking it (government) to explain under which legal authority judicial magistrates are functioning after February 24, as the Criminal Procedure Code (CrPC) (amendment) Ordinance separating the judiciary expired on February 24.

Mustafa Zaman Islam, deputy attorney general (DAG) concerned, yesterday told The Daily Star that the government sought time from the HC bench of Justice ABM Khairul Haque and Justice Md Abdul Hye for submitting the reply to the rule.

He said that the attorney general's office was preparing the reply to the HC rule issued on March 11.

UK hotels vulnerable to Mumbai-style attacks

Say security services

PTI, London

Days before world leaders including Prime Minister Manmohan Singh arrive here for the G-20 summit, security officials said the event posed an "unprecedented" challenge and the threat of Mumbai-style terror attacks on luxury hotels in Britain is at the "severe end of severe".

US President Barack Obama is among top leaders expected to attend the summit.

As environment groups and thousands of protesters attempt to bring London to a standstill during the summit on April 2 and 3, the Metropolitan police said the event will present an "unprecedented" challenge. Security officials believe the threat of Mumbai-style attacks was at the "severe end of severe".

NEWS ANALYSIS

'Third Front' off to rocky start

AFP, New Delhi

With a month to go before Indian elections, the "Third Front," launched amid much fanfare to challenge the two main political parties, has got off to a rocky start.

The rag-tag grouping of nine left-leaning and regional parties has tried to sell itself as a viable alternative to the ruling Congress Party and opposition Hindu nationalist Bharatiya Janata Party (BJP) in the run-up to the general elections to be staged from April 16 to May 13.

On paper they seem a disparate group, but they say they are a "democratic, secular and left-wing" bloc united by their desire to elbow aside India's two traditional parties, which they accuse of failing to tackle such issues as unemployment and food shortages.

Despite attracting a crowd of around 200,000 people at a rally this month, observers have poured cold water over the idea that the ad hoc alliance can stick together -- either before or after the election.

"This is a replay of the 1990s," said

Subhash Agrawal, political analyst and editor of India Focus magazine, referring to the anti-BJP and anti-Congress alliances that take shape every election year.

He said poor planning and inflated egos were likely to prevent the Third Front from ever forming a government.

"These people don't even want to campaign with each other sometimes," he added.

Deve Gowda, a former premier, has spearheaded the loose-knit coalition, whose most prominent parties are the Communist Party of India-Marxist (CPI-M), the Telugu Desam Party (TDP) and the All India Anna Dravida Munnetra Kazhagam (AIADMK) representing the states of Andhra Pradesh and Tamil Nadu respectively.

Gowda led one of the few non-Congress and non-BJP governments as prime minister in 1996, but his tenure lasted less than a year.

The lack of a common platform or ideology means such pre-poll alliances have crumbled once results are announced, leaving them to act as best as a spoiler to Congress and BJP hopes and

instead prop up larger parties, analysts say. At a recent dinner for Third Front leaders held by Mayawati Kumari, the firebrand leader of India's low-caste Dalits, who leads the Bahujan Samaj Party (BSP), party representatives did their best to project a united front.

Mayawati, the chief minister of India's most populous state, Uttar Pradesh, which also holds the most seats in parliament, has flirted with the idea of joining the coalition but insisted the BSP will contest elections on its own.

Her party could bring in as many as 40 seats. But even if the fragile grouping defies all expectations and makes a strong showing, it is not fielding candidates in enough constituencies to grab the 273 seats needed to form a majority government.

Parsa Venkateswar Rao, political columnist with the Daily News and Analysis newspaper, says the Third Front parties will adopt an approach of "sheer pragmatism" toward government formation.

"That's why they're saying we'll make the necessary alliances only after the election," he said.