

Bangabandhu

FROM PAGE 1
was made available yesterday after a month of delivering the verdict by the bench in an open court headed by Justice Md Tafazzul Islam, who has recently been appointed as the chief justice.

"I find the accused including the appellants in a planned manner committed the heinous crime with their knowledge of the consequences. And therefore, they do not deserve any special sympathy in awarding the sentence," commented the senior-most judge of the bench Justice Tafazzul Islam, who has recently been appointed as the chief justice.

On November 19, the Appellate Division upheld the death sentence to a dozen killers earlier handed down by the High Court. The verdict removed the darkness that had hung over the nation for 34 years following the heinous assassination of Bangabandhu and his wife, two daughters-in-law, three sons including 10-year-old Sheikh Russell and a brother on August 15, 1975.

That day the court gave a "short order" dismissing the appeal petitions of five convicts against the third judgment of the High Court that gave capital punishment to them and seven others.

The court now finalised its full judgment where three judges of the five-member bench -- Justice Aziz, Justice Md Muzammel Hossain and Justice SK Sinha -- gave their own observations besides agreeing with the judgment and order of Justice Tafazzul, who has written 134 pages of the total judgment as the author judge.

The other member of the bench, Justice BK Das, did not make any separate observation but agreed with the judgment and order of the author judge.

Justice Md Muzammel Hossain in his observation said, "It is a pity that the surviving family members of Bangabandhu Sheikh Mujibur Rahman and the nation, as a whole, had to wait for about long 34 years to get justice by disposing of the criminal case of the gruesome murders."

He said after the killing of Bangabandhu the then government of Khandaker Moshataque Ahmed promulgated the Indemnity Ordinance, 1975 and the subsequent governments took some other steps to stop initiation of any criminal case in respect of the gruesome murders of August 15.

"Having gone through the evidence of the witnesses and the materials on record, we have been shocked to notice that the then government of Khandaker Moshataque Ahmed and the subsequent governments, who were the beneficiaries of the 1975 killings, to the utter surprise and dismay of the nation as a whole and the civilised society of the world rewarded the murderers of the 15th August, 1975," Justice Muzammel observed.

"Being dismissed army officers, the convicts were illegally appointed in the government service and subsequently absorbed permanently in the Ministry of Foreign Affairs for employment in various Bangladesh missions abroad. This undermined the constitutional process and fundamental human rights, conscience of the people and the ideals of the martyred freedom fighters who sacrificed their lives for independence of the country," he continued.

Justice Muzammel added, "It is unfortunate to note that some of those accused according to the prosecution were self-proclaimed killers and subsequently they were also promoted to higher posts and some of them were posted as diplomats in Bangladesh missions in various countries."

"We totally disapprove the aforesaid conduct, behaviour, mentalities and activities of the governments who were in power at the relevant time. We hope that these undesirable activities which are shocking to the conscience of the nation should not be repeated by any future government. We earnestly hope and believe that rule of law, fundamental human rights, democratic institution, and above all, constitutional supremacy should prevail in this country," Justice Muzammel said in his observation.

Justice Aziz observed, "We are shockingly in dearth of proper words to deprecate, condemn, disapprove and denounce such treacherous, immoral and unauthorised activities of the beneficiary governments and their misuse of government machineries."

"No bereaved family should be deprived of their right to get justice, nor should they move with pain, agony and humiliation seeking justice for decades against government obstruction under the blanket of black law. Nor any learned judge should feel embarrassed beyond their code of conduct to dispense justice being faithful to our oath, out of fear and favour."

"Such activities of the government are highly irresponsible, regrettable, disgraceful and shameful not only to the nation but also to the civilised community of the world and lowered down the image of the country internationally. We like to hope resolutely and believe that no longer the learned judges will indulge to repeat their tarnishing role or such heinous and nefarious acts at the government level using government power, authority and legislation will repeat."

"We have high respect in the people of this country who always held high against all odds the spirit of democracy and pursued through pain and hardship to restore and retain democratic rights and culture through democratic government. We believe that the people will continue their role as vanguard of democracy to make the government accountable," Justice Aziz added.

Justice SK Sinha in his observation said, "The accused persons brutally killed such a leader who is none but the father of the nation. They even did not spare the child son of the president who was below 10 years old. They killed him in such a brutal manner the nation was shocked and dumbfounded."

"There was no explanation why they killed the three women. They committed the crime against humanity by killing a child and three innocent women who were unarmed. They eliminated almost the entire family who were found in the house. There is no explanation on the side of the accused as to why they killed these innocent persons. The acts of the accused were so barbarous which could only be compared with orgies," Justice Sinha continued.

"The accused persons by their barbarous act proved that the objective of the conspiracy was not to oust the president from power, but their objective was to eliminate the entire family. And it was an act of exceptional depravity on the part of the accused persons, an unparalleled act in the annals of crime committed in the country."

Justice Aziz meanwhile said, "Murder of innocent unarmed men and women and children is the greatest sin in Islam and also in all other religions and a great crime against civilisation and mankind."

"In Islam, death is the only punishment for murder. Similar punishment has also been provided in all other religions and under criminal law with exception to transportation for life in some circumstances."

THE CONVICTS
Of the 12 convicts, Lt Col Syed Farooq Rahman, Lt Col Sultan Shahrar Rashid Khan, Maj Bazul Huda, Maj (Lancer) AKM Mohiuddin Ahmed and Lt Col (Artillery) Mohiuddin Ahmed, who appealed with the Supreme Court against the High Court verdict, are now behind bars.

On the other hand, Lt Col Khandaker Abdur Rashid, Lt Col Shariful Haque Dalim, Lt Col SHMB Nur Chowdhury, Lt Col AM Rashid Chowdhury, Capt Abdul Mazed and Risaldar Mosleuddin Khan are on the run.

The other convict Lt Col Abdul Aziz Pasha died in Zimbabwe in June 2001 where he had taken political asylum.

JMB
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He briefed the newsmen about the arrest of five members of JMB, which made a number of attacks that left 71 people dead and 582 others injured since the JMB's clandestine activities began in the country.

Rab in an anti-militant drive from 6:30pm on Saturday to 5:30am yesterday held the five JMB men from Mymensingh, Narsingdi and Jhenidah districts.

The Rab ADG said JMB activities have almost come to a halt as its command system has been almost broken down and limited to only invitational programmes.

He also said JMB's capability to carry out any subversive activity has been diminished to a great extent.

Replying to a question, Col Mizan, however, said JMB is trying to reorganise again through invitational activities. "Since JMB is trying to regroup again, we are launching drive against them and nabbing them," he said.

About the present JMB Chief Moulana Saidur Rahman, the Rab ADG said they are closing in on Saidur but yet to arrest him as he shift his shelter quite frequently.

Of the five JMB men, Ehsar (fulltime) members Harmuz Ali alias Asgar Ali and Mohammad Yusuf were arrested in Mymensingh and Narsingdi respectively.

Gayeri ehsar (part-time) members Abu Raihan bin Sadek, Mohammad Hossain and Mohammad Kawsar Jinnuraine alias Laltu were held from Mymensingh, Narsingdi and Jhenidah respectively.

The Rab also recovered 20 books on jihad, 50 CDs, four cellphones, three lethal weapons and some bomb-making materials during the drive.

The arrestees in helmets were paraded at the press conference.

The Rab ADG said since 2005 they have arrested 12 majlis-e-shura (highest policy-making body) members, 44 ehsar, 22 gayeri ehsar members and 90 JMB activists.

AL amends

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Secretary Mrinal Kanti Das turned in the letter signed by AL General Secretary Syed Ashrafur Islam.

Last year, the party made a number of provisional changes to its constitution to meet the RPO-stipulated criteria for registration with the EC and contest the general election.

Those changes, which made Bangladesh Chhatra League and Sramik League cease to be AL's associated bodies, were ratified at the party's national council on July 24.

But in a letter to AL on November 22, the EC said a few provisions still ran counter to the RPO and the party must amend those.

Asked if the party chief can amend the constitution, Mrinal Kanti said the July 24 council had empowered her to bring necessary amendments.

"The latest changes have been brought in exercise of that power and in consultation with the party leaders," he added.

He was talking to reporters at the EC Secretariat after submitting the letter.

Queried whether AL had included any provision in its constitution authorising its president to amend the charter, Mrinal claimed the charter already had a provision to that end.

Legal analysts however say the AL constitution does not have any such provision. It empowers the party chief only to give ruling if any of its section should require explanation.

Besides, the amendments approved at the July 24 national council too did not include any proposals authorising the party president to amend its constitution.

One of the two provisions in question had it that Swadhinata Chikitsak Parishad, an organisation of pro-AL doctors, is an associated body of the ruling party.

The other one allowed the expatriate Bangladeshis to form organisations keeping trust in AL's aims, objectives, ideals and policies" and following laws of the country concerned.

The amendment has crossed out the words "aims, objectives and policies" from the provision on foreign chapters, which now says Bangladeshis living abroad temporarily or permanently can organise on the basis of AL's ideals and in line with the laws of the country concerned.

Mrinal said they hope the EC would now accept their party charter as it fully conforms to the RPO.

Mumbai style

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here some 12 days ago."

He warned that the big business houses having their base in major locations of the city may be targeted in a shooting and hostage-taking raid "involving a small number of gunmen with handguns and improvised explosive devices," similar to that what happened in Mumbai in November 2008, when 10 armed gunmen stormed India's financial capital and killed 174 people and wounded over 300 in a brazen strike spread over three days.

The warning, probably the bluntest issued by police, has underlined an assessment that a terrorist cell may be preparing an attack on London early next year, The Times reports.

"Before, there has been speculation. Now we are getting what appears to be a definite plot to carry out a firearms attack on London," the official said.

It is pertinent to mention here that earlier this year, police, military and intelligence services held a combined exercise in Kent to judge their capability in case of a terror raid on the city of London, but the results were not so encouraging.

"The exercise brought out to those taking part that the capability doesn't exist to deal with that situation should it arise," the newspaper quoted military sources, as saying.

Fears are that attackers could use automatic weapons to strike places such as nightclubs, sporting venues and Jewish centres.

Security officials are also alarmed by issues being discussed on a prominent jihadist website in recent days.

According to intercepts of a discussion hosted earlier this month on the said 'jihad' chat room, a contributor invited suggestions for carrying out 'guerrilla warfare' and proposed 'a group of Mujahideen raid police stations and fire at them.'

"Make sure that all those at the location are of age, that there are no children and so on. Insist on the locations and times where no Muslims or children are to be expected," one of the contributor said during the discussions.

"If machine guns are available, and explosive and expertise for (explosives) are not available, this is a good way ... The (Mumbai) operation is the ideal scenario for operations you are talking about," added another.

Climate accord

FROM PAGE 1
"This breakthrough lays the foundation for international action in the years to come."

But even the US leader said "we will have to build on the momentum" and get the US Congress to pass mandatory cuts in greenhouse gases blamed for global warming.

Merkel, who will host a new international meeting in Germany in 2010, hit back at the critics.

"It is a first step toward a new world climate order, nothing more but also nothing less," she told Bild am Sonntag newspaper.

"Those who are only putting Copenhagen down are helping those who want to blockade rather than move forward."

Germany will host a follow-up meeting of environment ministers in Bonn in June, ahead of another summit in Mexico City next December.

"We now need to build on Copenhagen," she said.

The Copenhagen Accord, only passed by a procedural motion after two weeks of tense negotiations, has been widely condemned as a backdoor deal that excluded the poor and doomed the world to disastrous climate change.

The agreement was assembled by the leaders of the United States, China, India, Brazil, South Africa and major European nations, after it became clear the 194 nation summit was in danger of failure.

China, the world's top polluter, has given the warmest welcome to a summit that experts say it has benefited from by making fewest concessions.

"With the efforts of all parties, the summit yielded significant and positive results," Foreign Minister Yang Jiechi said in a statement.

The summit set a commitment to limit global warming to two degrees Celsius (3.6 Fahrenheit), but did not spell out the important global emissions targets for 2020 or 2050 that are the key to holding down temperatures.

The summit promised 100 billion dollars for poor nations that risk bearing the brunt of the global warming fallout, but has not given a fixed payout plan.

So far, the United States has promised to contribute 3.6 billion dollars in climate funds for the 2010-2012 period, with Japan contributing a total of 11 billion dollars over the same period, and the European Union 10.6 billion dollars.

Even UN chief General Ban Ki-moon admitted the agreement had failed to win global consensus and would disappoint many who demanded stronger action against climate change.

"Many will say that it lacks ambition," Ban told the end of the summit. "Nonetheless, you have achieved much."

Rajendra Pachauri, chairman of the Nobel-winning

Diseases

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Even the propensity of emerging new diseases would increase, said virologist Prof Nazrul Islam.

In its World Health Report 2002, the World Health Organisation estimated that climate change had caused 2.4 percent of worldwide diarrhoea endemic and 6 percent of malaria in some medium-income countries in 2000.

The Lancet medical journal declared in a commentary on May 16: Climate change is the biggest global health threat of 21st century.

Impacts of climate change would cause frequent natural disasters in the country. Soon after the natural calamities like cyclone, hurricane etc, a huge number of people will suffer from scarcity of food and drinking water; which has a long-term effect on human health. Diarrhoea, skin diseases and malnutrition are also a few of the common experiences.

Since 1974 to 2003, at least 174 natural disasters hit the country and the frequency of natural disasters has been increasing due to climate change.

Quamrul slates

FROM PAGE 16
amendment to any law. Unfortunately, we do not see that and lawmakers do not even read the draft of a law."

State Minister Quamrul Hossain yesterday said by making the "ugly and indecent" gestures and comments Justice Nazrul crossed the limit of his right as a judge and violated the rights of the lawmakers.

"If any law formulated by parliament contains any mistake, a judge can criticise it in his judgment. But in no way can he make indecent comments about the lawmakers," said Quamrul.

Asked if his own criticism of the judge amounts to contempt of court, the state minister replied in the negative, saying, "Parliament is the highest forum."

Intergovernmental Panel on Climate Change (IPCC), said: "Developing countries, certainly Africa, are very concerned and very suspicious of the developed countries on whether they are really genuine in making these offers."

"We will have build on it, we will have to make sure it moves quickly towards the status of a legally binding agreement and therefore I think the task for the global community is cut out."

"In the next few weeks and months we will have to work very hard to see that, before the end of 2010 if not earlier, we get a binding agreement that really moves action in the direction we need," he told the Indian NDTV television channel.

"We really have to move on rather quickly to reduce the emissions of greenhouse gases. There is growing evidence of the impacts of climate change and if we delay action these impacts are going to become much worse, far more serious," he warned.

The US presidency sought to rally support for the contentious deal by listing prominent Americans who back the plan against global warming.

A White House statement included quotes from environmentalists, captains of industry and leading politicians.

Michael Eckhart, head of the American Council on Renewable Energy, applauded Obama's "wisdom in achieving an agreement on the aspirational goal, limiting the outcome which we all care about, because this will stand to rule all else that comes in future negotiations."

But Bill McKibben, founder of the environmentalist group 350.org, said in a separate statement that Obama "has wrecked the UN and he's wrecked the possibility of a tough plan to control global warming."

The Wall Street Journal called the Copenhagen deal "a pre-emptive dead letter because countries like China, Brazil and India said they were unwilling to accept anything that depressed their economic growth."

Saying that China would likely continue to get a "free climate pass," it said "we can't wait to hear Mr Obama tell Americans that he wants them to pay higher taxes so the US can pay China to become more energy efficient and thus more economically competitive."

BNP

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the capital.

The ninth parliament goes into its fourth session on January 4 next year, and the main opposition party is boycotting the House since its second session.

Delwar said the government move to rename Zia International Airport (named after late president Ziaur Rahman) has worsened the situation. His party did not rename things named after Bangabandhu (Sheikh Mujibur Rahman) when it was in power, he claimed.

"Parliament cannot be effective without the opposition but the government is making aggressive statements against it causing a deteriorating situation. They [government] have made parliament a place for BNP leaders' character assassination," Delwar said.

He alleged that ruling Awami League (AL) leaders are vilifying founder of BNP Ziaur Rahman, Khaleda Zia and Tarique Rahman both inside and outside the House.

The BNP secretary general bitterly criticised the government for its 'failures', saying it is doing nothing for the welfare of the people. The country is losing manpower market abroad and unemployment is increasing day by day, he said.

Asked whether BNP will launch a movement against all this, he said they don't want to destroy the democratic order. They would go for agitation only if the situation forces them to do so. "BNP will announce programmes to resist the government's undemocratic behaviour and steps," he said.

BNP would no more sit idle, Delwar said, since a new leadership has emerged through its fifth national council held recently.

He resented that AL was conducting propaganda against the BNP council. "We arranged a successful council. Chairperson and senior vice chairmen were elected at the council. We did not make any comment on Awami League council, so it is not fair for them [AL] to comment on BNP council," he said.

Other BNP leaders present at the briefing included MK Anwar, Mirza Abbas, Goyeshwar Chandra Roy, Mirza Fakhrul Islam Alamgir, Amanullah Aman Ruhul Kabir Rizvi.

Shibir, BCL clash

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group of Chhatra League activists who were burning copies of the daily Amar Desh in protest against a news report on Sajeeb Wazed Joy, the son of Prime Minister Sheikh Hasina.

BCL activists also took out a procession that followed the Shibir demonstration. They were chanting slogans against razakars.

The groups fell on each other at 12:30pm and the fighting went on for three hours. They used sharp weapons and sticks during the clash, witnesses said.

Police rushed to the spot and lobbed around 52 tear gas shells to disperse them, said Monjurul Islam, sub-inspector of Bogra sadar Police Station.

He added the BCL members had tried to torch a cold storage near the college campus. Riot police and Rab members were deployed around the college.

The injured were admitted to Mohammad Ali Hospital and Shaheed Ziaur Rahman Medical College Hospital.

In back-to-back press conferences in the evening, both student organisations held each other responsible for the incident.

Quamrul Huda Uzzal, convenor of the college unit Chhatra League, told reporters that at least 23 people were wounded in the clash and seven of them were bullet-hit.

While Mahmudul Islam, president of the college unit Shibir, said at least 200 activists of the organisation were injured and three of them were bullet-hit.

Policewomen

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The learner drivers will be given sufficient knowledge about the traffic rules at home and abroad, the official said.

At present 19 policewomen are deployed at different peacekeeping missions. One hundred forty more are being trained to join them.

Bangladesh has the highest number of police personnel serving in the peacekeeping missions. Total number of police deployed in peacekeeping missions is 1,500, working in seven trouble-torn countries across the world, DMP officials said.

Rahman also said, "Right now females are not being recruited as drivers in the police department. Bangladesh police is soon to change the recruitment policies that now allow only men to apply for the posts of drivers."

The Victim Support Centre will also employ female drivers in the future, he said.

Sub-Inspector Nazma Hossain, who attended the driving lessons with the help of simulators said, "It was very interesting to learn driving with a simulator. Afterwards when I drove a real vehicle, I felt really safe as I had already learned about the traffic rules and how to handle it."

Constable Mosammat Laboni Sabrin, former staff of Victim Support Centre who is currently receiving training in Narayanganj, said, "In Bangladesh driving has never been a profession for women with general perception prevailing among people that it is not a suitable job for them. Now this perception will change."

"I used to be an ordinary constable. Now I have more expertise, which will certainly up my status professionally," she added.

Currently there are about 2267 policewomen serving across the country. Out of this 600 are posted in the capital.

Amar Desh

FROM PAGE 16
person before the court on February 23.

In the case statement, the complainant mentioned that the daily in its December 17 issue published a report titled 'Allegation of taking \$5 million bribe against Energy Adviser Towfiq Elahi and Joy.'

The image of the present government, the ruling party and Sajeeb Wazed Joy has been tarnished by publishing the report, the statement added.

The Amar Desh report quoting a complaint letter says an allegation of taking \$5 million equivalent to Tk 35 crore as bribe has been raised against the officials of the energy department including Energy Adviser Towfiq-e-Elahi Chowdhury and prime minister's son Sajeeb Wazed Joy in awarding an unsolicited contract to US company Chevron for setting up a gas compressor at a cost of Tk 370 crore.

Cop 'embarks on'

FROM PAGE 16
Star yesterday afternoon at his residence.

Contacted, OC Ali denied the allegation and said Altaf himself came to the police station and signed the paper that says that Altaf did not bring any allegation against the OC.

The cellphone conversation recorded on the CD goes: "Bhai I did not give you less --- in phases I have given you Tk 1.70 lakh and I will give you Tk 20 thousand more; please let it be over."

In reply the person from the other end said, "I didn't save the amount you have given me; I had to spend all of it --- don't mention about the amount --- I helped you as a brother; if I had not been here you would have to suffer a lot --- do you know that Tuhin (adversary of Altaf) offered me lakhs of taka? I did not take it --- come tomorrow I will settle the matter."

Altaf claimed the conversation was between him and OC Ali Ahmed Hasmi.

Altaf said the OC took the chance of a feud between him and one of his tenants Anwarul Kadir Tuhin living on

Democrats at US Senate

look to close health deal

AP, Washington

Outnumbered Republicans are vowing to delay passage of historic health care legislation as long as possible after jubilant Democrats locked in Nebraska Sen Ben Nelson as the 60th and decisive vote.

Nelson's backing puts President Barack Obama's signature issue firmly on a path for Christmas Eve passage. Democrats will need to show 60 votes on two additional occasions, with the next and most critical test vote set for about 1 am Monday.

"This bill is a legislative train wreck of historic proportions," the Republican leader, Sen Mitch McConnell of Kentucky, said at a Saturday news conference. He pointed to cuts to Medicare that CBO said totalled more than \$470 billion over a decade, with reductions in planned payments to home health care agencies and hospices. He also said the bill includes "massive tax increases" at a time of double-digit unemployment.

Republicans also noted that CBO concluded that under the bill, "federal outlays for health care would increase during the 2010-2019 period, as would the federal budgetary commitment to health care."

To get Nelson's vote, Senate Majority Leader Harry Reid, D-Nevada, agreed to a series of concessions on abortion and other issues demanded by Nelson, a Democrat, then informed Obama of the agreement as the president flew home from climate talks in Copenhagen.

Obama welcomed the breakthrough, saying, "After a nearly century-long struggle, we are on the cusp of making health care reform a reality in the United States of America."

Zardari won't

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PPP made it clear it would not seek any resignations after a court scrapped an amnesty on graft charges.

During the marathon meeting of PPP on Saturday, Zardari vowed to face the challenge.

"They would only lift my dead body from the Presidency," he told party leaders during the meeting, while referring to his opponents.

ACC catches

FROM PAGE 16
taking Tk 18,000 as bribe from Zahurul Haque, a resident of the area, inside a medicine shop at 4:00pm.

The ACC team headed by its assistant director Rafiquzzaman conducted the drive with the assistance of Rab, following a complaint lodged by Zahurul.

Zahurul complained the two Wasa officials made a fake water bill of Tk 59,000 against his subscription and asked him to pay Tk 18,000 in exchange of reducing the bill to the original, said the ACC director.

Following ACC's suggestion, Zahurul set up a trap in Shihab drug house yesterday afternoon for giving the bribe and informed the Wasa officials -- where the two were caught red-handed.

The arrestees were later handed over to Sabujbagh Police Station.

the third floor of Altaf's four-storey building.