

Taher trial illegal

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mander during the 1971 Liberation War of Bangladesh. His supporters say he had a role in the soldiers' uprising on Nov 7, 1975 that saw Ziaur Rahman's release from confinement in Dhaka Cantonment.
Taher was later arrested and put to trial by a military tribunal that sentenced him to death on charges of mutiny and treason. He was executed on July 21, 1976.
Sixteen others including politicians Sirajul Alam Khan, ASM Abdur Rab, Maj (ret'd) Zia Uddin, Hasanul Huq Inu, Sharif Nurul Ambia, and Mahmudur Rahman Manna were also tried on the same charges and sentenced to various jail terms.

verdict. US journalist and writer Lawrence Lifschultz, who had covered the trial of Taher in 1976, was also present.
They termed the judgment historic, and expressed satisfaction.
Justice Manik said the military tribunal and the so-called trial was not in accordance with any recognised law of the country.
The camera trial, which was held inside a prison, was in total violation of all norms of justice, he went on.
The court said there was no process of charge framing against the so-called accused, no first information report or charge sheet, and the accused were not told about the charges they were about to face.

those who had said that Lawrence Lifschultz had come to Bangladesh as a government-hired agent.
Although the remark is tantamount to contempt of court, the bench is not bringing any charge, said the court adding that the persons who made the comment must refrain from making such remarks on sub-judice matters.
The bench also directed the government to constitute a high profile committee to investigate the allegation that Ziaur Rahman was "directly involved in the killing of Bangabandhu Sheikh Mujibur Rahman" on August 15, 1975, and after 1975 in the killing of several thousand military personnel who had been freedom fighters.

into Shishu Park only to wipe out the memory of the liberation war.
Ziaur Rahman also made the government-controlled media stop terming the then Pakistani forces as occupation forces, he added.
Taher's widow Lutfah Taher; his brother M Anwar Hossain; and Fatema Yusuf, wife of Yusuf Ali Khan, who was given life sentence by the military court; jointly filed a writ petition on August 22 last year challenging the legality of the military tribunal and the trial.
On August 23 last year, the HC issued a rule asking the government to explain why the martial law regulation under which Taher was tried and executed should not be declared illegal and unconstitutional.

Gaddafi forces hit back

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that Washington would be forced to retain leadership of air patrols that will replace the initial bombardment.
"We anticipate this transition to take place in a matter of days and not in a matter of weeks," Obama, facing questions at home about the US military getting bogged down in a third Muslim country, told a news conference on a visit to Chile.
In the first apparent air force casualty of the campaign, a US F-15E crashed in Libya overnight and its two crew members were rescued, the US military said. The crash was likely caused by mechanical failure and not hostile fire, it said.
In the latest fighting yesterday, Gaddafi's tanks shelled the rebel-held western city of Misrata and casualties included four children killed when their car was hit, residents said, adding the death toll for Monday had reached 40.
Residents painted a grim picture of the situation in Misrata which has been under siege by Gaddafi loyalists for weeks with doctors operating on people with bullet and shrapnel wounds in hospital corridors and tanks in the city centre.

Rebels in east Libya were positioned just outside Ajdabiyah on Tuesday, making no further advance on the strategic town despite a third night of Western air strikes on the north African oil-producing state.
At the frontline in the desert scrub about 5 km outside the town located at the gateway to the rebel-held east, rebels said air strikes were helping cripple Gaddafi's heavy armour. But there was no sign of a swift drive forward.
When asked why rebel units had not advanced toward their objective, which is the eventual taking of Tripoli, Ahmed al-Aroufi, a rebel fighter at the frontline, told Reuters: "Gaddafi has tanks and trucks with missiles."
Commenting on the air campaign to protect civilians in this uprising against Gaddafi's 41-year rule, Aroufi said: "We don't depend on anyone but God, not France or America. We started this revolution without them through the sweat of our own brow, and that is how we will finish it."

talks in Brussels yesterday after failing to reach agreement at heated talks on Monday.
Some allies were now questioning whether a no-fly zone was necessary, given the damage already done by air strikes to Gaddafi's military capabilities, a Nato diplomat said.
"Yesterday's meeting became a little bit emotional," the Nato envoy said, adding that France had argued that the coalition led by France, Britain and the United States should retain political control of the mission, with Nato providing operational support, including command-and-control capabilities.
"Others are saying Nato should have command or no role at all and that it doesn't make sense for Nato to play a subsidiary role," the diplomat said.
Rifts are also growing in the world community over the UN resolution, with Russian Prime Minister Vladimir Putin comparing the mandate to a call for "medieval crusades." China and Brazil urged a ceasefire amid fears of civilian casualties.
Defence Secretary Robert Gates said yesterday on a trip to Moscow that some people in Russia seem to believe what he termed Gaddafi's "lies" about civilian casualties in Libya.

Uproar in JS

FROM PAGE 1
But we don't realise it. We have to learn language. Why will people use the word 'honourable' before our names if we use such indecent words in the House?" Khasru asked.
Both the treasury and opposition benches maintained pin-drop silence while Khasru was expressing his anguish for frequent use of indecent words in parliament for last couple of days.
Speaker Abdul Hamid has been repeatedly urging and requesting the lawmakers not to use abusive and aggressive words.
Even prior to resuming yesterday's discussion on the thanksgiving motion, the speaker again urged the lawmakers to cooperate with him to run the House.
"For God's sake, help me run the House fairly," the speaker said.
But like the previous days, a number of lawmakers did not pay heed to the speaker's call.
WALKOUT
Taking part in the discussion on the thanksgiving motion on the president's address, Jatiya Samajtantrik Dal President Hasanul Haq Inu referred to yesterday's HC verdict that declared illegal and unconstitutional the trial of Col Taher and some other freedom fighters by a military tribunal in 1976.
The court said the trial and execution of Taher was a cold-blooded assassination, which was masterminded by late president Ziaur Rahman.
In reference to the HC's observation, Inu said Ziaur Rahman was a "cold-headed killer".
His remark triggered huge protests in the opposition bench. Main opposition BNP lawmakers stood on their feet and started shouting in protest and demanded that the remark should be expunged.
Amid noisy and stormy protests by the BNP-led opposition lawmakers, Speaker Abdul Hamid said the word killer was expunged. He urged the opposition lawmakers to take their seats and allow the lawmaker to complete his speech.
But the opposition lawmakers did not pay heed to the speaker's call and went on shouting. Even they sped up shouting and some of them started chanting slogans against Inu without microphone.

Delivering a judgment on four separate writ petitions, the HC bench of Justice AHM Shamsuddin Chowdhury Manik and Justice Sheikh Md Zakir Hossain yesterday said, "Ziaur Rahman is not available now to face the murder charge as he is already dead, Abdul Ali will be prosecuted for killing Taher under the order of Ziaur Rahman."
Abdul Ali is the only living judge of the military tribunal.
Senior judge of the bench Justice Shamsuddin Chowdhury Manik announced the verdict saying, "The so-called pretentious trial of Colonel Abu Taher, Hasanul Huq Inu, Mahmudur Rahman Manna, Major (retired) Zia Uddin and others was a hoax, a sham, and a fiction."

The accused were neither allowed to have access to lawyers, nor to cross examine the prosecution witness, they were barred from appealing against the verdict and from seeking a review, the bench said. They were not even allowed to submit mercy petitions, it noted.
The so-called tribunal had no document before it for holding the trial, and it did not allow the accused to defend themselves either, the HC observed.
"In short it was not even a show-trial as Lawrence Lifschultz stated before us. The purported trial was arranged only to justify Zia's decision to kill Taher with a view to establishing autocracy," Justice Manik said.
The HC asked the government to seriously consider the question of compensating the victims of the military tribunal including the family members of Taher for the wrongs done to them by Ziaur Rahman.

Jatiya Samajtantrik Dal President Hasanul Huq Inu and its Vice-president Rabiul Alam, Maj (ret'd) Zia Uddin, and Abdul Majid, who were also tried and punished by the same military tribunal, filed three other writ petitions with the HC on similar grounds in January this year.
The HC on different days in January issued separate rules on the government.
During hearings on the rules, a number of senior lawyers placed submissions before the court as amici curiae (friends of the court), saying that the trial of Taher and others was illegal and unconstitutional.
Lawrence Lifschultz also placed separate statements before the HC bench.
Dr Kamal Hossain, Barrister MAmir-Ul-Islam, Dr M Zahir, Barrister MI Farooqui, Advocate Yusuf Hossain Humayun, Dr Akther Imam, among others, placed submissions on the matters as well.

REBELS PINNED DOWN
Al Jazeera news network said Gaddafi forces were trying to seize the western rebel-held town of Zintan near the Tunisian border in an attack using heavy weapons. Residents had already fled the town centre to seek shelter in mountain caves.
Security analysts say it is unclear what will happen if the Libyan leader digs in, especially since Western
Nato officials resumed

British Prime Minister David Cameron said the intention was to transfer command to Nato, but France said Arab countries did not want the US-led alliance in charge of the operation.
Nato officials resumed

shouted that they would kill the chief engineer.
"They pinned down chief engineer to the floor and pointed an AK-47 at him. Our captain and some senior sailors rushed and did everything to convince them to spare his life," said Rabbi.
The sailors were struck dumb with terror when Leon, the interpreter, described the killings on a Chinese ship.
As an Indian navy ship tried to near the Chinese ship defying the pirates' order to go back, the pirates shot a sailor to death. They succeeded to send away the Indian vessel after killing two others.
The sailors could understand the underlying messages of the killing stories: the pirates would kill them if the ship owner does not pay the ransom.
"They would allow us to call our relatives or the owner, knowing well that we would convey the threat to them," Rukshana Gulzer, wife of the chief engineer, told The Daily Star.

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The court ruled that Col Taher will be treated as a martyr and a patriot instead of a traitor, and the others tried and convicted on false sedition charges will be treated as patriots as well. The court directed the authorities to amend relevant records to that effect.
Family members of Taher and Hasanul Huq Inu were present in the courtroom during the delivery of the

The justice said Zia erased the slogan Joy Bangla; changed the basic principles of the liberation war including secularism; appointed Shah Azizur Rahman, one of the worst collaborators of the Pakistani occupying army, as the prime minister; and appointed other collaborators Mustafizur Rahman and Abdul Alim as ministers after usurping the state power.

Ziaur Rahman introduced the politics of religious fundamentalism in the country, accommodated all war criminals and collaborators of the occupying army, "immunised" the killers of Bangabandhu Sheikh Mujibur Rahman, and gave them respectable jobs, Justice Manik said.

Barrister Rakanuddin Mahmud and Dr Shahdeen Malik argued for the petitioners, while Attorney General Mahbubey Alam, Additional Attorney General MK Rahman, and Deputy Attorney General ABM Altaf Hossain appeared for the government.

Bangladeshis Nightmare on board

FROM PAGE 20
The new influx of Bangladeshis to Egypt, however, was insignificant. As of yesterday, only five Bangladeshis have crossed the Libya-Egypt border, said a foreign ministry press release.
On Sunday, some Bangladeshis told The Daily Star from Tripoli over the phone that they were eager to return home, but were afraid of travelling to Tunisia fearing looting, which is frequent there.
The Bangladesh government is asking all the Bangladeshis to stay indoors.
On return from Tunisia, expatriates' welfare minister Khandaker Mosharraf Hossain told reporters at the secretariat yesterday that the government advises the Bangladeshis in Libya not to take risky journeys, because they might get caught in "crossfire" on the way.
Quoting his telephone conversation with some Bangladeshi nurses and doctors in Libya, Ahsan Kibria, first secretary of Bangladesh embassy in Libya, who is now deployed in Tunisia, said there are a few hundred Bangladeshi nurses and doctors, but the Libyan authorities are asking them to stay to help continue the medical service.

FROM PAGE 1
earlier course the ship on a zigzag path creating waves in the sea to keep off the pirates' speedboat.
A chill ran down their spines when the pirates threatened them with life as an Indian navy ship came near MV Jahan Moni, receiving a distress call.
"Seeing the Indian ship, they became furious and pointed two rifles at the captain [Farid Ahmed]. They forced him to tell the Indian ship to leave in five minutes, otherwise they would kill all of us," Shahriar Rabbi, an engine cadet, said.
The Bangladeshi ship was hijacked in the Arabian Sea on December 5 last year.

shouted that they would kill the chief engineer.
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Rejoinders, our replies

FROM PAGE 1
with the issue of repatriation of Bangladeshis from troubled Libya.
Here we publish both the rejoinders; first the foreign ministry's followed by our reply and then the IOM's and our response to that prepared by our special correspondent, who has been reporting on the issue from the spot at Libya-Tunisia border.
FOREIGN MINISTRY
Our attention has been drawn to the editorial captioned "Repatriation hampered" appearing in The Daily Star dated March 20, 2011. This editorial is an exercise of less-than-professional journalism.

Civil Aviation and Tourism as well as other agencies concerned of the government are involved. We consulted with the IOM and other humanitarian organisations on a repatriation plan, including temporary shelter for the returnees at the borders. The IOM began repatriation on March 1 by chartered aircraft on an understanding of cost sharing with the government. It also mobilised additional resources from donors and partnered with other agencies. The ministry dispatched officers and consular staff from the headquarters and other missions in the region to the borders in Egypt and Tunisia as well as to Crete, Greece for servicing our nationals, especially with the issuance of travel documents. Biman was also mobilised to supplement the chartered flights, operating one flight a day from Alexandria in Egypt, beginning March 13. Till date, a total of 29,801 Bangladesh nationals have been safely repatriated home.

Khandaker Mosharraf Hossain is currently in Tunisia also to oversee the repatriation process. On March 19, he addressed returnees at Djerba airport and on March 20, he visited the camps at the border, was briefed by the agency heads and met Bangladeshis there.

started on February 28. Of them, 24,856 people have been brought back by the IOM and in coordination with the governments of Bangladesh, Egypt and Tunisia.
In Dhaka, the IOM is working closely with the Ministry of Foreign Affairs, Ministry of Expatriate Welfare and Overseas Employment, Ministry of Civil Aviation and the Bangladesh Police. This massive repatriation operation has been possible through the excellent collaboration between the respective governments including Bangladesh and the IOM and other UN and international organisations such as UNHCR and ICRC.

OUR REPLY
On the ground in Choucha camp, where thousands of displaced migrant workers, mainly Bangladeshis who had been working in Libya, swarmed, there was no trace of any representative from Bangladeshi government. The local volunteers as well as host of international bodies, including the IOM, desperately trying to communicate with the Bangladeshi displaced workers, faced increasing challenges every day. Since my arrival at Choucha on March 13, until the arrival of the Bangladeshi minister on March 20, I did not meet anyone who saw any of our government representatives on the ground.

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OUR REPLY
Comments on the editorial by the foreign ministry are totally misplaced. The facts mentioned above have mostly been covered through our coverage of press briefings of the ministry. Our editorial comment was based on reports by our correspondent at the Tunisian-Libyan border. (see below and also see today's editorial).

There is now a residual 2,500 Bangladeshis awaiting repatriation in Tunisia, while the case-loads in Greece or in Egypt have all been repatriated. The Biman flights are now being transferred to Djerba, Tunisia beginning March 21.

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