## 10-truck arms haul

The huge consignment of arms and ammunition was seized on April 2 of that year at the jetty of Chittagong Urea Fertilizer Ltd.

Following the seizure, Babar forbade the Directorate General of Forces Intelligence to conduct an independent investigation into the incident, said the then DGFI director general (DG) Maj Gen (retd) Sadik Hasan before the Chittagong Metropolitan Special Tribunal-1.

nominating the then DGFI director of Counter Intelligence Bureau (CIB) Brig Gen Rezzakul Haider Chowdhury as the representative from DGFI in the government probe body, court sources quoted Sadik as saying. The probe body was led by the then home

DGFI officer for the probe body, but Babar had been pushing for Rezzakul's inclusion in the committee.

deposition yesterday as the sixth prosecution witness of the arms haul case. Judge SM Mojibur Rahman recorded his statements and fixed April 3 for his crossexamination.

day from the then chief of DGFI, Chittagong Col GS Rezaur Rahman over the phone. He then informed Khaleda Zia, the then prime minister, of the matter.

He with Babar and a few other officials immediately flew to Chittagong in a helicopter to inspect the seized arms. A meeting was held at the office of Chittagong Metropolitan Police commissioner in the afternoon.

"While going to the meeting Col GS Rezaur told me that he had heard some NSI [National Security Intelligence] officials had connections with the arms smuggling," Sadik said.

Rezaur had also told him that the name of Rezzakul Haider came up as one among them, who were involved in the incident, and there was also an allegation that the arms were brought for Indian separatist group Ulfa [United Liberation Front of Asom].

From the discussion with Rezaur and then Babar's instructions at the meeting not to carry out an investigation by DGFI, Sadik said he had started realising that, "It was not a small smuggling case and that some senior officials might be involved in

"After the meeting was over, Col Rezaur and some field-level DGFI staff,

Verdict already effective

states, she added.

also the land boundary dis-

putes with neighbouring

"After coming to power in

Sunday Chittagong informed me STAFF CORRESPONDENT that they had heard the then NSI DG Brig Gen (retd) BNP Parliamentary Party will Abdur Rahim, former NSI sit on Sunday to discuss its director wing commander possible return to parliament, Sahabuddin, ex-NSI deputy party sources said last night. director Maj (retd) Liakat

gling. Sadik also said he had informed then prime minister Khaleda Zia of the inspection the following morning (April 3). Listening to him, she said a committee would be formed and asked him to nominate a DGFI representative for that com-

Hossain and ex-NSI field

officer Akbar Hossain Khan

were involved in the smug-

In the afternoon, Babar phoned Sadik and asked him to nominate Rezzakul.

"I ordered Rezzakul to keep me posted on the progress of the investigation but he never did that," Sadik told the court.

He said he came to know in January or February of 2004, months before the arms haul, from his sources that Ulfa leader Paresh Barua had been staying in the capital's Uttara.

"I ordered Rezzakul to capture Paresh," said Sadik, adding that Rezzakul along with his force had gone to the place but apparently failed to capture Paresh.

He then suspected that Rezzakul might have links with Paresh Barua, he told

You know under which ministry the mass media are." He said, "Issuing a letter on the basis of another whose operation has been stayed by the High Court is akin to a

contempt of court." The channel turned in its reply to the notice yesterday morning. It said it had paid all charges and fees and that a related writ petition had yet to

be disposed of. Salam, who is also chief executive officer of ETV, added that BTRC in April 2007 issued a notice saying the broadcaster must pay over Tk 30 crore within 15 days, or else its allotted spectrum would be

However, in response to a writ petition by the channel, the High Court stayed the operation of that notice, and

channel of the country, ETV was launched on April 14,

In August 2002, a court order forced it to go off air during the tenure of the BNPled alliance government. It got back on air in March 2007 as a satellite television after obtaining permission for

### PM sorry FROM PAGE 1

Hasina, also the president of Awami League, said the government had information that the opposition had

planned to create anarchy in the city on the rally day like the December 18 incidents last year. For that the government had to act accordingly.

"Had there been bomb explosions and killings in Dhaka like the December 18, wouldn't people blame the government for not ensuring security to the mass?" she

The AL president claimed that the government had not obstructed people from joining the opposition's rally.

She said when AL was in the opposition, the BNP-Jamaat government did not allow them to bring out processions and hold rallies.

Referring to the allegations that Khaleda had taken Rs 50 million from Pakistan's Inter Services Intelligence (ISI) prior to the 1991 general elections and that the result of the polls had been rigged, the premier said, "After all these

Reiterating that the government firmly wants to establish democracy, she said, "The country will be run according to democratic norms, not by unconstitutional means."

The next parliamentary elections would be held in the same fashion as it is held in countries that have parliamentary democracy, she said, adding that those who would work for the people, stand beside them and be able to

AL General Secretary Syed Ashraful Islam, party leaders Syeda Sajeda Chowdhury and Mahbubul Alam Hanifwere present, among others, at the meeting.

## BNP sets Sangsad boycott

FROM PAGE 1

**BNPPP** sits

The party lawmakers,

office of leader of the opposi-

tion in parliament at 4:00pm,

party leader Zainul Abdin

sition chief whip, added the

meeting would decide its

Farroque, who is the oppo-

Senior leaders of the party

chose Sunday for joining the

House as Khaleda is sched-

uled to fly abroad for treat-

ment the next day, a BNP

lawmaker told The Daily Star

of a conspiracy by a minister".

Bangladesh

Telecommunications

Regulatory Commission

issued the notice on March 11,

saying ETV's broadcast was

illegal since the channel did

not have necessary legal

papers and it was using fre-

quency that had been sus-

Pressed for the name of the

minister he was pointing the

finger at, Salam said, "I don't

believe in attacking anyone.

around 1:30am today.

**FROM PAGE 20** 

pended.

added.

Farroque said.

joining the House.

The last sitting the BNP chairperson joined was on March 15 last year, as the records show.

Under Article 67 (1) (b) of the constitution, a member of parliament shall vacate including its chief Khaleda his seat if he is absent from Zia, might attend the House parliament, without leave of session the same day, they parliament, for 90 consecu-The BNPPP meeting will be tive sittings. held at the Jatiya Sangsad

On an average, the other opposition MPs have remained absent for 78 consecutive sittings since they last joined the House proceedings on March 24 last year. They walked out on that day, and have not returned since.

The BNP-led opposition has 39 MPs -- 36 from the BNP, two from the Jamaat-e-Islami and one from Jatiya Party of Bangladesh. Experts say the culture of

prolonged boycott has been crippling the parliamentary system since its restoration in 1991. And even as the boycott

their remuneration and enjoy other facilities as on February 11 that year. lawmakers, they add.

parliament that began its March 16, 2011, by which

journey on January 25, 2009, had 284 sittings. Of them, the BNP-led opposition MPs attended only 51 sittings on average.

In the five-year tenure of the eighth parliament, the AL-led opposition lawmakers skipped 223 out of 373 sittings. The BNP-led opposition MPs stayed away from 163 of the 382 sittings in the five-year term of the seventh parliament (1996-2001).

The fifth parliament, which was dissolved a few months ahead of its fiveyear term, held 400 sittings. Of them, 135 sittings were boycotted by the AL-led opposition MPs. The BNP-led opposition

lawmakers, who joined the inaugural sitting of the current parliament, opted for boycotting the House in phases. First, they started to keep away from House proceedings in June 2009 and continued the boycott till February 2010.

Having remained absent continues, the MPs draw for 64 consecutive sittings, they returned to parliament

A fresh boycott began in Till yesterday, the ninth June 2010 and did not end till

time the opposition had been away from the House for 74 consecutive sittings. They then stormed out of parliament on March 24 and have not returned since.

city

The current session, which was supposed to be prorogued yesterday, may continue till March 29 or further, officials at the parliament secretariat said.

"I need to consult the Leader of the House, Sheikh Hasina, to decide how long the current session will continue. But it is certain that the current session will have some more sittings, Speaker Abdul Hamid told reporters at his office yester-

In the wake of the prevail ing situation, the BNP high command has asked party MPs to stay in the capital. Party sources say their lawmakers may return to parliament any time next week.

"I was preparing to leave the capital for my constituency. But today [yesterday] I got a phone call from the office of the opposition chief whip requesting me not to leave the capital," BNP MP Nazrul Islam Manju told The Daily Star over the phone.

# Nizami charged

FROM PAGE 1 hearing until March 21.

Nizami was not produced before the court yesterday in line with the tribunal's decision. He is facing 15 charges of crimes against humanity committed during the Liberation War.

According to the prosecution, the charges include genocide, rape, torture, abduction and confinement of Bangalee people in greater Pabna, Jessore, Chittagong and Dhaka, and abetment of and attempt or conspiracy to perform such acts during the war.

The judges, however, were not satisfied with the way some of the offences were presented in the formal charges. Justice Nizamul Hug was

particularly surprised that the killing of intellectuals was not included as an individual crime in the formal charges against Nizami.

The Jamaat chief was the commander of Al-Badr, one of the auxiliary forces set up to collaborate with the 3 Pakistani occupation army in 1971, which actively took part in the killings of intellectuals.

#### CHARGES AGAINST NIZAMI

Narrating one of the incidents, prosecutor Altaf

Uddin yesterday said freedom fighter Abdul Majed was abducted and brutally tortured and murdered on August 9, 1971. "A note was attached to

his body that read: 'Ar jara achho tara Nizami ar Sobhan Mawlanar kachhe attoshomorpon koro [those who are still out there, surrender before Nizami and Sobhan Mawlana]," said the prose-

According to the prosecutor, on May 8, 1971, collaborators surrounded the house of Surendranath Thakur in Pabna's Sathia on Nizami's order.

People from the neighbouring houses were lined up in front of Thakur's house of worship. They were shot dead. Many women were also raped then, Altaf added.

Altaf said freedom fighter Abdus Selim along with his father Shahid Sohrab Ali and a cousin fled to India. After they left, their village was surrounded on Nizami's order on youready?" November 11.

army camp at Nakhalpara.

Many were abducted and that he was indeed ready. brutally tortured then. They were asked about the with the last charge that you whereabouts of Selim and read out. The rest can wait told that they would be shot till later." if they did not cooperate. Some 72 houses were set ablaze in that village.

Nizami was also involved in the murder of 19 people in Ishwardi on April 16, 1971, according to the charges, which also state school. that he along with Jamaat leader Ali Ahsan

Justice Ahmed asked the prosecutor why he proposed charging Nizami for crimes against humanity [murder, genocide, enslavement, torture, rape, etc] for

convincing answer, prosecutor Syed Haider Ali argued that it was the conspiracy that resulted in those crimes.

that the description of the charges does not say that the crimes against humanity took place because of those conspiracies and Haider argued that the

charge has a larger context and is connected to other charges, which are not independent. Justice Ahmed replied

that if the charges were indeed not independent, the prosecution has actually brought only two charges against Nizami in a generalised context.

conspiracy and command responsibility as the two charges in a broad context.

leader.

Mollah's case.

The prosecution brought a news report and a book published in 2007 as evidence for the murder of the poet in 1971 although the incident prompted over a hundred news reports starting from 1972, the tribunal observed.

#### NO CHARGES FOR INTELLECTUALS' MURDER

At one point during yesterday's proceedings, the

formal charge mentions the Physical Training Institute, where Al-Badr cadres brought the intellectuals after abducting them. References say that intel-

lectuals were tortured a that facility before they were killed, said the tribunal chairman.

only holds Nizami responsible for the atrocities committed at the institute between March 25 and December 16, 1971.

told the tribunal that the killing of the intellectuals was mentioned in the formal charges.

agreed that it was "touched upon". "But why not bring a charge?" he commented.

### 1 percent

period. The land ministry topped the list by using 51 percent of the ADP, while the agriculture ministry and disaster management division jointly stood second with a 47 per-

The report does not give details, especially on the issue of how much money had been allocated to ministries and divisions and how much they

The youth and sports ministry, bank and financial institutions division and bridges division have done better than the civil aviation and tourism ministry with 3, 6 and 9 percent ADP implementation rates.

percent of the ADP. The rate of ADP imple-

mentation of several other ministries and divisions are: local government division 46 percent, rural development and cooperatives division 41 percent, environment and forest ministry 26 percent and food division 26 percent.

minister told the House that the government's monthly expenditure for salaries to public servants had increased by Tk 125 crore in the current fiscal year. "Monthly expenditure for

salaries to government officials and employees was Tk 915 crore in 2010-11 fiscal Row over dress

#### **FROM PAGE 20** second year student. "He told

me to either give up the dress or leave the university." Earlier this month the

administration officer had asked him to sign an agreement stating that he will not wear punjabi-pajama any more. As he refused to sign, the official took away his identity card.

vate university in the city's Uttara, however, does not restrict punjabi-pajama or any such Islamic attire. On Sunday, around 50

students shared similar experiences with The Daily Star. Fearing action from the university authorities, they wished not to be named.

Most of them alleged that Kazi Tanvir H Dewan, coordimuch of the problems.

claimed to have faced the trouble for the past few months, but it worsened recently.

A final year student at civil engineering department said during his admission in 2008 he had told the administration about his attire, which they seemed to accept.

"Being a student of madrasa background, I told them of using punjabi and pajama from my childhood and I would not give it up. But last week they got me out of the classroom," he mentioned adding, "Even a teacher didn't allow me take my course exam. I don't know what's wrong with following

The husband of a female student said he has asked his wife not to attend classes as several teachers had complained about her burkah

Asked about the complaints, IUBAT Vice-Chancellor Prof M Alimullah Miyan said the allegations are

new. It's a published document and we have been routinely following it for the last 10-12 years," he noted adding "We have not received any complaint about the dress

"Although punjabi-pajama

and prayer cap is not in the

dress code; we don't bar anyone from wearing those," he asserted.

essary issue. There are some students with "fanatic ideas" and the authorities are counselling them. "We are a Muslim majority

### FROM PAGE 20 incident at 6:00am on the

Rumi told a court yesterday.

Rather, Babar insisted on

secretary Omar Faruq. Sadik added that he had recommended another

He was submitting his

Sadik told the court that he at first heard about the

FROM PAGE 1 court sustained Bangladesh's claim to rights over a 200-nautical-mile exclusive economic and territorial zone in the Bay of Bengal, thereby rejecting the claims of Myanmar. The

verdict cannot be appealed

against and has become effective immediately. "Fortunately the people of Bangladesh voted the Awami League to power at the 2008 elections. After we formed the government in 2009, we took measures to establish our rights on our maritime boundaries. And for this reason, we had to do a lot of

work," she said at her Gono Bhaban residence while talking to district and upazila level Awami League leaders. Later, in parliament, Hasina said, "The unresolved issue with India over maritime boundaries is expected to be settled in 2014. If people

vote for us and give us scope to serve them, we will be able to bring good news for them as we did today." The dispute with India over maritime boundaries is scheduled to be settled in

ate 2014 at the UN's Permanent Court of Arbitration based in The Hague, the Netherlands, while parliamentary elections are scheduled for early January 2014 in Bangladesh. "We will be able to bring

good news as no successive government after 1975 looked into this matter," she said, citing the Awami League-led government's measures to establish the

country's rights in the Bay. In her brief speech in the House, Hasina said, "Today is the happiest day for independent and sovereign Bangladesh, which we liberated through bloodshed."

Earlier at the meeting with district and upazila level leaders of the Awami League, the prime minister said Bangladesh had got more than what it had wanted. "We have got 1.11 lakh square kilometres...There are many natural resources like oil, gas, mineral resources and fish. All these are now ours,

we own these resources." She said, "Had we not come to power and placed the demand at the right time, the opportunity might have slipped away. Had the BNP come to power, it would have resorted to looting and the demand would not have been met."

Hasina said Bangabandhu

Sheikh Mujibur Rahman

initiated discussions on the

maritime boundary issue

with Myanmar in 1973 for the

Khaleda Zia, took any initia-

tive to resolve this issue as

first time. But after his mureconomic zone. der in 1975, no government, However, Myanmar later led by former presidents changed its stance. Ziaur Rahman, HM Ershad or

After the assassination of now opposition leader Bangabandhu, successive governments did not follow up with discussions and

1996, we signed the international law on maritime boundary in 1997. Although there was a provision to place Bangladesh's demand on the maritime dispute issue at the UN by 2011, the BNP which came to power in 2001 did not take any steps to this end," she said.

VERDICTEFFECTIVE Talking to The Daily Star over telephone from Germany, Foreign Minister Dipu Moni said, "The verdict has been made effective immediately

after its pronouncement. "There is no need for its ratification or any other formalities that could take time." She said, "The 151page verdict laid out all aspects of the maritime delimitation in minute

The tribunal applies the United Nations Convention on the Law of the Sea and other rules of international laws compatible with the

convention. As per the law, all parties to a case have to accept the jurisdiction of the tribunal before the case is dealt with. The jurisdiction may be accepted either before a dispute arises or afterwards. The decisions of the tribunal are final and binding and the parties to the dispute are

required to comply with However, the tribunal has

decisions. The parties to a dispute are required to comply promptly with any provisional measures prescribed by the tribunal under specific

ALROLEINVICTORY Records show that since 1974, only the Awami League-led governments had pursued to establish Bangladesh's territorial

Only three years after the country's liberation, the first step was taken by Bangabandhu Sheikh Mujibur Rahman who enacted the Territorial Waters and Maritime Zones Act, 1974, the first to enact in the

He initiated a dialogue with Myanmar and India to fix maritime boundary issues. As a result, Bangladesh

and Myanmar signed an agreement in 1974, in which Myanmar accepted Bangladesh's claim for 200 nautical miles exclusive

September 24, 2011, in Hamburg. no means of enforcing its articles of the UN conventhe world who were experts in complex maritime issues. rights in the Bay of Bengal.

### Afghan blast kills 13 women, children

AFP, Kandahar

said.

district comes a day after a similar incident killed eight civilians in the neighbouring province of Helmand.

The next progress was made after Sheikh Hasina assumed office in 1996 and ratified the long overdue

on the Laws of the Sea in 2001. During the previous BNF rule (2001-2006), a project was launched regarding maritime issues, but no tangible development was

achieved and a lot of money was spent on this. After the Awami League returned to power in 2009, Bangladesh lodged cases against India and Myanmar in two separate UN courts on October 8, 2009. Bangladesh was forced to file the cases after the two neighbours unfairly cut off a significant

portion of Bangladesh's maritime area in the Bay, sources said. They said Foreign Minister Dipu Moni then took all-out efforts to prepare Bangladesh for the legal

battle against India and In the case with Myanmar, she, as the main agent of Bangladesh, placed Bangladesh's claims during the final hearing held between September 8 and

Additional Secretary to the Foreign Ministry Rear Admiral (retd) Khurshed Alam played a crucial role as he was the main man behind all scientific surveys conducted in the Bay Bangladesh possibly appointed the best lawyers in

Due to the relentless efforts by Dipu Moni Khurshed Alam and internationally reputed lawyers, Bangladesh came out trium phant.

tore through a civilian vehicle in southern Afghanistan yesterday, killing nine children and four women, police The bombing in the troubled province's Dihrawud

A Taliban roadside bomb

The blast hit a station wagon travelling on a dirt road in Uruzgan province, provincial police spokesman Farid Ail told AFP.

Bangladesh, India and Myanmar. Despite repeated calls over decades by the UN to submit Bangladesh's claim for the continental shelf in the Bay, there had been no initiatives for scientific survey or anything.

decisions agreed upon by

United Nations Convention cancelled.

the case was still pending. The first private terrestrial

## broadcast in April 2005.

residence Gono Bhaban.

years my claim proved to be right.

earn their confidence would win the next election.

The two Jamaat leaders went to the army camp on the night of August 30, 1971. They decided that some

prisoners at the camp

should be killed before the

president announced a

general of Jamaat, is also

facing war crimes charges at

the tribunal.

general amnesty.

Many prisoners, including Bodi, Rumi and Jewel were killed, the charges say. According to prosecutor Altaf, Nizami along with former Jamaat-e-Islami chief Ghulam Azam frequently visited the army

camp at Physical Training

Institute in Mohammadpur

where they plotted crimes against humanity. Nizami also frequently gave speeches encouraging anti-liberation forces to eliminate the supporters of independence, the prose-

cutor added. "Pakistan is the house of the Almighty," Nizami told a gathering of Islami Chhatra Sangha, Jamaat's student wing in 1971, at Chittagong Muslim Institute on August

"He is protecting his

beloved land with the army.

This land must be protected. The prosecutor said Nizami, in another speech at an Islamic discussion held at Dhaka University on August 22, said, "Those who want to divide Pakistan have taken up arms," and stressed that the pro-

liberation forces must be eliminated. With these speeches, the Jamaat chief provoked active opposition to the liberation forces, the prose-

#### cutor added. PREPARATION OF

PROSECUTION

was ready.

After the prosecution finished reading out the formal charges, the tribunal chairman asked prosecutor Altaf Uddin Ahmed whether he was prepared to place arguments supporting the charges. The prosecutor said he

his argument and suggested that the prosecutor come prepared on March 21. Justice AKM Zaheer Ahmed of the tribunal also

asked the prosecutor, "Are

Justice Nizamul Huq

reminded the prosecutor

that he would have to sub-

stantiate the charges

brought against Nizami in

Prosecutor Altaf replied "Then let's just begin

He then asked the prosecutor to read out the 15th and the last charge, which says Nizami conspired with a Razakar commander named Samad at a collaborators' camp in a Pabna

Mohammad Mojaheed was involved in the killing of a number of prisoners in an Mojaheed, secretary only plotting and conspir-

As Altaf could not give a

The tribunal pointed out

The judge then identified

At that point, the tribunal drew an example from Wednesday where another prosecutor failed to give satisfactory answer to the judges' queries in a case against Abdul Quader Mollah, another Jamaat

'The investigation is not being done properly," said Justice AKM Zaheer Ahmed recalling that the investigation officer or the prosecution failed to find any early news reports on the murder of poet Meherunnesa in

tribunal chairman asked prosecutors Altaf Uddin and Haider Ali why Nizami was not charged with the killing of the intellectuals in One of the counts at the

The charge, however,

Prosecutor Haider Ali Justice Nizmaul Huq

The prosecutor said they had enough evidence to substantiate Nizami's involvement in the mur-

FROM PAGE 20 divisions in executing ADP in the aforesaid seven-month

centrate of implementation.

spent.

The status report interestingly shows that the statistics division has implemented 144

In response to a lawmaker's query, the finance

year," the minister said.

The dress code of the pri-

nator at College of Business Administration, is creating Finding no other alternative, a few of them have already opted for trousers, shirt and necktie. They

Sunnah.

Contacted, Kazi Tanvir Dewan said, "How can I be sure that somebody has raised allegation against me?" Without continuing further, he hung up the phone on this correspondent.

"The dress code is nothing

The VC also said there are some "fanatic elements" who are trying to make it an unnec-

country and at the same time we need to compete with modern world. Everything we are doing here is to make the students fit for the challenges of the future world," he maintained.