

# Fakhrul sent to jail

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remand each in a case filed for exploding cocktails and preventing police from discharging duties in Paltan area during Sunday's road blockade.

The opposition alliance has announced to enforce an eight-hour hartal from 6:00am on Thursday if the government does not release Mirza Fakhrul by today.

BNP standing committee member MK Anwar made the announcement on behalf of the alliance yesterday evening at a press briefing in the party's central office in Nayapaltan. Party leaders Sadeque Hossain, Khoka and Abdullah AL Noman, among others, were present there.

The opposition alliance will also stage demonstrations in all upazilas, municipalities and districts today. The Thakurgaon unit BNP will observe a half-day hartal [from 6:00am to 12:00 noon] today in the district to press for Fakhrul's release.

Later in the evening, party standing committee member Tariqul Islam was made coordinator of the ongoing agitation programmes. The decision came at a meeting between party chief Khaleda Zia and senior BNP leaders at her Gulshan office in the capital.

Meanwhile, yesterday's nationwide daylong hartal enforced by the opposition alliance witnessed some stray incidents of violence in the capital and other districts.

Incidents of vandalism, arson, cocktail explosion, chase and counter chase, and detentions took place in different areas of the capital, including the Dhaka University area, Kakrail, Farmgate, Mirpur and Jatrabari.

Similar occurrences have also been reported to happen in other districts of the country, namely Chittagong, Narayanganj, Rajshahi, Pabna, Lalmonirhat, Pirojpur and Feni.

Since Monday night, tight security measures had been taken in the capital to prevent anarchy. A huge number of Rab and police personnel had been deployed in front of the BNP central office and adjacent areas.

Yesterday, police kept the BNP central office cordoned off. Only a few senior BNP leaders were allowed to enter their party office.

On the other hand, ruling Awami League activists brought out anti-hartal processions in many areas.

However, almost all modes of vehicles, except for rickshaws and CNG-run auto-rickshaws, remained off the streets during yesterday's hartal.

Plainclothes police picked up a number of opposition activists including BNP's Jamal Sharif Hiru and Mahub Kiron from the party's central office.

Around five vehicles were vandalised and two more were torched in the capital yesterday. Pickets vandalised the vehicle of the food secretary in front of Kakrail mosque. Police detained

several people in this connection.

Two vehicles were vandalised in Farmgate. Pro-hartal activists also tried to block the Kazi Nazrul Islam Avenue by setting tyres on fire at early hours yesterday.

Hartal supporters brought out a procession and blasted several cocktails near Sony cinema in Mirpur.

In Jatrabari, nearly 25 workers of Jamaat-e-Islami armed with sticks and machete brought out a procession. They torched two vehicles and vandalised several more near Wapda colony around 6:30am. Jatrabari police detained two people from the spot.

Witnesses said Rab members fired blanks to disperse another procession in that area.

Nurun Nahar Sarkar, 23, a final-year student of Eden College, was injured when police fired rubber bullets to disperse pickets at Jelepara in South Jatrabari. The injured was rushed to hospital.

In North Dania and Kazla areas of Jatrabari, several pickets tried to block the Dhaka-Chittagong highway with logs and burning tyres around 7:30am. They were later chased away by police.

Law enforcers used tear-gas when around 40 BNP men brought out a procession at Shaheed Faruque Road in Jatrabari.

The opposition alliance had called the dawn-to-dusk hartal Sunday night protesting mass arrests and filing of cases against opposition leaders and workers, and obstruction to their Sunday's road blockade programme.

The blockade programme was declared to mount pressure on the government for the reinstatement of the caretaker government system. The provision was scrapped from the constitution in June last year.

Previously, the BNP had declared that it would not participate in the next general election if it is not held under a non-party neutral government.

Although Prime Minister Sheikh Hasina has recently proposed for a small cabinet comprised of ruling and opposition representatives, the BNP rejected it.

## Amini dies

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the hospital on hearing the news.

Amini, also a former parliament member, left behind his wife, two sons and four daughters to mourn his death.

He was the principal of Jamia Qurania Arabia Lalbagh Madrasa in Dhaka.

Amini felt chest pain in the evening, while he was having a walk. Then he gave classes in the madrasa and went home around 8:00pm, said Altaf Hossain.

He had been under police watch since April last year on political ground, claimed Altaf.

The body was taken to the madrasa.

## US report faults Pakistan over Afghan war

AFP, Washington

Despite an easing of tensions with the United States, Pakistan is persistently undermining security in Afghanistan by permitting safe havens for insurgents, a Pentagon report said Monday.

In a twice-a-year war assessment mandated by Congress, the Defense Department said that the 68,000 US troops in Afghanistan and their allies had succeeded in preventing Taliban advances while limiting civilian casualties.

But Taliban havens across the border in Pakistan, the limited capacity of the Afghan government and "endemic corruption" pose the greatest risks as the United States prepares to pull out troops by the end of 2014, the Pentagon said.



Policemen drag motorcycle mechanic Manik Kumar out of his garage at Birganj of Dinajpur and beat him up on the street during hartal hours yesterday. They later took him to a police station.

PHOTO: STAR

# Tribunal chief quits

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successor to Justice Huq is appointed.

Meanwhile, the main opposition BNP has called for trial of Justice Huq for "misdeeds", and Jamaat-e-Islami, the top brass of which are under trial at the two war crimes tribunals, wants dissolution of both the courts.

Tribunal-1 is dealing with four cases -- one each against former Jamaat chief Ghulam Azam, Jamaat chief Motiur Rahman Nizami, Nayebe-Ameer Delawar Hossain Sayeede and BNP leader Salahuddin Quader Chowdhury.

The trial of Sayeede's case is awaiting judgement. According to section 6 (4) of the International Crimes (Tribunals) Act, 1973, the government could now declare the office of the Tribunal-1 chairman vacant and appoint a new judge.

As per the act, the government could do this "if any member of a tribunal dies or is, due to illness or any other reason, unable to continue to perform his functions".

Law Minister Shafique Ahmed told The Daily Star that a new judge was likely to be appointed today but the government was yet to decide who would be the new judge.

He too said the resignation of Justice Huq would not hamper the trial proceedings at the tribunal. As per the law, Tribunal-1 judges would continue with the proceedings of cases and that Justice Huq would return to his office of a High Court judge, he said.

Section 6 (6) of the act reads, "A tribunal shall not merely by reason of any change in its membership or the absence of any member thereof from any sitting, be bound to recall and re-hear any witness who has already given any evidence and may act on the evidence already given or produced before it".

The new judge might take some time for studying the cases to get up to speed, said the minister.

Justice Huq handed the registrar of the tribunal his

resignation letter addressed to President Zillur Rahman.

The registrar later sent it to the law ministry for forwarding it to the Bangabhaban through the Prime Minister's Office today.

The controversy surrounding Justice Huq began after Bangla national daily Amar Desh published "transcript of Skype conversation" of Justice Huq with expatriate Bangladeshi Ahmed Ziauddin, a law expert on international crimes.

The newspaper said it had collected the records of the conversation from a source abroad.

In the "transcript" of the conversation, Justice Huq was judgemental of a number of legal experts of the country and people involved in the crimes against humanity cases, according to Amar Desh.

On December 6, two days before the paper began publishing the "transcript", the three-member Tribunal-1 led by Justice Huq in an order said Justice Huq's email and Skype accounts along with his computer had been hacked.

In the order, it was revealed that British magazine The Economist had in its possession the correspondence between the tribunal chief and the law expert based in Brussels.

Justice Huq in the order had also said he occasionally discussed developments on international criminal law with Ahmed Ziauddin, who is an expert in that field.

Justice Huq also said the International Crimes (Tribunals) Act, 1973, was a new law. To understand the law, it was necessary for the judges to look into the process and orders of different tribunals and consult with experts.

He said he has had the privilege of consulting with Ahmed Ziauddin.

After the Bangla daily published the "transcript", the content of the "transcript" became an issue of debate and pro-BNP and Jamaat lawyers demanded Justice Huq's resignation on Monday.

The BNP yesterday demanded trial of Justice Huq and said he has to face trial in future for his "misdeeds".

"The government has tainted the judiciary and everything that [Justice Huq] has done was criminal offence. He had no way but to resign. But he has to face trial," BNP standing committee member MK Anwar said at a press briefing at the party's central office in Nayapaltan.

Jamaat-e-Islami said it would now raise the demand for total scrapping of both the tribunals.

Matiur Rahman Akanda, assistant publicity secretary of Jamaat, told The Daily Star last night, "After the scrapping of the tribunals, the government will have to start the legal process to amend the International Crimes Tribunal Act and make it of international standards."

Giving his reaction to Justice Huq stepping down, Matiur said, "Our allegation against Justice Nizamul Huq that he is a partisan man has been proved right. And we will now go for the demand of total scrapping of the tribunals."

The party would also call for hartal-like programmes if the government did not meet their demands, he added.

Meanwhile, a law ministry official requesting anonymity told The Daily Star that the ministry would ask the Supreme Court for a High Court judge to replace Justice Huq.

Getting a name from the Supreme Court, the ministry would place it before the president, via the Prime Minister's Office, and the president would appoint the new judge.

Tribunal-1 is set to deliver the verdict on the case against Sayeede. It is now recording the testimony of the first defence witness in the case against Ghulam Azam.

So far, 16 prosecution witnesses testified and were cross-examined in the case against BNP leader Salahuddin Quader Chowdhury.

The tribunal recorded

testimony and cross-examination of one prosecution witness in the case against Nizami.

Resignation of a war crimes tribunal judge is not unprecedented. In recent times, two judges in the Khmer Rouge war trials in Cambodia have stood down.

## Burnt

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Monday night.

Md Khokan, 28, is now fighting for life at Dhaka Medical College Hospital (DMCH) with burns to 27 percent of his body, including his limbs and back.

While speaking to the correspondent from his hospital bed, Khokan said he was heading towards Babubazar with Monju Sikder, owner of the van, after delivering some goods at Narayanganj, when a steel push-cart rolled in front of the vehicle.

Two young men jumped from the cart and demanded to know why he had brought the van out during hartal. At one point they hurled abuses at them, flung liquid fuel on the vehicle and struck a match stick.

Though Sikder managed to escape unhurt, Khokan was not that lucky. Sikder rushed him to DMCH Burn Unit.

Fire service later brought the blaze under control, though the vehicle was almost destroyed.

Meanwhile, 18-party alliance activists set a CNG-run auto rickshaw ablaze at Hemayetpur of Savar around 12:30pm during the countrywide road blockade on Sunday.

When the activists threw liquid fuel on the auto rickshaw, all the four passengers quickly got off the vehicle but its driver Shahadat Hossain, 20, could not escape the flames.

He is undergoing treatment at DMCH Burn Unit with six percent of his body burnt, including his face, arms and legs.

# Ghosh Para

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and personal stuff, the parents fainted frequently. Just regaining consciousness, they began to wail again.

People kept coming to the house yesterday, but no one could console the family. They don't understand how a person could be hacked in broad daylight and why the murderers were at large even after everybody saw on TV the gruesome act.

Although police kept denying reports of arrests, Home Minister MK Alamgir said, "Eight so-called students were arrested so far in connection with Bishwajit murder. Some more will be arrested today [yesterday]."

The family members, still searching for answers why a youthful life met an untimely end, want no empty promises. They want justice and they want it now.

The High Court in the meantime yesterday ordered arresting the killers in 24 hours and issued a rule upon the authorities to explain in two weeks why they should not be directed to give adequate compensation to the family.

Bishwajit, 24, was hacked to death by 10 to 12 Chhatra League activists during an opposition blockade on Sunday.

The Daily Star has managed to identify five youths who directly took part in the murder. They are activists of Jagannath University Chhatra League, according to their political peers, general students and eyewitnesses who know them.

Photographers in other newspapers and video footages of television channels also have made it clear who the attackers were.

But during a discussion organised by Digital Bangladesh Forum at Dhaka Reporters Unity yesterday, the home minister claimed the people involved in the killing don't belong to Bangladesh Chhatra League (BCL), a student body backed by the ruling Awami League.

"We've come to know their identities. None of them were active members of BCL or were involved with BCL." The minister did not go into further details, but again said some of the attackers were expelled from the BCL.

Strangely, MK Alamgir also dubbed Bishwajit as a "so-called activist of BCL". But nothing about Bishwajit's political affiliation was published in the media and the family kept saying he didn't belong to any political party.

"Bishwajit was not a member of any political party. He was quiet, always engrossed in tailoring job," cousin Robin Das told our correspondent at Bishwajit's house in Ghosh Para near Bhojshwar Bazar.

Bishwajit's elder brother Uttam Das said, "My brother fell victim to cru-

elty of politics. What was the fault of my brother? We are helpless. We won't file any case. What we want is justice."

His father Alombho Das said Bishwajit was supposed to take him to Dhaka for treatment. "But he left the world before me. I am now worried about the safety of my other son who lives in Dhaka."

Yesterday, Monirul Islam, deputy commissioner of Detective Branch of police, told reporters at the DB office that police so far identified six people in connection with the killing but nobody was arrested.

"First, a case was filed accusing some unidentified persons but later police identified the six persons examining video footages and other information."

Asked about political link of the "identified" persons, he said, "We will be able to say the motive behind the killing and the political identity of the killers after arresting them."

Replying to another query, he said when the incident took place police were a little far away and immediately could not understand what was going on. Therefore, they could not prevent the murder.

Nazrul Islam, officer-in-charge of Sutrapur Police Station, echoed the view of Monirul. He said none was arrested till 4:00pm yesterday.

**HC ORDER**  
In response to a petition, an HC bench yesterday directed the inspector general of police to take measures, so that the culprits cannot escape arrest.

It also asked the IGP to alert officials at all the departure points, including Hazrat Shahjalal International Airport, land ports and seaports about the court order, to stop the killers from fleeing.

The government will have to come up with an explanation tomorrow if it fails to nab the criminals within the stipulated time, the HC bench of Justice AHM Shamsuddin Choudhury Manik and Justice Farid Ahmed said.

The court came up with the order following the petition filed by Nazim Ahmed, the editor of weekly Shoptoporno, seeking its directive upon the government to arrest within 24 hours those involved in the killing.

The petition also sought an HC order on compensation to the family.

The Shoptoporno editor filed the petition after The Daily Star in a report yesterday named some BCL activists Rafiqul Islam Noore Alam, Mahfuzul Rahman, Obhidul Quader and Emdadul Haque as the murderers.

Eunus Ali Akond appeared for the petitioner, while Deputy Attorney General Amit Talukder represented the government.

# Azad used to decide who to be killed

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anti-liberation forces, collaborated with the Pakistani army in committing genocide, killings and other crimes against humanity during nine-month-long war, according to the prosecution documents.

"We, freedom fighters, had tried a lot to kill Bachchu during the Liberation War but couldn't," commented Yusuf.

During his 40-minute testimony, Yusuf gave a heart-wrenching description of the torture he endured during his 43-day detention at the Pakistani army camp.

The three-member tribunal headed by Justice ATM Fazle Kabir with Justice Obaidul Hassan and Judge M Shahinur Islam completed recording Yusuf's testimony and cross-examination before adjourning the case proceeding until today.

Yusuf, who was a college student in 1971, said the Pakistani army entered Faridpur town on April 21 and on their way killed eight priests of Prabhu

Jagatbandhu Ashram (temple).

On April 22, 1971, Kamaruzzaman Jusu, cousin of Azad, picked Yusuf and his brother from the intersection of Bhanga Road and handed them to the army, said Yusuf, adding that they were produced before Pakistani Major Akram Koreshi at Faridpur Circuit House.

"When we reached there, we saw Pakistani army shooting a few people to death on the east side of the Circuit House," said Yusuf. They were released from the camp by another Pakistani army official and then he joined the war, Yusuf added.

The freedom fighter said he sustained bullet injury on July 24 when they attacked Razakars at Arpara in Jessore. Razakars later detained him from Chandra High School area of Alfadanga of Faridpur on July 26.

They handed him over to the Pakistani army in Faridpur stadium, said Yusuf.

"The next day, Major Akram Koreshi went there

along with Abul Kalam Azad alias Bachchu," said Yusuf, adding that he was tortured in a torture cell.

"Going there I saw many persons [detainees] were slaughtered. My hand and ribs were broken. I cannot narrate the torture in words," said Yusuf as tears rolled down his cheeks.

Advocate Afzal, Mainuddin, Alauddin Kha and Abul Kalam Azad, leaders of Peace Committee, another anti-liberation force, used to be present with the army during the brutal torture of the detainees, Yusuf added.

"One day, Azad brought some women and handed them to the major [Akram]," said Yusuf, adding that the women were tortured beside their cell.

After 43 days, Yusuf was shifted to Jessore cantonment and he along with some detainees was released at the mercy of an army official from Balochistan, the witness concluded.

After his testimony, state-appointed defence counsel

Abdus Shukur Khan completed his cross-examination in 50 minutes and asked him more than 40 questions.

Being detained at the camp, it was not possible for him to see Bachchu, suggested Shukur.

"It's not true. Bachchu himself chose people from among the detainees to be killed by the Pakistani army," replied Yusuf.

"You were not allowed to see who were coming to the office of the Pakistani army," said Shukur.

"It's not true. We had seen them when we were produced at the office for trial," Yusuf responded.

"You have given untrue testimony relating Abul Kalam Azad," suggested the defence counsel.

"It's not true," replied Yusuf.

The tribunal on November 4 indicted Azad with eight charges of crimes against humanity and has been holding his trial in absentia as he is on the run.

# ICT judge

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remarks made during Skype conversation between former Tribunal-1 chairman Justice Md Nizamul Huq and an expatriate Bangladeshi legal expert.

On Monday, the prosecution pleaded the tribunal to take legal action against the Bangla daily for the reports saying these were published to hamper the trial proceeding against the war crimes accused.

Yesterday was fixed for passing order on the reports published in the daily on December 9 and 10. But the tribunal deferred the date for passing the order till tomorrow.

Justice Jahangir yesterday led the tribunal with another member Justice Anwarul Huq. Justice Md Nizamul Huq, who was the chairman of the tribunal until yesterday, was not present due to illness.

The tribunal yesterday said it had some queries regarding the matter (Amar Desh news reports) but the

prosecutor Syed Haidar Ali, who placed the petition, was not present in the courtroom.

Justice Jahangir then said his name also came up in those reports. "After going through the reports, it appears that no one knows me well," he said, adding that before publishing such report a person should be known well.

"I often get hurt mentally and worried by the cent percent lies of critics. But I am not disheartened," said Justice Jahangir, who was appointed as a member of the three-member tribunal on August 29 following the resignation of a tribunal judge.

Quoting the report of the newspaper, Justice Jahangir said he (editor of the daily) may not give such large headline after his name. Putting the critics to shame, he further said, "My name is Jahangir Hossain. According to the certificate, my name is Jahangir Hossain... Nothing else."