

Prosecution starts

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According to the International Crimes (Tribunals) Act-1973, the court will pronounce its verdict after the summation of the prosecution's and defence's arguments.

The three-member tribunal led by Justice Obaidul Hassan with members Justice Md Mozibur Rahman Miah and Judge M Shahinur Islam yesterday recorded the prosecution's arguments before it adjourned the case proceedings until today when the arguments will resume.

Mohammad Ali, the conducting prosecutor of the case, began his arguments giving a brief description of the political developments and movements from 1947 to 1971 in the erstwhile Pakistan.

In his two-hour argument, Mohammad Ali said two investigation officers of the case after a probe had submitted names of 40 witnesses and later included nine as additional witnesses.

On May 28, the tribunal indicted the Jamaat assistant secretary general for six specific charges of crimes against humanity allegedly committed during the Liberation War in 1971.

"But we [the prosecution] adduced only 10 witnesses, excluding the investigation officers of the case, as we had assessed that 10 witnesses were sufficient to prove the six charges [against Mollah] beyond doubt," said prosecutor Ali.

He said five "eyewitnesses" had given their testimony in favour of Mollah killing around 60 persons in Ghatarchar in Keraniganj [charge four], about 360-370 people in Alubdi village of Pallabi, Mirpur [charge five] and killing of six of a family in Mirpur [charge six].

Four other "hearsay" witnesses testified that Mollah had killed a student of Mirpur Bangla College [charge one]; pro-liberation poet Meherun Nessa, her mother and two brothers

[charge two]; and journalist Khondaker Abu Taleb [charge three], said the prosecutor, adding that another witness, who partly witnessed the Ghatarchar incident, narrated on the charge.

Syed Shahidul Haque Mama, Syed Abdul Kaium, poet Quazi Rosy and Khondaker Abul Ahsan, were the hearsay witnesses, said Ali, adding that these witnesses had heard of the incidents from direct witnesses.

Replying to a question of the tribunal, he said the witnesses did not have the chance to stay back and witness the incidents at that time. Had they done it, they would have also been killed.

Abdul Majid Palowan and Nur Jahan, the seventh and eighth prosecution witnesses, testified on charge No 4 against Mollah. They said he had killed at least 60 people in Keraniganj on November 25, 1971, continued Ali.

Mozaffar Ahmed Khan, a freedom fighter and the first prosecution witness, also narrated the same incident, he added.

Ali said Shafiuddin Mollah and Amir Hossain Mollah, the sixth and ninth prosecution witnesses, gave their testimonies supporting charge No 5, the allegation of killing around 360-370 Bangladeshes in Alubdi on April 24, 1971.

The prosecutor said a rape victim had given her testimony in support of charge No 6 behind closed doors. She said under the leadership of Mollah, a group of Biharies and Pakistani army attacked their house on the evening of March 26, 1971.

According to her testimony, Mollah and his cohorts had killed her parents, two younger sisters and a brother. When her 11-year-old sister came out from hiding, 10-12 persons raped and killed her.

The witness was too a victim of gang-rape, added Ali.

At this, Judge Shahinur

Islam asked the prosecutor that why Quader Mollah would be held responsible for the rapes.

In response Ali said as per section 4(1) of the ICT Act, Mollah was also liable for the crime.

The section 4(1) of the act says, "When any crime as specified in section 3 [such as crimes against humanity and peace, genocide, war crimes etc] is committed by several persons, each of such person is liable for that crime in the same manner as if it were done by him alone."

"How can you be so sure that Mollah had control over the team?" asked Judge Shahinur.

Citing from the testimony of Amir Hossain Mollah, the prosecutor said after Sheikh Mujibur Rahman's historic speech on March 7, 1971, Mollah along with 70 to 80 members of Islami Chhatra Sangha (ICS), the then student wing of Jamaat-e-Islami, gave training to the Bihari people "to protect Pakistan".

Ali said accused Quader Mollah, who is also the first defence witness, had said he was involved with ICS and was the president of its Dhaka University's Shahidullah Hall unit.

Citing from the book named "Sun Set at Midday" by former ICS leader Mohiuddin Choudhury, which is a prosecution document, Ali said, "The workers purely belonging to Islami Chhatra Sangha were Al-Badr."

According to the charge-frame order, Mollah as an ICS leader had organised the formation of Al-Badar with the members of the student body in 1971.

Meanwhile the tribunal yesterday completed recording the cross-examination of AKM Habibur Haque alias Munnu, the 10th prosecution witness in the case against Jamaat leader Ali Ahsan Mohammad Mojaheed, before adjourning the case proceeding until December 26.

Khan said in the article.

Everybody was aware of the fact that West Pakistani baboos [gentlemen] considered East Pakistan a colony and treated its citizens in the same way as the British used to treat the West Pakistanis.

It was unfortunate that both the (Pakistani) political and military leaders are under the illusion (as happened in previous eras) that they can crush their opponents.

They could not manage to do that to a very docile nation in 1971, how then can they contemplate crushing a martial race? They will be fighting for a thousand years and bleed the country to destruction and disintegration, he said.

The rulers and the establishment are using poor, brave soldiers as cannon fodder for the sake of a paltry sum in dollars.

"We have forgotten how to protect our own borders and sovereignty," Khan added.

Sanowar Jahan is a central working committee member of Jamaat, while the rest are students of different educational institutions in the city.

Acting on a tip off, law enforcers raided the Chhatra Sangstha office and recovered a huge number of 'Jihadi' books and leaflets, said Shible Noman, assistant commissioner (Ramna) of Dhaka Metropolitan Police.

In a release yesterday, Jamaat acting ameer Moqbul Ahmed condemned the detention of Tasneem Alam.

A few months ago, Tasneem was arrested on charge of an arson attack on a bus, but he came out of jail on bail.

Shamsunnahar Nizami, secretary of Islami Chhatra Sangstha, in another statement, blasted the government for detaining its female leaders and activists and demanded their immediate release.

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Sept 2011

The global lender suspends the loan.

Sept 21, 2011

A WB report labels corruption allegations against the then communications minister Abul Hossain and his company.

Sept 2011

The global lender says the loan will be revived if Abul goes.

Oct 21, 2011

The government rejects graft allegations and refuses to remove Abul.

Dec 5, 2011

Abul is shifted to the ICT

ministry, but the WB demands his removal from the cabinet altogether.

June 2012

Fresh talks begin; the WB sets four conditions, including removal of Abul and PM's adviser Mashiur Rahman.

June 29, 2012

The WB cancels the loan deal as the talks fail.

July 2, 2012

The finance minister urges the lender to withdraw the cancellation.

July 23, 2012

Abul resigns; other donors pledge the govt help in negotiations with the WB.

Abul spared, for now

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about bribe money for Abul Hossain, the ACC deputy director said the global lender had given some information but the commission was yet to get any document in support of the allegation.

Ramesh Shah, an SNC Lavalin official now facing trial in Canada over the graft charges, had mentioned in his diary Abul Hossain as the recipient of 4 percent out of 10 percent (Tk 38 crore) bribe from the supervision work money, sources said.

It was not immediately clear if the World Bank would start releasing its fund after the filing of the case.

The six other accused in the case filed with Banani Police Station are Superintendent Engineer of Bangladesh Bridge Authority (BBA) Kazi Mohammad

Ferdous, Executive Engineer of Roads and Highway Department Reaz Ahmed Zaber, Deputy Managing Director of Engineering and Planning Consultant, a local agent Canadian firm SNC Lavalin, Mohammad Mostofa and SNC Lavalin officials Mohammad Ismail, Ramesh Shah and Kevin Wales.

According to the case statement, former secretary Mosharraf dissolved the

Six admit

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Bishwajit misjudging him as an opposition activist.

The victim was attacked on Johnson Road in Old Dhaka on the way to his workplace, a tailor shop, in Shakhribazar.

Yesterday was the second day of the eight-day remand of Rafiqul Islam Shakil, who was seen in media footage injuring Bishwajit indiscriminately with a machete. He was arrested at a relative's house in Borguna early Saturday.

Meanwhile, the four detainees who were shown arrested in the case -- Mamun-ur Rashid, Faruk Hossain, Mosleuddin Muslim and Nahiduzzaman Tuhin -- have not yet been placed in remand. They were in Dhaka Central Jail as of last night.

Sources said Police have gone through their records but found no previous criminal complaints against the four.

Mamun and his friend Faruk were picked up in Old Dhaka court area as they came out of a lawyer's office.

Mosleuddin, 40, works at an electric goods shop in the capital's Madhya Badda. He and his wife live with their two children there. On December 9, he went to Old Dhaka to buy some goods for the shop.

While the details of Tuhin's identity and his arrest could not be known, Kotwali police said they had not yet found his link with the killing.

Earlier, Sub-Inspector of Sutrapur police Mahbub Alam, an investigation officer of the case, came to the Kotwali Police Station and talked to the four detainees.

The DB investigation team has so far taken six people on eight days' remand each. Of them, The Daily Star confirmed the identities of four BCL activists, including that of Shakil, who took part in Bishwajit killing.

evaluation committee four times between January and June 2010 in efforts to award the consulting job to the company of his choice.

He became head of the fourth evaluation committee, violating WB's consulting Services Manual of 2006. The manual states that all member of such a committee should have 10 years' experience in the relevant field, which the secretary lacked.

Kazi Mohammad Ferdous of BBA and Mosharraf prepared a flawed evaluation report to award the job first to a Japanese firm, Oriental Consultation Company Ltd, project director Rafiqul Islam told the ACC inquiry team during interrogation.

Ishkiak Ahmed, who was a member of the fourth committee, also gave similar statements when he was called by the ACC to testify.

However, Ferdous and Mosharraf failed to give the work to the Japanese company in the face of opposition from the other members of the committee.

Mosharraf then set for favouring SNC Lavalin. He along with the six accused persons hatched the conspiracy, the case statement says. They provided SNC Lavalin with secret information

Tazreen fire

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electric short-circuit, as there was no electric wire near the place. It came from outside.

"The accounts of witnesses and the factory workers who escaped the fire also revealed that it was an act of sabotage."

Main Uddin, an additional secretary to the home ministry, could not say what the motive was.

However, he recommended the government conduct a more detailed probe to identify the masterminds.

The four-member probe team submitted the report to the home ministry yesterday evening.

The 214-page report, which made five final recommendations, came out about three weeks after the deadly fire killed 112 people on November 24.

The findings are clearly in line with the government high-ups' claim that it was arson.

Prime Minister Sheikh Hasina on November 27 called upon businessmen to stay alert as "there were reports that a vested quarter was trying to set garment factories on fire in efforts to ruin the sector."

Yesterday, the additional secretary said unpardonable negligence on the part of owner was also responsible for the deaths of so many workers. "So we have recommended bringing the owner to book under the Section 304A of Penal Code."

The 304A says: "Whoever causes the death of any person by doing any rash or negligent act not amounting to culpable homicide shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with

regarding the tender.

Despite frantic efforts, Mosharraf could not convince the other members of the evaluation committee to select SNC Lavalin. Failed again, he dissolved the committee and reconstituted it for the fifth time with Prof Jamilur Reza Choudhury as the convener on November 4, 2010.

Ferdous for his part gave more points to SNC Lavalin while evaluating its documents to facilitate selection of the firm. He also exchanged secret information with Lavalin through emails between May and June 2010.

Quoting an email sent by Mostafa to Kevin Wales in June, 2011, the case statement said the bridge authority recommended Lavalin without proper verification of its documents and work history.

When Ismail was sacked from Lavalin, Mosharraf wanted to hold an emergency meeting with Kevin Wales and others. Accordingly a meeting was held on May 5 last year.

Abul Hossain, Mosharraf, Kevin Wales and Mostafa participated in the meeting in the capital. Following the talks, the bridge authority on June 19 last year sent recom-

both."

The probe body has identified nine mid-level officials "who barred the workers from leaving the factory after the fire broke out."

Main Uddin said, "We have recommended legal action against the owner and his nine mid-level managers as well."

A number of workers, who managed to escape the blaze, have told The Daily Star that on-duty managers prevented them from going outside, saying there was nothing to panic even though the fire alarm was set off.

The main gate, the only entry and exit point of the factory, which made clothing for international retailers such as Wal-Mart and C&A, was also said to be found locked just after the fire started, exposing the fleeing workers to smoke and suffocation.

On the structural flaw of Tazreen, the probe leader said the warehouse was not supposed to be on the ground floor and all the three staircases of the factory led to the warehouse.

He also said the owner did not follow building code, as the eight-storey factory had permission for three floors.

The factory did not have a renewed fire certificate either. It applied for the certificate but did not get it till the day of the fire.

Main Uddin said the team has recommended forming a taskforce comprising the home, labour, environment, housing and industries to ensure implementation of labour laws in garment factories, as industry leaders warn that there are many garment factories more vulnerable than Tazreen Fashions.

Sept 3, 2012

ACC investigation committee quizzes Abul Hossain.

Sept 19, 2012

Govt sends Mashiur's leave letter to the WB.

Sept 20, 2012

WB revives the loan.

Oct 5, 2012

WB announces formation of a three-member panel to review the investigation into the graft allegation.

Oct 14, 2012

WB external panel arrives in Dhaka on a three-day visit.

Nov 28, 2012

A three-day meeting of

co-financiers of Padma bridge project starts at Asian Development Bank headquarters in Manila.

Dec 1, 2012

External team arrives in Dhaka for the second time

Dec 4, 2012

The ACC team submits its draft report that included names of Abul Hossain, former state minister for foreign affairs Abul Hasan Chowdhury and businessman Nixon Chowdhury, brother of Awami League whip Noor-e-Alam Chowdhury.

Dec 9, 2012

ACC inquiry team submits its final report

AL leader shot dead in Bogra

OUR CORRESPONDENT, *Bogra*

Masked gunmen shot dead Swechchhasebak League leader Khairul Anam Rekkat in his shop in Rahman Nagar here yesterday.

The 35-year-old victim was the joint convener of the town unit Awami Swechchhasebak League, an associated body of the ruling Awami League.

Witnesses said about two to three gunmen on a bike drove to Khairul's cement shop near Abdullah intersection around 11:45am and opened fire on him. The assailants escaped after carrying out the attack.

Shop manager Russell told newsmen that he heard several shots when he was in a bathroom near the outlet.

Coming out of the loo, he found Khairul lie groaning on the floor of the shop. The victim received bullets in his head, chest and hands.

Critically injured Khairul was rushed to Shaheed Ziaur Rahman Medical College Hospital, where he expired around 2:00pm.

The body was sent to the hospital's morgue for an autopsy.

The deceased was sued in two cases by Jamaat-Shibir last month for vandalising their local offices and a few coaching centres.

Contacted, Bogra Superintendent of Police Moazzammel Haque said they identified two suspects and were trying to nab the duo.

He hinted that the incident could be the result of personal enmity.

Talking to The Daily Star, victim's father Ofat Rahman said his son was very gentle and helped many in the area. He demanded exemplary punishment to the killers.

Locals, however, said the incident occurred due to an internal feud in the Swechchhasebak League unit over establishing supremacy.

On October 1, Khairul's associates led by town Swechchhasebak League executive member Nasim attacked fellow party men Sajal, 22, and Roni, 21, in Rahman Nagar.

Hearing the news, police arrested Nasim from the spot and on his confession recovered some lethal weapons including machetes from a nearby house. The arrest escalated the factional rivalry.

But president of town Swechchhasebak League Shahidul Islam Bappi claimed that there was no intra-party rivalry.

No case was filed in this connection till filing of this report at 11:00pm yesterday.

ACC facing

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the ACC work independently?"

Hasina made the allegations during a Victory Day discussion at the Bangabandhu International Conference Centre in the capital.

The prime minister said evil attempts were being carried out by local and international collaborators at a time when the government was going on with the war crimes trial.

In this regard, she mentioned of the communal attacks on Ramu Buddhists, garment factory fire in Ashulia and the killing of Biswajit Das, and said these are not isolated incidents at all.

Reiterating her firm resolve to hold the trial of war criminals, she called upon all to be vocal and to remain alert against the "conspiracies" of the collaborators of the defeated forces.

Hasina, also the Awami League (AL) president, said there was a class of people who does not have the capacity to win elections but still wants to go to power. They conduct propaganda using money, property and the media.

Syed Asad Chowdhury, AL presidium member and deputy leader of parliament, presided over the meeting.