

# Tribunals free

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by many as an anti-liberation force, the government decided to introduce this provision and brought the amendment during passage of the bill.

People burst into protest on February 5 when a verdict delivered by a war crimes tribunal sentenced Jamaat leader Abdul Quader Mollah to life in prison. The protesters, who had been demonstrating in Shahbagh since then, feel Mollah was handed down a lenient sentence and that he should be awarded the death penalty.

They demanded a ban on Jamaat-e-Islami and student organisation Islami Chhatra Shibir and their trial for crimes against humanity.

Jamaat-e-Islami yesterday rejected the amendment and said the government's move would "lead the country into a civil war", reports our staff correspondent.

Jamaat acting secretary general Rafiqul Islam Khan last night in a statement said the government had made the decision to wipe out Islamic idealism in the country. He said such move would put the country into a dreadful anarchic situation.

Ruling Awami League-alliance MPs, however, welcomed passage of the bill thumping their desks in parliament yesterday.

The main opposition BNP's deputies, who have been boycotting the parliament since March last year, took a different stance yesterday.

Even though they are boycotting the House, the opposition MPs usually take part in the process of passage of bills by submitting notices proposing the bills be sent to select committee for further scrutiny and publicise the bills seeking people's opinion.

Yesterday, the opposition deputies, including two Jamaat deputies, refrained from submitting any such notices on the amendment bill.

During the passage of the bill, Law Minister Shafigue Ahmed referring to a constitu-

tional provision said the trial of organisations in connection with war crimes would not face questions due to constitutional protection.

The 15th amendment to the constitution made in 2011 brought significant changes to article 47 (3) of the constitution so the legality of making any law and holding trials of any individual, group of individuals or organisation cannot be challenged in any court.

In defence of the provision for trying organisations, the law minister said after the World War-II, the Nazi Party had to stand in the dock for war crimes and members of the party had to face trial in Nuremberg, Germany.

He thanked Workers Party chief Rashed Khan Menon for coming up with the proposal to empower the tribunals to hold trials of organisations involved in war crimes.

During his proposal, Menon said Jamaat-e-Islami had actively opposed the country's Liberation War by forming Razakar, Al-Badr, Al-Shams forces in line with their political decision.

"Now they are carrying out violent activities to foil the trial of war criminals," he said. Referring to the observation of a tribunal that convicted fugitive Abul Kalam Azad alias Bachchu Razakar, Menon said the tribunal had already found Jamaat responsible for committing war crimes in 1971.

Apart from Jamaat-e-Islami, some other parties also opposed the Liberation War. Maj Saddik Salik, who was the public relations officer of the eastern command of the Pakistan army in 1971, in his book titled "Witness to Surrender" said the only people who came forward to form the army of Razakars were the rightists like Khwaza Khairuddin of Council Muslim League, Fazul Quader Chowdhury of Convention Muslim League, Khan Sobur A Khan of Muslim League Qayyum, Prof Ghulam Azam of Jamaat-e-Islami, and Maulvi Farid Ahmed of Nizam-Islam Party.

## OTHER CHANGES

After the changes, the government or informants or complainants will have the right to file appeal against any verdict of war crimes tribunals. The convicts already enjoy the right to file an appeal against any conviction.

Using the right, the government almost certainly would file an appeal with the Appellate Division of the Supreme Court against the verdict of the International Crimes Tribunal-2 that sentenced Jamaat leader Abdul Quader Mollah to life in prison.

After the latest changes, the prosecution and the defence would have to file the appeal within 30 days from the date of verdict delivery by the tribunal and the apex court would have to dispose of the appeal within 60 days of its filing.

Earlier, the provisions of the law did not allow the government, the complainant, to appeal against inadequate sentencing by war crimes tribunals. It allowed an appeal only in the case of an acquittal.

PUNISHMENT  
Upon conviction of an accused, the International Crimes (Tribunals) Act empowers the tribunals to award death or such other punishment proportionate to the gravity of the crimes as the tribunals deem just and proper.

The act, however, does not have any provision on punishment of any organisation. Yesterday's amendment also did not propose any such provision.

When his attention was drawn to it, eminent jurist Shahdeen Malik said it is a problem to make an organisation subject to criminal law as it is not possible to sentence an organisation to death or have it imprisoned.

In the latest changes, he said, the provision for punishment of organisation should have been specified. The punishment could be imposing a ban on an organisation or imposing financial penalty or confiscation of its properties, he said.



Spelling Bee teams from Maple Leaf International School in Dhaka and Chittagong Ideal High School pose with golden tickets yesterday.

PHOTO: STAR

## Divisional

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Mahi, Ginan and Md Towha moved on to the next round from Chittagong Ideal High School which was also visited by the Champs21 team on the same day.

Those who have not made it to the divisional round through their schools can still participate by playing the online game. The finals of the competition will be held in June.

Details of the competition are available on www.champs21.com, the first e-learning portal of Bangladesh. Those who wish to participate in the event through the online rounds can visit the website and play the Spelling Bee Game.

## Transparent

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The company has already begun marketing a transparent multi-touch.

The company's prototype uses what they call Switchable Glass technology. That's a conductive OLED using liquid crystal molecules to display images.

When the phone is off the molecules align to form a milky composition, but when switched on they realign to form text, icons, and other images.

Electric current is carried through transparent wires. "It will happen near the end of 2013. Trust me," said Polytro general manager Sam Yu.

The device still has some parts that are not transparent, including a SD card and SIM card.

The microphone, camera, and batteries are also visible, and will be hidden behind a dark glass cover when the model goes into production.

## Verdict rejected

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Fakhrul said if BNP comes to power again, it will try the war criminals.

The city unit of the party organised the rally to press home the BNP-led 18-party alliance's demand for restoring caretaker government system for holding general elections.

The rally was originally scheduled to be held on February 9 at the same venue under the banner of the 18-party alliance, of which Jamaat-e-Islami is a major component.

On Feb 14, BNP decided to hold the rally alone on February 17 as a number of party leaders expressed the view that if Jamaat leaders addressed the rally in the present situation, it might create a bad impression about BNP.

Fakhrul, also spokesperson of his party, mentioned that the prime minister had vowed to try the war criminals at any cost, and her government formed two tribunals as well as a prosecution team for the trial.

"The team has conducted probe into the war crimes allegations. But now people of the country have rejected the tribunal's judgment," he said.

Addressing the rally, BNP standing committee member Moudud Ahmed said, initially the nature of the Projonmo Chatter (Shahbagh) movement against Jamaat-Shibir could not be understood, it is now clear that the movement has turned into "Awami League Chatter" movement.

He went on, "And that's why we are worried. That's why we tell the new generation that this [demand for capital punishment of all war criminals] should not be the only demand. The young generation should also raise its voice for ensuring law and order, holding the next general elections under a caretaker government and protecting democracy."

Several other leaders of the BNP and its front organisations also spoke at the rally.

# Brave blogger, goodbye

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his house at Palash Nagar in the capital's Pallabi Friday night.

The murder case filed with Pallabi Police Station on Saturday was transferred to the Detective Branch (DB) of police, said Masudur Rahman, deputy commissioner (media) of DMP, yesterday.

Police so far detained eight people for interrogation in connection with the murder but did not divulge their identity.

Speaker Abdul Hamid yesterday urged the government to arrest the killers of Rajib and ensure exemplary punishment to those found guilty.

"On behalf of the parliament, I strongly condemn the brutal killing and express condolence to the bereaved family," he said in response to Awami League lawmaker Tofail Ahmed's proposal to adopt a condolence motion.

Taking the floor, Tofail

proposed to stand in silence for a minute. Supporting the cause, a number of lawmakers of the ruling Awami League-led alliance also sought floor to speak on the issue.

In response to Tofail's call, the speaker said he understood the sentiment of the House. "But, I need to maintain procedure to run the House. There is no scope to observe one minute's silence now," he added.

The third namaj-e-janaza of Rajib was held in Kapasia Pilot High School premises after Zohr prayers in presence of thousands of grief-stricken people.

His last namaj-e-janaza was held at his native village Shrashpur, and around 5:15pm, he was laid to rest at his family graveyard.

Rajib's first namaj-e-janaza was held at Shahbagh popularly known as "Projonmo Chottor" while his second janaza was held at Palash Nagar in Pallabi on Saturday.

# India wants zero killings

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welcoming Pranab Mukherjee which will further enhance the relations with the neighbouring country.

After the meeting, held at the PM's office, her Press Secretary Abul Kalam Azad briefed reporters about the outcome, reports UNB.

Khurshid also handed over a cheque for \$50 million to Sheikh Hasina as the first instalment of \$200m Indian grants to Bangladesh.

The Indian government decided to provide \$200m as grant to Bangladesh out of its One Billion US Dollar Line of Credit.

Later, prior to leaving for New Delhi ending his two-day visit, Salman Khurshid addressed a press conference.

On the border killings, the Indian minister regretted the incidents as "unfortunate" saying one incident happened prior to his coming here and another during his Dhaka tour, reports our diplomatic correspondent.

Khurshid added he would consult the matter with the Indian home minister.

Replying to a question about the progress of trial in Felani killing case, he said an internal inquiry is in progress but he could not detail the latest position of the inquiry.

Referring to the photo of Felani hanging from a barbed-wire fence at the border, he said it was a very sad picture. "Felani is not only a Bangladeshi girl, she is a young child and a daughter of both sides of the border."

On India-Bangladesh ties, Khurshid said, "I don't see any

reason to believe that it will reverse... I don't think there should be a departure. I'm optimistic and I believe that this march forward of history will continue."

"We are doing whatever we need to do as responsible government at our end to ensure that there is less cause for such things to happen."

In reply to a question, Khurshid said his government acknowledged with gratitude for what Bangladesh has done to ensure that India's security was not compromised because of people using Bangladesh territory.

"So, I've really no reason to be any doubt that this is something that will stand as test of time will be permanent as nature."

Khurshid, further said, "I think we've move forward and I've not seen any signs of disagreement and dissent or divergent of views as far as this dimension and aspect of our relationship of India and Bangladesh is concerned."

On another question about the next general elections, he said it was an internal political matter of Bangladesh. However, he said he understood that there are divergent views about the holding of the elections and hoped that political parties would find ways through consultations and prepare for elections.

About his meeting with Leader of the Opposition Khaleda Zia yesterday evening, Khurshid said it was a courtesy call and bilateral issues including border and recently signing of the two

To mourn his death, Kapasia Awami League on Saturday declared a two-day programme, including wearing black badges, hoisting black flags at all business establishments and homes in the upazila.

The national flag was hoisted at all schools and madrasas in the upazila yesterday morning and students sang the national anthem expressing solidarity with the Shahbagh protesters.

A monument designed by Rajib, who was an architect, would be constructed on the upazila's Muktijoddha Chottor soon as the ministry concerned has already approved the design, said Mohammad Shahidullah, president of the upazila Awami League unit.

In a statement, bloggers of Chittagong yesterday expressed their grief. They demanded capital punishment to the killers of Rajib and the war criminals.

## agreements were discussed.

He said Khaleda Zia discussed the existing political and socio-economic situation prevailing in Bangladesh. It was a cordial meeting.

Regarding the implementation of the additional protocol for implementation of 1974 land Boundary Agreement, he reiterated that a constitutional amendment bill will be placed in the next budget session of the Indian parliament beginning on February 21.

He said Manmohan Singh has given him clear instruction to take all parties on board to pass the bill. "This would be a major milestone to be achieved."

About the Teesta agreement, the Indian minister said it is the unanimous decision of India to sign the deal. However, he mentioned some local factors (West Bengal CM's opposition) delaying the process. He hoped the things would be sorted out in the next few weeks.

Asked about the youth movement at Shahbagh, Khurshid, smiling, said he could not talk to any of the protesters; he had only seen national flags and heard slogans.

However, he said nobody has clear ideas how much this will bring change in politics. Most people are trying to understand and analysing it.

The external affairs minister also had meetings with Leader of the Opposition Khaleda Zia, Home Minister Muhiuddin Khan Alamgir and Water Resources Minister Ramesh Chandra Sen.

# It will lead country to anarchy

Jamaat reacts to law change

STAFF CORRESPONDENT

Jamaat-e-Islami has sharply criticised the amendment to the international crimes tribunals law, and said it would push the country towards a civil war.

In a statement last night its acting secretary general Rafiqul Islam Khan said the government has brought the amendment to the ICT law for the third time to pursue its political vendetta, and it would eventually hit back at the government.

He said the amendment to the law will put the country in danger of falling into anarchy.

Amnesty International and Human Rights Watch urged the ruling coalition not to amend the law taking advantage of its majority in parliament, and said such amendment would raise questions about the trial.

Brought ignoring their opinions only to ensure that the verdicts in war crimes cases are delivered as per the government's wish, and that the Jamaat leaders facing war crimes trial are awarded capital punishment, said the statement.

Besides, the amendment paved the way for trying any political party alongside individuals, which is unprecedented. The government's main objective is to wipe out Jamaat, it said.

Rafiqul said the attorney general earlier told the court that they were trying individuals, not any political party. The lawmakers and ministers also gave similar statements.

The Shahbagh movement has been organised to create anarchy in the country and defame Islam, the Qur'an, the Prophet and Islamic personalities, read the statement.

It said the government included the provision for holding trial of political parties with an aim to eliminate Islamic values from the country and hide its failure.

# Hall-Mark chairman's bail cancelled

COURT CORRESPONDENT

Eleven days into granting bail to Hall-Mark Group chairman Jasmine Islam, a Dhaka court yesterday withdrew its own order and cancelled her bail in 11 corruption cases filed in connection with a loan scam.

Following cancellation of bail order, the High Court (HC) yesterday withdrew its earlier order that asked a senior special judge of Dhaka to appear before it today for his explanation about granting bail to Jasmine.

Judge Mohammad Zahurul Haque of the Senior Special Judges' Court passed the order after special public prosecutor Mir Ahmed Abdus Salam of the Anti-Corruption Commission submitted 11 separate petitions seeking cancellation of her bail.

The court also asked her to surrender before the Chief Metropolitan Magistrate's Court in three days.

The same court granted bail to Jasmine on February 7 under the condition that she along with her company would repay Tk 2,600 crore, which her company had swindled, to Sonali bank.

Later, the Anti Corruption Commission filed criminal revisions with the High Court challenging the legality of the bail order.

The HC on February 13 issued a rule asking the government to explain why the bail order of Jasmine granted by the Senior Special Judge's Court should not be cancelled.

It also asked the government for taking necessary steps so that Jasmine could not flee the country.

# Cheers from Shahbagh

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The amendment will also allow the victims and the government to appeal against any verdict given by the tribunals.

Demonstrators chanted "Joy Bangla" with more vigour and conviction yesterday, danced in the rain, distributed sweetmeats in Bangabandhu Sheikh Mujib Medical University and congratulated each other on their victory.

They also vowed not to lose sight of their ultimate goal and to keep occupying the Shahbagh intersection till their six-point demand was met.

The demands include capital punishment to all war criminals, banning Jamaat-Shibir and revoking the state power to grant clemency to any convict.

Imran H Sarkar, one of the key organisers of the movement, announced the news of the passage of the law to the crowd and hailed it as the first achievement of the movement.

"We'll continue our protests until our six-point demand is met," he later told The Daily Star.

The general public, for the most part, were content at the swift amendment and hoped that the law would be accordingly enforced.

"I'm only partially happy, because having a very tough law is just not enough. Seeing the criminal organisation tried in a court of law will make me happy," said Paban Sarkar, a computer science graduate.

"The amendment has been brought about by the protests at Shahbagh. Now it remains to be seen how quickly the laws are enforced," said Piplu Adhikary, who works at a private company.

At the protest venue, demonstrations in fiery slogans continued for the 13th consecutive day amid the first rain of the year. At 10:00am, protesters hoisted the national flag and sang the national anthem.

Students and teachers in schools, colleges and universities across the country sang the national anthem in unison and hoisted the national flag to express solidarity.

Dhaka University students and teachers, including its Vice-chancellor Prof AAMS Arefin Siddique, also joined the countrywide programme, singing the national anthem at 10:00am at the foot of Aparajevo Bangla in front of the Arts Faculty.

After hoisting the national flag, Imran H Sarkar, convener of the Bloggers and Online Activists Network, urged all to resist Jamaat's hartal. "We all will continue our regular activities tomorrow [today]."

The protesters also called upon the media houses not to publish or broadcast any advertisements of Jamaat-linked institutions. They also urged people to wear black badges during the hartal hours and hoist black flags in memory of slain blogger and activist Ahmed Rajib Haidar.

"Jamaat er hartal, Shahbagh manena. Sombarer hartal, Shahbagh manena" (Shahbagh rejects Jamaat's hartal. Shahbagh rejects Monday's hartal).

Meanwhile, Bangladesh Shop Owners Association at a meeting yesterday decided to reject the hartal, and urged all the shop owners to keep their businesses open.

Bangladesh Transport Owners Association has also decided to operate passenger vehicles -- both in the city and on the long routes.

Dhaka University authorities, too, rejected the shutdown and decided to hold classes and examinations as usual.

Rashed Khan Menon, president of Workers Party of Bangladesh, at a meeting yesterday called upon all to build a resistance at every locality against hartal and violent activities of Jamaat and its student wing, Islami Chhatra Shibir.

Bangladesh Sarak Paribahan Samity, an association of bus owners, said it would maintain bus service throughout the country.

Besides, the association has decided to cancel membership of two bus companies, as owners of the companies are linked to Jamaat-e-Islami, said Khandaker Enayet Ullah, secretary general of the association.

"Investigation into another bus company is underway. If we can find its

link with Jamaat, we will cancel its membership too," he added.

Later in the evening, at least 70 lawmakers, including Whip ASM Feroz, joined the demonstration. They went to the protest venue around 9:20pm and stayed for around 20 minutes, said Bappaditya Basu, an organiser of the movement that began on February 5, demanding death penalty to all war criminals.

State Minister for Liberation War Affairs Capt (ret'd) AB Tajul Islam, State Minister for Housing and Public Works Abdul Mannan Khan and lawmaker Junaid Ahmed Polok spoke there and expressed their solidarity with the demonstrators.

Earlier in the day, Communist Party of Bangladesh, Musicians Alliance, Gonoforum, Sramik Karmachari Oikya Parishad, among others, expressed solidarity.

## Bail for 5

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by February 19.

In the petitions, Mannan said the accused who had earlier obtained bail had threatened Parag's family to withdraw the case filed against them which was why the PP appealed to the court should cancel their bail.

Meanwhile, the High Court on February 13 issued a rule asking the government to explain why the bail of the five accused should not be cancelled.

The HC also summoned Dhaka District Judge Md Abdul Majid and the PP to appear before it on February 20 to explain their bail order.

Eunus Ali Akond, a Supreme Court lawyer, had filed the petition challenging the legality of the bail orders under the Criminal Procedure Code (CrPC) as public interest litigation on February 12 on behalf of Nazim Ahmed, editor of the weekly Shoptobono.

Parag, a student of KG-I at Heed International School, was abducted right in front of his home in Shuvadda Paschim Para in Keraniganj on November 11, 2012.

He was found three days later in Atibazar area of the locality.