



Indian SC lifts ban on Italian envoy

REUTERS, New Delhi

The Supreme Court yesterday lifted a three-week order banning Italy's ambassador from leaving the country after Italy sent two marines back to India to face trial over the deaths of two fishermen.

The court had earlier banned the ambassador, Daniele Mancini, from leaving after Italy announced it would not send the accused marines back after a home visit. But the Italian government changed its mind and sent the two back on March 22.

The accused, Massimiliano Latorre and Salvatore Girone, are charged with murder for shooting the two fishermen off the coast of Kerala last year while serving as security guards on a cargo ship.

They say they fired warning shots at a fishing boat believing it to be a pirate vessel.

The case has caused outrage in Italy, which says the incident happened in international waters and the men should not be tried in India. Foreign Minister Giulio Terzi resigned over the decision to return the pair to India.

The marines are due to be tried in a special court in New Delhi, but the court has yet to be established.

Militants raid Pak power plant; kills 7

AFP, Peshawar

Dozens of gunmen attacked an electricity plant in northwest Pakistan, killing seven people and disrupting power to 100,000 people overnight, officials said yesterday.

It was the latest audacious assault underscoring rising violence in the northwest as Pakistan prepares to hold general and provincial elections on May 11, which are due to mark the country's first democratic transition of power.

Around 50 militants targeted the plant in Badh Bher a suburb of Peshawar, a key electoral battleground and the capital of Khyber Pakhtunkhwa province which is rife with al-Qaeda-linked militants and Taliban insurgents.

There was no immediate claim of responsibility for the attack.

A spokesman for the Peshawar Electricity Supply Company (PESCO) said

four of its staff and three policemen were killed.

The attack shut down electricity for five hours, affecting around 100,000 people in surrounding areas, the spokesman said. "We later restored electricity in those areas through alternate sources," Afzal said.

There are fears that rampant insecurity could prove a major challenge for the vote.

On Sunday, a bomb attack near an election rally killed two people and injured six, including a candidate in the northwestern town of Bannu.

TTP claimed responsibility for the bombing and threatened more attacks against the ANP, the secular Awami National Party that headed the outgoing government in Khyber Pakhtunkhwa.

The Pakistani Taliban have threatened the main secular parties who backed army operations against the Islamist militants.

Colleagues

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and some local people took Jahangir to hospital after the attackers had beaten him up and thrashed him on the head.

Doctors at the Combined Military Hospital (CMH) in the capital, where Jahangir is being given treatment, said his condition was improving and that he was under observation at the Intensive Care Unit.

Foysal said his father was to retire in two years and was the only bread-earner of the four-member family.

Ayesha Akhtar, sister of 21-year-old Mokbul Hossain whose wrists had been blown off in violence at Ranibazar by Jamaat-Shibir men on Sunday, said her brother joined the

service only a month ago and that he had been put on field duties in violation of the regulations.

Mokbul joined Motihar Police Station as a probationary officer. According to the police regulations, he was supposed to learn things, staying inside the police station for three months.

Mokbul is also undergoing treatment at the CMH in Dhaka. His one hand was cut off from the elbow and another from the wrist, said his father Ansar Ali.

"I want my son to get back his hands. He (Mokbul) had just started his life," Mokbul's mother Monwara Begum lamented. She demanded that the government send him abroad for treatment.

Jamaat-Shibir

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with sharp weapons at a tea stall at Academy intersection in Shibganj municipal area around 8:30pm, said Abdur Razzak, second officer of Shibganj police station.

Locals rushed them to Rajshahi Medical College Hospital in critical conditions.

JSD General Secretary Sharif Nurul Ambia strongly condemned the attack and demanded the arrest and exemplary punishment to the culprits.

He said Jamaat must be banned for its countrywide mayhem.

In a separate incident, four Chhatra League leaders were injured when Shibir men blasted cocktails near the stadium in the city around 9:30pm, police said.

The injured include Mizanur Rahman, a departmental secretary of Rajshahi University, Abu Nayeem, vice president of Bangabandhu Hall unit of Rajshahi University, and Rana Chowdhury.

They were admitted to Rajshahi Medical College Hospital.

Meanwhile, Rab discovered a Jamaat-Shibir den at the Sopura area in the city's metropolitan area early today.

The elite force also arrested three people from there and recovered one cocktail, 13 Chinese axes, huge number of iron rods, Jihadi books and documents, and a computer, said Lt Col Anwar Latif Khan, commanding officer of Rab-5.

Hartal spanner in war crimes trial

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"deliberate" absence of the defence counsels is a "strategy to hamper the trial proceedings," which began 40 years after the Liberation War.

The month of March had 10 days for weekends, holiday on the 17th to celebrate the birth anniversary of the Father of the Nation, the Independence Day and a holiday on the 21st to mourn president Zillur Rahman's death.

Besides, the BNP-led 18-party opposition alliance enforced nine days of hartal last month keeping only nine normal work-days in March.

The tribunals sit on the hartal days but cannot proceed much with the cases as the senior defence counsels remain absent. A few junior counsels usually appear to seek adjournments and the tribunals on several occa-

sions could only deal with the prosecution's submission, if there is any.

Both the tribunals had to adjourn the proceedings of two cases yesterday due to absence of the senior defence counsels.

As the opposition alliance, in which Jamaat is a major component, threatens with enforcement of more hartals in coming days, justice seekers fear the proceedings may face further delay.

The lower courts remain open during shutdowns as per the common practice of the country's judiciary.

The Appellate Division also usually discharges judicial functions on strike days, while a few judges of the High Court sit in their benches as well. However, fewer lawyers and litigants take part in the court proceedings on such occasions.

On several occasions, judges of the tribunals expressed resentment over the absence of the senior defence lawyers.

On March 18, Justice Obaidul Hassan, chairman of the International Crimes Tribunal-2, said the senior defence counsels had repeatedly been asked to come to the court amid hartal but they were not complying. "We [tribunal judges] are coming. Why not the senior defence counsels be present here?" he said.

On February 13, Justice Jahangir Hossain Selim, a member of the International Crimes Tribunal-1, said the court would take measures if the defence sought security arrangement. On Sunday, a member of the Tribunal-2 also said the same.

Prosecutor Rana Dasgupta alleged the

defence remained absent during hartal days even after the tribunal's assurance according to their "strategy to delay" the case proceedings.

Citing section 13 of the International Crimes (Tribunals) Act, 1973, the prosecutor on Monday told The Daily Star that there was no scope to adjourn any case for hartal.

Section 13 says, "No trial before a tribunal shall be adjourned for any purpose unless the tribunal is of the opinion that the adjournment is in the interest of justice."

Seeking an adjournment for hartal does not go with the notion of "interest of justice", Rana said, adding that the tribunal should proceed as per the law, not by one's personal preference.

Tajul Islam, a senior member of the defence,

however said they could not appear before the courts "only for security grounds". "There is no other reason," he claimed.

Asked about the tribunal's assurance of police protection, Tajul said, "We have no trust on police for our protection."

Senior defence lawyers practising in the High Court usually don't take part in the proceedings during hartals, Tajul said, adding that they too would not take part in the tribunals' proceedings.

However, Farid Uddin Khan, one of the senior defence counsels, went to the HC on March 4, which was a hartal day, to file an appeal for war crimes convict Abdul Quader Mollah.

Six cases against four Jamaat and two BNP leaders are now pending with the tribunals.

Hindu

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in connection with his alleged involvement in the incident.

Locals brought out a procession in the morning protesting arson attack on the temple, reports our correspondent in Tangail.

Shajahan Ali Miah, additional superintendent of police (Gopalpur Circle), Md lamin Khan, upazila nirbahi officer, visited the spot and assured people of the minority communities of bringing the culprits to book.

In Patuakhali, fanatics destroyed the idol of Hindu goddess Kali in a 250-year-old temple at Sutabaria village of Galachipa upazila on Monday.

Nikhil Chandra Gangulee, priest of the tem-

ple, said "I offered worship at the temple around 11:00 am and later left the place after locking its iron gate."

Around 3:30 pm, Molina Rani Dutta went to a pond situated near the temple and found the lock of its iron gate broken, he said.

As she screamed, locals rushed to the spot and found the idol damaged, he added.

Abdul Motaleb, acting officer-in-charge of Galachipa Police Station, said a police team had been sent to investigate the incident, reports our Patuakhali correspondent.

Ershad Hossain Badol, chairman of the upazila, said some miscreants might have damaged the idol in a pre-planned way to destroy religious harmony in the locality.

18 more bodies recovered

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Islam, commanding officer of Coast Guard Ship Towhid, told The Daily Star.

"The bodies were decomposed and could not be identified immediately," he added.

The rescue operation would continue for a day or two for the fishermen still missing, said the official.

The bodies recovered yesterday were first taken to Kutubdia and handed over to Kutubdia Police Station Officer-in-Charge Amirul Islam and Upazila Nirbahi Officer Firoze Ahmed. They were later turned over to Cox's Bazar Additional Superintendent of Police (ASP) Babul Akhtar at Manama Ghat in Pekuwa upazila.

The ASP said, "The bodies were found with hands and legs tied. We have asked the Cox's Bazar Sadar Hospital to conduct autopsy of the bodies."

According to police and locals in Banshkhal, 34 fishermen on three trawlers -- Allahr Dan, Allahr Dan-1 and Al Makka -- left Shekherkhil area of the upazila for fishing on March 24 and 25.

Abul Hashem and Jafar Majhi, owners of Allahr Dan and Allahr Dan-1, filed two general diaries on March 26 with Banshkhal Police Station about their missing crew and pirate attacks on their boats.

Three of the crew aboard Allahr Dan came back ashore in the early hours of March 27 and told the trawler owners

that all the three boats had been attacked by pirates some 25 kilometres from Kutubdia channel.

As the news of floating bodies reached the shores, some relatives of the missing persons from Banshkhal went to the sea on a trawler on Monday and recovered three bodies. The deceased were identified as Nizam Uddin, Md Yunus and Md Matin.

Nurul Kabir, son of Abul Hashem, said, "We left for the sea on our own, as the police were not helping us find the missing people."

He said they found the bodies near Jahajkhari area, about 20km from Kutubdia channel. There were more bodies, but they could not recover those due to poor

visibility and rough sea.

Nur Hossain, one of the survivors, said a gang of 20 to 25 pirates started chasing them around 10:00pm on March 26. "I was driving the trawler when they started to fire rubber bullets at us. I was hit a couple of times. I tried my best to flee, but gave up after around two hours."

"Some of the pirates got on our boat and started beating the crew. I somehow managed to jump off," he said.

The two other survivors, Kamal and Kashem, had followed Nur. They were rescued by another fishing trawler and dropped at Moheshkhali.

Nurul Kabir said the pirates looted valuables worth around Tk 12 lakh from his father's fishing trawler.

Joint operation

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and its student wing Islami Chhatra Shibir went on a rampage across the country after a war crimes tribunal on February 28 sentenced Jamaat leader Abdul Quader Mollah to life imprisonment for committing crimes against humanity during the Liberation War, according to sources at police headquarters.

Leaders and activists of the Jamaat-Shibir attacked law enforcers and resorted to violence in Gaibandha, Rajshahi, Bogra, Sirajganj, Pabna, Chapainawabganj, Joypurhat, Sylhet, Chittagong, Satkhira and Jhenidah.

During the combing

operation, law enforcers will block the entry and exit points in the districts to ensure the accused cannot flee.

Besides, the law enforcers will seek help from local ruling party men to trace the Jamaat-Shibir men, said sources in the Awami League.

If necessary, added the sources, the combined force will be allowed to open fire to avoid any deterioration in law and order.

The government has gathered intelligence about the attackers and found that over 300 trained Jamaat-Shibir men from different districts carried out hit-and-run attacks with the help of local party men.

Mohammad Moniruzzaman, commissioner of Rajshahi Metropolitan Police, said the law enforcers could not trace the Jamaat-Shibir men immediately after the attacks as the attackers came from other districts and fled away to carry out attacks elsewhere.

"Now, intelligence has traced the attackers. Their movements have constantly been under watch," he added.

The decision of the combing operation came after the authorities concerned had several meetings. In the last two days, the home minister held meetings with the law minister, the state minister for LGRD and cooperatives and a special assistant to the prime minister. Junior ministers of the home and law ministries were present.

After the cabinet meeting on Monday, the home minister talked to Prime Minister Sheikh Hasina and other senior ministers about the possible operation.

Tribunal irked by absence of lawyers

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arguments on law points yesterday but did not appear before the tribunal showing "personal difficulty".

The tribunal expressed unhappiness over a defence petition that followed an adjournment.

"He [Razzaq] could've said it yesterday [Monday]. But he didn't say it yesterday before adjournment," said chairman of the three-member tribunal Justice ATM Fazle Kabir.

It was for the sixth time the defence remained absent showing "personal difficulties" since March 4 after the prosecution completed their arguments.

The tribunal had earlier adjourned the proceedings on three occasions for which the defence had to give total Tk 11,000, as the tribunal did not find the

grounds for the adjournment petitions satisfactory.

But when defence counsel Raihan Uddin yesterday came up with another adjournment petition on the same ground, the tribunal set the deadline to complete their arguments.

Raihan told the tribunal that senior counsel Razzaq could not come due to "personal difficulty" and sought the adjournment.

The tribunal asked the whereabouts of the senior defence counsel.

"According to my knowledge, he [Razzaq] is now at home," replied Raihan.

Opposing the petition, prosecutor Sultan Mahmud Simon quoting section 13 of the International Crimes (Tribunals) Act, 1973 said there was no provision of

adjournment in the law for the said reason.

Section 13 reads, "No trial before a Tribunal shall be adjourned for any purpose unless the Tribunal is of the opinion that the adjournment is in the interest of justice."

The prosecutor told the tribunal the defence had not mentioned anything about "interest of justice" rather highlighted "personal difficulties".

He also pointed out that the defence had yet to pay Tk 5,000 that the tribunal asked to pay while allowing their last petition for an adjournment on March 27.

When the tribunal enquired about the matter, Raihan said they could not pay the amount on Monday due to a technical problem in the bank.

Prosecutor Tureen Afroz said the value of time of

judges and operational expenditures of the tribunal should be considered in imposing such costs on adjournments.

She argued that the defence were taking the costs lightly. "The cost was imposed as warning. But they are not taking it seriously," she observed.

Tribunal Chairman Justice ATM Fazle Kabir said, "We are not inclined to impose cost upon the defence. The prayer for an adjournment is allowed for today with the direction to complete the argument within April 4. The argument shall stand stop [then]."

The tribunal then fixed today for hearing the closing argument of the defence.

Raihan later told The Daily Star that they had paid Tk 5,000 for the previous adjournment.

TRIBUNAL-2 The International Crimes Tribunal-2 yesterday completed recording testimony of Abdur Razzaque Khan, 17th and last prosecution witness in the case against Jamaat Secretary General Ali Ahsan Mohammad Mojaheed.

During his one-and-a-half-hour testimony, Razzaque, also the investigation officer of the case, mainly exhibited documentary evidence he had collected during investigation.

The three-member tribunal led by Justice Obaidul Hassan adjourned the case proceeding until April 7 when Razzaque is set to face cross-examination by the defence.

On March 28, Razzaque started giving his testimony but could not complete it as the conducting

prosecutor fell ill during the proceeding.

The investigator said he had learned that Mojaheed was the president of Islami Chhatra Sangha (ICS), the then student wing of Jamaat, of Faridpur district in between 1968-1970.

He was the president of ICS Dhaka city unit in between January-July in 1971 and became the general secretary of East Pakistan ICS in July 1971 and its president in October that year.

According to the prosecution documents, the ICS turned into Al-Badr force during the Liberation War and Mojaheed was a commander of it. The force collaborated with Pakistani army in killing and committing genocide and other crimes.

Razzaque said he had submitted a probe report

after finding "preliminary proof" of Mojaheed's involvement in crimes against humanity committed across the country including his home district Faridpur.

Meanwhile, the tribunal adjourned the case proceeding of another Jamaat leader Muhammad Kamaruzzaman until today, as chief defence counsel Abdur Razzaq did not appear before the court.

The tribunal said it would close the defence arguments if they failed to start arguments today even hartal was enforced. The tribunal, however, would allow the defence to submit written arguments.

Both the Jamaat leaders are facing seven charges of crimes against humanity committed during the Liberation War in 1971.