

Prosecution witness declared hostile

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It also became apparent during yesterday's proceedings that the prosecutor concerned was not properly prepared.

Seventh witness Prodip yesterday in his deposition said he lived in Karamja village in Sathia of Pabna during the Liberation War in 1971.

He said on May 8, 1971, he climbed a litchi tree belonging to Megha Thakur to harvest "moments later, the Pakistani army raided the house. I was on that tree at the time," Prodip said.

The Pakistani army took 10 people beside a temple near the house and beat them up. Later, all of them were lined up before they were shot, he said.

Nine of them, Megha Thakur, Dwizu Thakur, Korun Thakur, Shoshthi Halder, Shanti Halder, Adu Halder, Kartik Halder, Suresh Halder and Prodip's uncle Murali Chandra, were killed. Tara Halder was also in the group but managed to survive.

Prodip, who fled the scene after the killings, also said he saw Shukur Afzal and Moslem at the spot.

Prodip said about 12-14 days before the killing, a meeting was held at Khodabakhsh Chairman's board office during which a call was made to the

villagers not to leave the country.

"That's all," Prodip said concluding his testimony.

Prosecutor Iqbal asked the witness whether he gave a statement before the investigation officer of the case.

The witness said he could not remember.

Iqbal went back to his chair and a couple of minutes later he stood before the tribunal and declared the witness "hostile" and sought permission to cross-examine him.

The three-member tribunal, led by Justice ATM Fazle Kabir, allowed the cross-examination but asked the prosecution to submit a written prayer in this regard.

Iqbal again asked Prodip if he had given a statement before the investigation officer Abdur Razzaq on November 6, 2010.

"I cannot remember," the witness said.

Iqbal suggested that the witness mentioned in his statement before the investigation officer Motiur Rahman Nizami and Al-Badr commander Rafiqun Nobi were involved in the May 8, 1971 incident.

This led to the tribunal stepping in since the witness' statement before the investigation officer did not mention Nizami involved in the May 8,

1971 incident. Tribunal judge Justice Jahangir Hossain Selim said, "Can you take anything beyond the statement? It is not mentioned in the statement."

The prosecutor then began going through the statement.

Justice Selim said, "You [Iqbal] are a senior lawyer. It seems you have not gone through the statement."

Iqbal then asked another question to the witness which did not seem proper to the tribunal. "How could we make you understand? This is not the way of cross-examination," said Tribunal-1 chief Justice Kabir.

The tribunal then lectured the prosecutor on questioning methods of hostile witnesses.

Iqbal then made a suggestion that the witness received financial benefits from the accused and covered up the truth.

"I did not see Motiur Rahman Nizami," Prodip again said.

"You have given a false testimony," the prosecutor suggested.

But the suggestion confused the tribunal. Justice Selim said, "Do you [Iqbal] want to say his entire testimony is false?"

"No, No, My lord," Iqbal replied instantly.

The same tribunal two

months ago suggested that Iqbal examines witnesses before producing them to the court. The tribunal made the suggestion as the tribunal faced difficulties in recording deposition of third prosecution witness on March 19.

Yesterday, the defence declined to cross-examine prosecution witness Prodip.

The proceeding of the case was adjourned until May 19.

MOJAHEED

The prosecution yesterday continued placing their closing arguments in the war crimes case against Jamaat-e-Islami leader Ali Ahsan Mohammad Mojahed for the second day at the International Crimes Tribunal-2.

In two hours and 40 minutes, Prosecutor Muklesur Rahman Badal completed closing arguments on first two of the seven charges against the Jamaat secretary general.

Citing testimonies of prosecution witnesses and documents, Badal said the prosecution was "able to prove" the charges.

The three-member Tribunal-2, led by Justice Obaidul Hassan, recorded his submission before adjourning the case proceedings until May 15, when the prosecution resume closing arguments.

ZIAUDDIN REPLIES

In compliance with a

Tribunal-2 order on January 3 upon Brussels-based legal expert Ahmed Ziauddin to explain as to why legal proceedings should not be initiated against him for "obstructing fair process of the trials", Ziauddin had sent his response.

The foreign ministry submitted the reply of Ziauddin to the registrar's office, AKM Nasiruddin Mahmud told The Daily Star yesterday.

On April 30, the tribunal directed the ministry to take necessary steps to collect Ahmed Ziauddin's reply, which he had submitted to the Bangladesh embassy in Brussels, and have it sent to the court.

The court had issued the directives, as it had not received any reply from Ziauddin although it had received information that Ziauddin had submitted his reply to the embassy.

The tribunal passed the January 3 order following the leak of the alleged Skype conversation between Ziauddin and former Tribunal-1 chairman Justice Nizamul Huq late last year.

The tribunal is expected to pass further orders in this regard today.

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The margin of victory over the closest competitors -- a party headed by former cricket star Imran Khan and the outgoing Pakistan People's Party -- gave Sharif's party a clear mandate to guide the country of 180 million over the next five years.

Yesterday, he received a call from Indian Prime Minister Manmohan Singh and Afghan President Hamid Karzai congratulating him on his victory.

President Barack Obama also congratulated Pakistan yesterday on its parliamentary elections and said Washington was ready to work "as equal partners" with the government that emerged.

"My administration looks forward to continuing our cooperation with the Pakistani government that emerges from this election as equal partners in supporting a more stable, secure, and prosperous future for the people of Pakistan," Obama said in a statement.

While promising "full cooperation" with Pakistan's new government, Karzai alluded to the often hostile relationship between the two countries and his suspicions that Islamabad has in the past aided insurgents and contributed to Afghanistan's instability.

"We hope that the new elected government provides the ground for peace and brotherhood with Afghanistan, and to sincerely cooperate in rooting out terrorist sanctuaries," he said.

Manmohan Singh congratulated the Pakistani politician Nawaz Sharif on his "emphatic victory" in historic elections and said he hoped for better relations.

Singh wrote on his official Twitter account, "Congratulations to Mr Nawaz Sharif and his party for their emphatic victory in Pakistan's elections".

He said he hoped to work with Sharif to chart "a new course for the relationship" between the nuclear-armed

neighbours and invited him to "visit India at a mutually convenient time".

Singh also congratulated "the people and the political parties of Pakistan for braving the threats of violence and voting in large numbers" in Saturday's election.

Nuclear-armed India and Pakistan have fought three wars, two of them over the disputed region of Kashmir. Each administers part of the territory but claims it in full.

They also clashed in 1999 in a limited conflict known as the Kargil war, which broke out when Sharif was prime minister, adds AFP.

Relations between the two countries have been fractious in recent weeks, with both sides protesting at the deaths of prisoners held by the other's government.

Sharif has a track record of trying to improve ties with neighbouring India, and is expected to continue to work toward that while in power. A thaw in relations could improve Pakistan's economy by opening up trade with India and -- in the long-term -- by reducing the need for defence spending.

Sharif is also going to need a more friendly and pragmatic foreign policy in his efforts to end Pakistan's long-running domestic insurgencies - the Pakistani Taliban in the tribal areas, the Baluch separatists in Baluchistan and the multiple ethnic and sectarian killings in Karachi.

Blaming India or Afghanistan for helping create Pakistan's own domestic instability, as former regimes have done, resolves nothing, writes Ahmed Rashid in BBC.

The most difficult relationship is likely to be with the Americans. Sharif, like other politicians in this election campaign, has risen on a wave of anti-Americanism.

The army has its own multi-dimensional quarrels with Washington, especially over the use of drone missiles.

However, Sharif knows that he will need US support in order to garner desperately needed aid from the IMF, the World Bank and other global institutions and he cannot do that without US support for a peace process with India and Afghanistan.

The five central Asian states - Tajikistan, Uzbekistan, Kyrgyzstan, Kazakhstan and Turkmenistan - are already deeply concerned about the US pullout from Afghanistan and the US failure to control the Taliban - for which they also blame the Pakistan military. They will be relieved to see Sharif in power and expect him to broker peace in Afghanistan.

Pakistan's traditionally China, which has become increasingly concerned and even privately critical of Pakistan's pandering to extremism and the Taliban, will now seek an ally in Sharif and hope that he will be able to work with the army to end Pakistan's tolerance of extremism.

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Sharif sweeps

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The army has its own multi-dimensional quarrels with Washington, especially over the use of drone missiles.

However, Sharif knows that he will need US support in order to garner desperately needed aid from the IMF, the World Bank and other global institutions and he cannot do that without US support for a peace process with India and Afghanistan.

The five central Asian states - Tajikistan, Uzbekistan, Kyrgyzstan, Kazakhstan and Turkmenistan - are already deeply concerned about the US pullout from Afghanistan and the US failure to control the Taliban - for which they also blame the Pakistan military. They will be relieved to see Sharif in power and expect him to broker peace in Afghanistan.

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