

'ASSAULTING' DEFENCE COUNSEL Witness may face contempt charge

STAFF CORRESPONDENT

The International Crimes Tribunal-2 yesterday asked a prosecution witness to reply why a contempt of court proceeding should not be initiated against him for allegedly assaulting a counsel of war crimes accused Ali Ahsan Mohammad Mojaheed.

Jahir Uddin Jalal, second prosecution witness in the case against Jamaat secretary general, was asked to submit this explanation in person on June 5.

The three-member tribunal headed by Justice Obaidul Hassan issued the show-cause notice following a petition filed by Munshi Ahsan Kabir, who was allegedly assaulted by Jalal.

Moving the petition, chief defence counsel for Jamaat-e-Islami leaders Abdur Razzaq said Jalal along with several others started verbally abusing Kabir for conducting Mojaheed's case when he had reached Segun Bagicha Sunday evening.

Jalal threatened and physically assaulted Munshi when the latter had responded by saying it was his professional duty, Razzaq alleged.

The attack was carried out solely with a view to intimidating the lawyer and preventing him from performing his professional duties, Razzaq alleged, saying it was tantamount to obstructing the course of justice and sought action against Jalal.

The chief defence counsel also produced news reports clipped from the daily Sangram, Naya Diganta and Destiny on the incident to substantiate the allegation.

The tribunal, in its order, said the prima facie assault "was not only a threat to an individual counsel but also tends to prejudice the case, which is now at the stage of summing up by the defence".

"The prima facie intimidation caused to the petitioner appears to have prevented him from performing his professional duties of defending accused Ali Ahsan Mohammad Mojaheed," the tribunal added.

The alleged conduct of Jalal would create a disparaging notion in the mind of the public about the lawful process being carried out by the tribunal, it said, adding, "In consideration of the nature of the matter, we are convinced to take it into cognisance."

Jalal, who is a freedom fighter, is also the second prosecution witness in the war crimes case against Jamaat Ameer Motiur Rahman Nizami pending with the Tribunal-1.

ICT-1

The International Crimes Tribunal-1 yesterday heard submission of both the prosecution and the defence on four petitions in the war crimes case against Salaudhin Quader Chowdhury.

The tribunal is expected to pass orders on the matters today.

The prosecution made submission on two petitions -- taking statements of eight witnesses before the investigation officer as testimony as per the International Crimes (Tribunals) Act, 1973 and amending a portion of the charge-framing order.

The defence, on the other side, made submission on their petitions for cross-examining two prosecution witnesses again and recalling Salaudhin's discharge petition order.

Prosecutor Sultan Mahmud Simon told the tribunal that three witnesses passed away and five witnesses could not be found. As a result, they appealed to the tribunal to take their statements given before the investigation officer as per section 19 (2) of the Act as witnesses' testimony.

According to section 19 (2) of the Act, a tribunal may accept as evidence a statement recorded by a magistrate or an investigation officer on grounds that the person who made the statement is dead or his/her attendance cannot be procured without an amount of delay or expense which the tribunal considers unreasonable.

Opposing the petition, defence counsel Fakhrul Islam said all the GDs (general diary) on the five missing people had been filed within this month which suggested neglect of the prosecution in producing their witnesses.

In another war crimes case against Mobarak Hossain, the defence cross-examined prosecution witness Khodeja Begum.

Khodeja in her deposition said Mobarak shot his father Abdul Khaleque to death on November 11, 1971.

The defence had completed cross-examination of the witness before the tribunal adjourned the proceeding until June 2.

Hartal today

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district correspondents.

In the capital, at least six vehicles were set ablaze.

In Chashara of Narayanganj, activists of Jubo Dal, the pro-BNP youth wing, clashed with police in the afternoon, leaving at least five people injured.

In Chittagong, police cordoned the main opposition party's city office at Nasim Bhaban when party men tried to bring out a torch procession in support of today's hartal.

BNP activists hurled four crude bombs when police tried to halt the procession, police said.

Police fired several tear-gas shells to disperse the BNP men, said Mohiuddin Selim, officer-in-charge of Kotwali Police Station. Two BNP activists were detained from the spot.

With today's one, the BNP-Jamaat alliance would have enforced 30 country-wide daylong hartals in the last five months, in addition to a couple of dozens in different districts.

One study shows 15 days of these shutdown cost the economy \$3 billion, the money that could finance the construction of Padma bridge. The costs do not take into account the killing of people and the damage done to public and private property.

According to another study, each day's hartal causes a loss of around \$200 million. The estimated annual average cost of hartals is between 3 percent and 4 percent of the country's \$110 billion gross domestic product (GDP).

The two studies were done by the UNDP and the International Chamber of Commerce Bangladesh.

The issue of Tarique Rahman, BNP chief Khaleda Zia's elder son, came to the fore after a court on

Saturday gave permission to the Anti-Corruption Commission to issue arrest warrant for him through the Interpol and bring him back to put on trial for "money laundering".

BNP's local units have already enforced daylong hartals on Sunday and Monday in nine districts protesting the court order.

This month, Jamaat has enforced two daylong hartals across the country while today's is the fourth by the 18-party alliance.

Australia

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shown by the fact that it ranks among the top countries in a large number of topics in the Better Life Index," the OECD said on its website.

More than 73% of Australia's 23 million people aged 15 to 64 hold a paid job, which is above the OECD average.

Life expectancy at birth is also higher, at almost 82 years.

Australia's economy has posted more than two decades of straight growth due to demand for its natural resources.

The nation also managed to sidestep the worst of the financial crisis and was the only major developed nation to avoid the global recession in 2009.

The country's economic strength has been reflected in the Australian dollar, which is currently trading close to 30 year highs.

However, the government is starting to see challenges to growth as the mining boom tapers off, including rising unemployment.

Another challenge they face is a widening income gap. According to the OECD, the top 20% of Australia's population earn six times more than the bottom 20%.

Tk 1,600cr

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for the Padma bridge project on graft allegations, the Asian Development Bank (ADB) and the Japan International Cooperation Agency (Jica) also disengaged from financing around \$1.1 billion in the project.

Consequently, the government has allocated the highest amount to a single project in the next fiscal year's development programme, with the aim of starting the project work before it leaves office.

The allocation to the Padma bridge makes up about 45 percent of the total allocation to the transport sector as a whole.

Officials of the planning and the finance ministries said they have kept the foreign-funds component in the bridge's financing plan in the hope of getting back funds from the ADB and Jica.

However, the Indian government's \$200 million grant to Bangladesh will not be used in the Padma bridge project, the officials said. The amount will be spent particularly on roads to facilitate transit to the biggest neighbouring country.

US F-15 crashes in Japan, pilot ejects safely

AFP, Tokyo

An American F-15 fighter crashed into the sea after its pilot ejected from his plane off Japan's southernmost Okinawa prefecture yesterday, the US Air Force said.

"A Kadena-based F-15 aircraft developed a problem that ultimately resulted in the pilot ejecting from the aircraft over the Pacific Ocean approximately 70 miles (110 kilometres) east of Okinawa," the air force said, referring to the hub of American air power in the Pacific.

Price double

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Citing an example, he said about 10,000 acres of forest department land in Gazipur had been recorded against the names of individuals.

The report says forests account for 17 percent of the country's total land. Only 9.77 percent of land is entirely covered by forests while about 4.45 percent are in the hands of land grabbers. Deputy commissioners have been lax in taking measures to recover the occupied forestland.

According to Bangladesh Environment Protection Act, 1995, no industrial unit can be set up on any forestland or close to it without a no-objection certificate from the Directorate of Environment (DoE).

Of the 299 industries in Bhawal National Garden, only 24 got clearances from the DoE. And at least 161 industries there release hazardous waste, causing harm to the forest's biodiversity.

Though the environment and forest ministry in 1999 made it illegal for any building, structure, agricultural farm or fishery to be set up there, at least 201 industries were installed in the area after the ministry issued the order.

However, the Department of Forest told the CAG office that those industries were installed on approval from the Board of Investment and the district administration.

The industrial units include readymade garments, dyeing, painting and textiles, pharmaceuticals, and lubricant factories, and cattle farms.

The report says forestland has been grabbed not only in Bhawal National Garden but all over the country as well. Moreover, the state exchequer is being deprived of a huge amount of revenue due to destruction of forest

resources and smuggling of timber.

The DoF deposited Tk 235 crore to the state exchequer by selling around 18.44 lakh cubic feet of timber it had seized from smugglers in the 10 years from 1999. However, it was a small fraction of the timber that is smuggled every year.

The report is based on the data that the CAG office collected in 10 years between the fiscal years 1999-2000 to 2008-09.

Jamaat

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dissatisfaction over Jamaat's failure to handle the Hefajat movement, said meeting sources.

"The government now has the upper hand due to the failure. Now we must win the city corporation polls to boost the opposition men and the [anti-govt] agitation," an alliance leader quoted Khaleda as saying in the meeting.

Meeting Sources said Khaleda in exchange for the candidacy withdrawal may speak in her rallies for the release of the top Jamaat leaders now facing war crimes trials. BNP may also extend support to Jamaat's own agitation programmes.

The BNP-led alliance wants to win the city corporation polls to use the victory to encourage its leaders and activists more in realising the demand for installation of a non-party election-time government.

"In Monday's meeting, the alliance formed four teams to monitor, coordinate and assist their favoured candidates in four city corporations," Hamdullah Al Mehedi, secretary general of Bangladesh Labour Party, a component of the opposition alliance, said yesterday.

Each of the teams, comprised of one representative from all the parties in the alliance, would be led by a BNP central leader, he added.

Defence concludes

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meeting at local Peace Committee office in Faridpur, Mojaheed and his accomplices attacked the Hindu community of Bakchar village and tied up at least nine Hindu people.

Wife of Upen Saha, one of the detainees, even requested the release of her husband in exchange for money and jewellery, the charge says, adding that on instructions from Mojaheed, his accomplices killed all the civilians. One woman was also raped then.

Mojaheed and his accomplices looted and burnt the house of one Anil Saha and by such discriminatory and persecutory conduct he compelled villagers to leave for India, according to the seventh charge.

Defence counsel Ahsan Kabir argued that in the charge, Mojaheed had been mentioned as the secretary of East Pakistani Islami Chhatra Sangha and the head of Al-Badr force, but in May, according to the prosecution, he [Mojaheed] had been the president of Dhaka city unit Chhatra Sangha.

He said, according to the book Al-Badr, which is a prosecution document, the Al-Badr force was formed on May 21. "Then how could he [Mojaheed] become the head of Al-Badr on May 13, the date of the incident?" he argued.

The court said apart from being the secretary of East Pakistani Islami Chhatra Sangha and the head of Al-Badr force, Mojaheed had been charged "and or as a member of group of individuals".

According to a book named "Ekattorer Ghatok O Dalalra Ke Kothay" which is also a prosecution document, Al-Badr, an auxiliary force of the Pakistani occupation army, was formed after the army had entered Jamalpur on April 22, 1971.

The prosecution documents also say Mojaheed became the general secretary of East Pakistani Chhatra Sangha in July 1971, and served as its president from October to December 16,

1971.

The defence counsel said 12th prosecution witness Chitta Ranjan Saha was a "hearsay witness", as he did not see Mojaheed rather heard that he had gone to Faridpur to form Peace Committee.

During his arguments regarding Peace Committee, an auxiliary force to Pakistani army, counsel Kabir said Mojaheed's father had also been a member of Peace Committee.

He said Chitta in the first part of his testimony had said he saw eight to 10 bodies including that of his brother's on their yard, but in the last part of his testimony, the witness had said that he saw all the bodies at Shree Angan, a place 60 to 70 yards from their home.

The court said the witness might have made mistake regarding the place after 42 years but it does not mean that the incident had not happened.

Members of the Peace Committee and Al-Badr and Bihar killed at least 10 people at Bakchar on May 13, 1971, the day Mojaheed and other Peace Committee leaders held a meeting there, Chitta had testified.

The court asked whether the defence during the cross-examination could discredit Chitta's statement that Mojaheed took part in the meeting with Peace Committee leaders.

Kabir did not give a direct answer to that, but said Chitta had not seen Mojaheed rather heard about the incident.

Another defence counsel Mizanur Rahman said Bakchar incident had not been mentioned in any book related to the Liberation War in Faridpur.

At that, the court asked if the defence could disprove during the cross-examination that the incident had happened. "It [incident] might not be in the books," added the court.

Regarding 13th prosecution witness Sakti Saha, Kabir said the investigation officer had testified that

Sakti lived in India and came to Bangladesh occasionally. But Sakti said he lived in Bangladesh and had been to India thrice.

He did not even have an Indian passport, said Kabir.

"Does his illegal travelling to India dispute that his father was not killed? Does it mean that the incident did not happen?" the court asked.

The investigation officer had spent only 28 hours and five minutes to investigate the case, although, he took 14 months to complete the probe, said Kabir, adding, "The IO did not investigate properly."

Wrapping up his submission, Kabir said his client was a minister from 2001 to 2006 and no allegation of corruption was raised against him. He appealed to the court to consider the matter while pronouncing verdict.

At that time, Mojaheed, who was standing in the dock, was crying, and one of his sons asked him to sit down, which he did. His wife, daughter and sons, who were in the courtroom, were also crying.

Seven Afghan police killed by their dinner guests

AFP, Kandahar

Suspected Taliban militants killed seven police in southern Afghanistan after persuading the officers to invite them into their checkpoint for dinner, officials said yesterday.

A total of 14 Afghan police and soldiers have died over the last two days as Taliban insurgents increase attacks as part of their annual "spring offensive" launched last month.

The two attackers fled the police checkpoint after shooting the seven men in the province of Kandahar, a hotbed of the militant campaign that targets Afghan security forces and officials as well as US-led foreign forces.

Fighting Graft

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violations," nor does it preclude possible criminal charges.

It comes after the World Bank last month banned SNC-Lavalin from its projects over former executives' alleged high-level bribery in a Bangladesh bridge project and "misconduct" in a rural electrification project in Cambodia.

Other investigations have linked the company to alleged crimes in Algeria, Canada, Libya, Mexico and Tunisia.

In February, Canadian police issued a warrant for the arrest of a former hospital director and Canadian spy agency watchdog for allegedly accepting payments from SNC-Lavalin in the awarding of a Montreal hospital construction contract.

Two former SNC-Lavalin vice presidents have also been linked to an

Father appeals

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Sonargaon, who appeared in master's examination, died at Dhaka Medical College Hospital while in police custody on May 22.

His family alleged that he was picked up by Sonargaon police on May 14, confined in the residential quarters of Inspector Arup on the premises of the police station and was tortured brutally for bribe before he was produced in a Narayanganj court to make confessional statement in a four-murder case.

The victim's father also prayed to the court to order the police to accept the first information report about torture on his son.

The police officials had tortured Shamim instead of producing him before a magistrate within 24 hours of arrest, which was a violation of his fundamental right, the petitioner mentioned.

He stated that even a police probe report said Shamim was tortured in custody.

An investigation by The Daily Star also found that the allegation of torture was true.

elaborate plot to bring Saadi Gaddafi, the son of ex-dictator Moamer Gaddafi, into Mexico with false documents at the height of pro-democracy protests in Libya in 2011, and of bribery in connection with projects in Libya.

SNC-Lavalin's former president was sacked in March 2012 after 23 years with the company amid accusations that he allowed mysterious payments by a former executive now in a Swiss jail facing money-laundering charges.

The former president Pierre Duhaime himself also faces fraud charges in connection with the bid to build the Montreal hospital.

Bombs hurled

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found no body outside the boundary wall, according to the staff of the building.

"I woke up hearing three loud bangs. I along with some others went to the rooftop and found two marks of blasts. We saw ripped up scotch tape, broken parts of tiny container and small stones strewn over the roof," Mizanur said while talking to The Daily Star at the main gate.

Abdul Latif Mollah, security guard of Eskaton Garden Government Officer's Quarters opposite to the minister's house, said that within a few seconds of the explosions, he saw two private cars passing Dipu Moni's house quickly.

"But no one was there on the road outside the house at that time."

Mohammad Shah Alam, officer-in-charge of Ramna Police Station, said police could not find out who hurled the bombs and from where.

"We're looking into the matter," he said.

Meanwhile, the ruling Awami League and its associate bodies demonstrated at Dipu Moni's constituency in Chandpur and demanded arrest of the attackers within 24 hours.

Rare show

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Talukder Abdul Khaleque, Moniruzzaman Mony and Shafiqul Islam Modhu also responded to queries from voters at the programme where thousands of city dwellers were present in the audience.

Programme organisers held a lottery among the candidates for picking the serial of speakers, and each mayoral candidate was allowed to speak for 10 minutes.

In reply to voters' queries, Talukder Abdul Khaleque said if he is elected, he would free the KCC area from corruption; ensure smooth supply of safe drinking water and better sanitation and conservancy management.

Khaleque, blessed by the 14-party alliance, also promised to complete Khulna Wasa project, construct roads, free canals from illegal occupiers and remove water logging from city streets.

Moniruzzaman Mony, supported by BNP-led 18-party alliance, said he would make all-out efforts for the development of drainage system and roads and making the city free of extortion, if voters elect him.

Shafiqul Islam Modhu, backed by Jatiyo Party (Ershad), said, if he is elected, he would turn Khulna into a modern city and would continue to ensure all civic facilities.

All the three mayoral candidates also pledged to digitalise the Khulna Development Authority, aiming to ensure better services for city dwellers.

Sheikh Ashrafuzzaman, president of the coordination committee, presided over the programme.

Deadline

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Monsur also said some top officials of Titas Gas had been involved in providing gas connections to households and industries during the ban period.

"Their involvement was learnt during my initial investigation. A further investigation will be conducted. If they are found guilty, administrative steps will be taken against them."

Biden in Trinidad on LatAm, Caribbean swing

AFP, Port-of-spain

US Vice President Joe Biden arrived in Trinidad and Tobago Monday where he was to meet with other regional leaders on his 20-hour visit to the island nation.

The US Vice President and his wife Dr. Jill Biden arrived at the Piarco International Airport at 8:25pm on Monday along with an entourage of 150 people.

Biden was greeted by Prime Minister Kamla Persad-Bissessar, Attorney General Anand Ramlaogan and members of her Cabinet. He saluted an Honour Guard following his departure of the US Air Force 2.

Persad-Bissessar will hold talks with Biden and Caribbean basin regional leaders, including President of the Dominican Republic, Danilo Medina Sanchez, at a major meeting at the Diplomatic Centre in St Ann's.

The talks with Biden will cover regional security, trade, energy and human and social development, and a Trade and Investment Framework Agreement (TIFA) between Caricom and the United States will be signed.

Among the regional leaders for the mini-summit are: President of Haiti and current Caricom chairman Michel Joseph Martelly; and President of Guyana Donald Ramotar.

They will be joined by Bahamas Prime Minister Perry Christie; Grenada Prime Minister Dr Keith Mitchell; Prime Minister of St Kitts/Nevis Dr Denzil Douglas; St Vincent Prime Minister Dr Ralph Gonsalves and Deputy Prime Minister of St Lucia Philip Pierre, representing Prime Minister Dr Kenny Anthony who is attending a meeting in Cuba.

Earlier Monday, during a visit to Colombia, Biden said US support for Colombia's peace process with Marxist

rebels remained solid, after talks in Bogota with President Juan Manuel Santos.

"I made it clear to President Santos that the United States strongly supports his efforts to achieve historic peace with the FARC," Biden told reporters in Bogota. "Just as we supported Colombia's leaders on the battlefield, we fully support you at the negotiating table, Mr President."

Confusion

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includes Tk 8,114 crore for development projects of autonomous bodies.

But Planning Secretary Bhuiyan Shafiqul Islam contradicted the statement, saying: "The size of the actual ADP is Tk 65,870 crore. But allocations for various autonomous bodies will be shown separately."

The Tk 65,870-crore ADP, as the planning secretary put it, is 25.78 percent bigger than the revised budget of the current fiscal year.

Interestingly, the ADP size and the sector-wise allocation ratio shown in the ministry's statement do not match.

According to the statement, of the Tk 73,984 crore, transport sector got Tk 15,374 crore, which is 23.34 percent of the ADP.

The Daily Star found the calculation wrong.

Tk 15,374 crore is in fact 20.78 percent (not 23.34 percent) of Tk 73,984 crore. It can be 23.34 percent if the calculation is done on Tk 65,870 crore.

Responding to journalists' queries at the planning ministry, Planning Minister AK Khandker yesterday said the inclusion of autonomous bodies' expenditures was not done with a political intent.

He added that people had the right to know the expenditure of various autonomous bodies and it was included in the ADP this year to uphold that right.