

Three nations to begin coastal shipping in Oct

DIPLOMATIC CORRESPONDENT

Bangladesh, India and Myanmar are expected to begin coastal shipping from October.

The issue is likely to be prominent during the 8th Bangladesh and Myanmar Foreign Office Consultation in Dhaka on Sunday and the third Bangladesh-India Joint Consultative Commission meeting in New Delhi on September 20, diplomatic sources said.

They said the work on coastal shipping line between Bangladesh and Myanmar was at the final stage.

Deputy Foreign Minister of Myanmar Thant Kyaw along with a seven-member delegation arrived in Dhaka on Thursday night to attend the meeting with his Bangladesh counterpart Foreign Secretary Shahidul Haque.

Officials said Dhaka was ready to offer Myanmar vessels the use of Bangladesh's inland ports.

The countries have marked Chittagong, Mongla, Narayanganj and Teknaf ports in Bangladesh and Yangon, Patheingyi, Sittwe and Maungdaw ports in Myanmar for use by each other's vessels.

Bilateral trade between Bangladesh and Myanmar stands at \$100 million a year and both the countries hope to

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Youth killed as villagers clash in Sylhet

STAFF CORRESPONDENT, Sylhet

A youth was killed and 50 others were injured in a clash between villagers and activists of Zila Krishak Sangram Samiti at Shaheb Bazar in the district's Sadar upazila yesterday morning.

The dead, Mashukur Rahman, 24, is son of Abdul Bari in Dewair Bohor village.

The activists of Krishak Sangram Samiti brought out a rally in the bazar around 10:30am. Brick chips were thrown at shops from the rally, according to Airport police.

The clash ensued when locals protested it. Men of Krishak Sangram Samiti, with locally made weapons, attacked the locals, killing Shashukur on the spot. About 50 people were hurt in the clash.

A clash happened between the two groups there 10 days ago.

The injured have been undergoing treatment at different hospitals and clinics in the district.

On information, police rushed to the spot and fired around 50 bullets to bring the situation under control, said Md Shah Zaman, officer-in-charge of Airport Police Station.

They also detained five people from the scene.

Additional police have been deployed in and around the bazar to fend off further trouble, he added.

However, Sobuj Mia, joint convener of Sylhet unit Krishak Sangram Samiti, denied the allegations of attack on locals.

2 Bangladeshis

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two foreign workers in an accident. But they couldn't confirm whether the victims were Bangladeshis," he told The Daily Star over the phone.

Mizanur said he would collect the details of the victims tomorrow.

A case was filed with Al Buhairah Police Station in Sharjah in connection with the incident.

UAE Police are urging construction companies to ensure that all safety measures are in place at their worksites in order to avoid similar accidents, according to the Gulf News.



A bridge and a partially collapsed school under flood water in Islampur of Jamalpur yesterday. Several educational institutions of the district had to be closed due to the floods.

PHOTO: BANGLAR CHOKH

Floods rage thru' north

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Warning Centre (FFWC).

Some low-lying areas around the capital are already under water. The affected areas include Nandipara, Vata, Badda, Dakkhinkhan, Uttarkhan and Demra. The situation may worsen in the next two days, as water levels of the rivers surrounding the capital may rise, an FFWC bulletin said.

The situation in Bogra worsened all of a sudden yesterday morning when at least 300 metres of the flood control embankment fell down. The collapse happened near Rohodoha (Shekhpara) bazar area under Kamalpur union of Shariakandi upazila, reports our district correspondent.

The Jamuna water was gushing through the opening into the nearby areas, bringing some 100 villages of five upazilas under water, said sources in the Water Development Board (WDB).

The upazilas are Sonatola, Shariakandi, Dhunat, Gabtoli and Shapur.

Fifty villages have been worst-hit

where most roads and hundreds of hectares of paddy and vegetables fields have been inundated and many bridges and culverts are feared to be going under water, WDB officials said.

At least 20 houses near the embankment were washed away and the villagers took shelter on high grounds and on the roofs of their neighbours' home.

Local lawmaker Abdul Mannan gave 20 boats for rescuing the affected people in the area.

There were no reports of deaths or anyone going missing.

With water levels rising, high tides in the Jamuna, Padma, Teesta, Ghagot, Dharla, Feni and Arial Khan are eroding embankments, roads, bridges, houses, schools and croplands, report our district correspondents.

Md Arifuzzaman, NDC of Bogra, said Rajshahi Divisional Commissioner Helal Uddin Ahmad visited the flood affected areas yesterday morning and distributed relief materials, including food and cash.

In Lalmonirhat, although the flood situation improved slightly in 90 villages of 19 unions yesterday, river

erosion continued in many places.

About 120 families have been rendered homeless due to the erosion of the Teesta and Dharla in 24 hours since Thursday evening.

At least 500 acres of arable land and a good number of fruit orchards and bamboo clusters have been swallowed by the two rivers, sources said.

Meanwhile, sufferings of the flood-hit people continued, with many are yet to get relief materials.

Moksed Ali, 62, is one of these affected people of Kutibari village in Aditmari upazila of Lalmonirhat.

"We got just 10kg of rice so far, but most of the villagers did not get any help from the government or non-government organisations," he told The Daily Star.

The flood situation in Sirajganj worsened due to the sudden rise in the Jamuna water while an embankment in Kazipur upazila collapsed, flooding some five hundred houses early hours yesterday.

Some fresh areas of Tangail, Benapole, Madaripur and Munshiganj also went under water yesterday.

The Dhaka-Khulna-Barisal highway

faces the threat of being submerged, as the 250-metre protection embankment some 200 metres from it has been washed away, according to our Madaripur correspondent.

The Padma devoured at least 30 houses in Lauhaganj, Sreenagar and Tongibari upazilas while several thousand people in those upazilas remained marooned for the past few days.

Other districts affected by the flood include Jamalpur, Netrokona, Faridpur, Rajbari, Nilphamari, Gaibandha, Kurigram, Rangpur, Sunamganj, Manikganj and Sylhet.

The situation in Shariatpur and Madaripur may deteriorate further today.

For the flood affected people, the disaster management and relief ministry has so far distributed 2,691 tonnes of food and Tk 52 lakh.

"We are giving relief materials to the affected people in different areas, but still many people are suffering and we need to undertake a long-term programme for them," said Abdul Wazed, director general of the disaster management department.

BEATING UP ENGINEER

BCL removes RU unit gen secretary

RU CORRESPONDENT

Chhatra League, pro-ruling party student body, has removed its Rajshahi University (RU) unit general secretary SM Touhid-Al-Hossain Tuhin from the organisation for beating up the university acting chief engineer.

Meanwhile, Khaled Hasan Biplob, joint general secretary of the student body's RU running committee, has been made its acting general secretary, said a BCL press release yesterday evening.

Biplob is an MBA student of the Management Studies department.

BCL central committee president Badiuzzaman Sohag told The Daily Star that they removed Tuhin from the organisation for his anti-party activities at different times on the campus.

On Thursday noon, Tuhin and BCL RU unit vice-president Tonmoy Ananda Avi along with their men beat up the university's chief engineer Sirajum Munir at vice-chancellor's office as he refused to give them Tk 1 lakh that was demanded from Munir as extortion.

However, no action has been taken against Tonmoy yet.

Nur Hossain charged for intrusion in India

STAFF CORRESPONDENT

Investigators in India yesterday pressed charges against Nur Hossain, the prime accused of sensational seven-murder in Narayanganj, for intruding into the country.

A North 24 Parganas district court fixed September 1 for hearing on charge matters, reports Channel 24 and Independent Television.

The charge sheet stated that Nur Hossain did not have any valid document to enter India.

Earlier, Nur Hossain along with his aides Sumon Khan and Ohidur Rahman Shamim were taken to a Barasat court from Dum Dum Jail in Kolkata of India.

Nur was arrested with his two aides

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Picked up, they never return

FROM PAGE 1

The story of Masum's disappearance and ordeals of his family is not an isolated one. According to rights body Ain o Salish Kendra, as many as 229 people allegedly fell victim to forced disappearances between 2010 and 2013.

The Ain o Salish Kendra reports indicate a rising trend of such disappearances in the last five years. Forty-six people were made to disappear in 2010, 59 in 2011, 56 in 2012 and 68 in 2013, while 74 people were abducted allegedly by law enforcers in the first six months of this year.

Amid these upsetting developments, the International Day of the Victims of Enforced Disappearances is being observed today. Since 2011, the day has been observed globally to condemn what the United Nations considers is "a strategy to spread terror in the society".

Of the 74 victims of this year, seven were allegedly abducted and killed by some Rapid Action Battalion personnel in Narayanganj late in April and their bodies were later found floating in a river. The gruesome seven-murder touched off an outcry against enforced disappearances across the country, leading to an unusual move in which three top Rab officials were sacked, sued and put behind bars.

"Though a few of these incidents

Year	Number of victims	Bodies recovered	Traced
2010	46	6	7
2011	59	16	4
2012	56	4	18
2013	68	5	8

Data: Ain O Salish Kendra

took place late in December last year, those were reported in the media this year," said ASK Director Nur Khan.

Apart from the seven, bodies of 16 others were found. Though eight victims were released, the whereabouts of 35 are not known yet. One of the abductees was found in an office of the Detective Branch of police while Rab men produced seven others before the media a few days after their disappearance and claimed they were accused in different cases.

Of the 229 victims of the last four years, 159 remain traceless while bodies of 31 were found. Only 20 were released and 17 others were found in police custody or jail afterwards, said the ASK findings prepared on the basis of newspaper reports and their own research.

In its Human Rights Violation Report 2013, the ASK said, "Enforced disappearances or abduction by law enforcement personnel dressed in civilian

clothes have been reported in the media. Persons are picked up and remain missing for some days [and] subsequently some of their corpses are found but the perpetrators are not identified."

"The government neither issue press note nor conduct any proper investigation nor has any legal action been taken to hold the perpetrator accountable," it added.

Human Rights Watch last May urged Bangladesh to form an independent body "to investigate evidence that the paramilitary Rapid Action Battalion (Rab) has been responsible for extrajudicial executions, disappearances, torture, and other serious abuses over many years".

In July, the global rights watchdog wrote to Prime Minister Sheikh Hasina, reiterating its call for disbanding the Rab, which it argued was "beyond reform".

As to why enforced disappearances take place, jurist Shahdeen Malik said, "Such incidents happen when the rulers think they can rule a country without adhering to the rule of law... The culture of impunity is the main reason for the continuation of such crimes."

With the passing of time, the profiles of targets have changed, said Nur Khan.

Once only those who had multiple

murder charges against them were targeted, but it became apparent before and after the January 5 national polls that those who believed in a different political ideology too fell victim to such incidences, the ASK director said.

Such a move was apparently a shortcut to curbing corruption and crimes in the society and earn people's trust, Nur Khan commented.

"But you cannot cure a chronic disease using Coramine. You have to ensure a long-term treatment for this."

Citing the examples of El Salvador and Guatemala, Shahdeen Malik said enforced disappearances were rampant in those countries during the '70s, eventually creating a violent society. "But we don't want Bangladesh to turn into a country like any of those."

However, thanks to the International Convention for the Protection of all Persons from Enforced Disappearance, adopted by the UN in 2006, the perpetrators are now being tried. Even the incumbent president and the vice-president of Kenya are facing trials at the International Criminal Court for such crimes, he said.

Though Bangladesh is yet to ratify the convention, cases of enforced disappearance can still be tried under several domestic laws, he added.

Contacted, State Minister for Home

Asaduzzaman Khan outright denied any incident of enforced disappearance in the country.

He claimed there is no crime named enforced disappearance in the Bangladeshi laws. What happens in Bangladesh is abduction. "It is abduction that we have to deal with."

Asked whether Bangladesh will sign the UN convention regarding such disappearances, the minister said since enforced disappearance is not mentioned in the country's laws and policies, there can be no question of ratifying the convention.

According to the UN-adopted Declaration on the Protection of All Persons from Enforced Disappearance, an enforced disappearance occurs when:

"persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organised groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law."

A policy of hypocrisy

FROM PAGE 1

"It is our earnest hope that articles 115 and 116 of the constitution will be restored to their original position by the parliament [by amending the constitution] as soon as possible," said the apex court.

The lower judiciary was officially separated from the executive branch on November 1, 2007 following the Appellate Division's directives in a case known as "Masdar Hossain's Case".

Laws were amended and new rules were made for that purpose as well. However, the constitution was not amended to ensure effective separation.

"Independence of the judiciary, which is one of the basic features of the constitution, will not be fully achieved unless the two articles are restored to their original position," the SC asserted.

The two articles deal with appointments to the lower courts, and control and discipline of the lower judiciary.

The original article 116 had empowered the SC to control the lower judiciary by controlling postings, promotions and granting of leave, and disciplining persons employed in the judicial service, and magistrates' exercising judicial functions.

The SC had also a major role to play regarding appointments to the lower judiciary as article 115 of the original 1972 constitution stipulated that district judges would be appointed by the president on the recommendation of the SC.

And all other civil judges and magistrates exercising judicial functions were supposed to be appointed by the president in accordance with

the rules made by himself or herself in consultation with the Public Service Commission and the SC, according to the original article 115.

But the fourth amendment to the constitution, passed in 1975, brought about drastic changes to articles 115 and 116, pushing the matter in the reverse direction.

The amendment vested the power of control over the lower judiciary in the president, who was also empowered to make the appointments, in effect allowing the executive branch to control the lower judiciary.

The fourth amendment had also curtailed parliament's power to impeach SC judges on grounds of misconduct or incapacity and empowered the president to do it.

Thus after the fourth amendment, through which the country switched

over to a presidential form of government from the parliamentary system, the president emerged as the all-powerful chief executive of the government.

Subsequently, the martial law regime led by General Ziaur Rahman in 1978 amended article 116 through a martial law regulation, making the provision that the SC would be consulted by the President to exercise the power to control and discipline the lower courts.

The regime also introduced the Supreme Judicial Council to impeach judges, curtailing the powers of the president.

The changes were ratified by the fifth amendment passed in 1979. The changes ceased to have effect with the nullification of the fifth amendment by the SC.

Interestingly, those provisions concerning the lower courts and SJC

were revived through the constitution's 15th amendment in 2011 during the period of the AL-led government.

After the 15th amendment to the constitution, the SC has had no role in the appointments to the lower level judiciary. The president has been empowered to make all appointments in accordance with rules made by the president.

The president has also been empowered to control and discipline the lower judiciary. He, however, consults with the SC.

The powers vested in the president are, however, exercised by the prime minister, though indirectly. The reason behind it is simple. Since the restoration of parliamentary democracy in 1991, the president has had to carry out all his functions on the advice of the prime minister, the exception being

appointing the premier and the chief justice.

So, the president exercises powers regarding the lower judiciary only on the advice of the premier.

Now, the AL-led government plans to amend the constitution again to restore the parliament's power to impeach the SC judges, but no provision concerning the lower courts is discernible.

Once the constitution amendment bill is passed, the SC will lose all powers.

In return, the SC may get nothing through the upcoming amendment to the constitution as there is no move to restore articles 115 and 116 to their original position.

Asked, the law minister last week claimed the existing provisions stipulated in the two articles were excellent and there was no need to change them.