

# SC rejects Khaleda's petitions

FROM PAGE 16

no illegality in the appointment of Judge Bashudev Roy of the Special Judge Court-3 of Dhaka.

On March 19, the court of Bashudev framed charges against the former prime minister, Khaleda, and eight others in the Zia Charitable Trust and the Zia Orphanage Trust graft cases filed by the Anti-Corruption Commission.

Following yesterday's apex court orders, there is no legal bar for the court of Bashudev to proceed with the trial proceedings of the cases against Khaleda and others, Attorney General Mahbubey Alam told reporters.

ACC lawyer Khurshid Alam Khan told The Daily Star that the SC yesterday affirmed the June 19 HC verdict which did not find any illegality in the appointment of the lower court judge.

The lower court can start recording statements from prosecution witnesses in the cases against the accused on September 17, he added.

However, Zainul Abedin, lawyer of

Khaleda, said the trial court cannot continue the cases as two more leave-to-appeal petitions filed by Khaleda in connection with the two graft cases are pending with the SC.

The leave-to-appeal petitions were filed, challenging another HC verdict that rejected two other writ petitions lodged by Khaleda against the charge framing orders against her and eight others in the same cases.

Zainul also said they will pray to the lower court on September 17 to adjourn the proceedings of the cases.

"We may file a review petition with the SC against today's [yesterday] order after consulting with the party chief [Khaleda]," he added.

Yesterday, a five-member bench of the Appellate Division of the SC headed by Chief Justice Md Muzammel Hossain dismissed the two leave-to-appeal petitions of Khaleda.

**ZIA ORPHANAGE TRUST**

**GRAFT CASE**

The ACC in July 2009 filed the Zia

Orphanage Trust graft case against Khaleda, Tarique Rahman and four others for embezzling over Tk 2.1 crore through the "fake" trust.

The four other accused are former BNP lawmaker Kazi Salimul Haque, businessman Sharfuddin Ahmed, former principal secretary Kamal Uddin Siddiqui and Momenur Rahman -- a nephew of BNP founder Ziaur Rahman.

**ZIA CHARITABLE TRUST**

**GRAFT CASE**

On August 8, 2011, the anti-graft body lodged the Zia Charitable Trust graft case against Khaleda and three others for abusing power in setting up the charity.

The other accused are Harris Chowdhury, Khaleda's former political secretary, Ziaul Islam Munna, assistant private secretary (APS) of Harris, and Monirul Islam Khan, APS of former Dhaka City Corporation mayor Sadeque Hossain Khoka.

Harris, Momenur and Kamal Uddin remain absconding.

## Evil rules as state sleeps

FROM PAGE 1

essential commodities at fair prices along with food adulteration and contamination.

Later, governments responded with tougher legal provisions when the traders and companies continuously over the years adulterated and contaminated food items to make more profit.

The governments had also put emphasis on food safety in various national policies, including the one on health, food and nutrition.

This clearly shows the governments were always aware of the situation and had taken steps to protect people.

But people are still not being protected as the laws do not rule. Rather, the individuals and companies involved in food adulteration and contamination rule the market.

Advocate Sultana Kamal, a leading human right campaigner, said the situation only deteriorated because the criminals had not been punished. "Seeing that nothing happens even after a crime is committed, some people would do anything for profit. And exactly that's what is happening here," she told The Daily Star recently.

Jurist Shahdeen Malik, however,

said, "... probably our state is not keen on the rule of law.

"The state itself ignores and violates law. Such an attitude of the state towards the law has infiltrated or spread among different segment of the society, including food producers and sellers," he told The Daily Star yesterday.

Parliament, which has been enacting the laws, remains silent about the non-enforcement of the legislations. In so doing, parliaments in last more than four decades ignored their constitutional obligation to review the enforcement of laws and propose measures for such enforcement.

Similarly, parliament does little to hold the government accountable for its failure to properly enforce the laws regarding food safety.

Parliament, even though elected by the people, cannot act as a forum for ventilation of people's grievances, their difficulties and their anxieties.

Asked about the constitutional provision {article 76 (2) (b) of the constitution}, Suranjit Sengupta, chief of the parliamentary standing committee on the law ministry, said parliament has the responsibilities to review

the enforcement of existing laws.

"It may ask the ministries concerned to enforce the laws properly if there is any lack of efforts," he said, adding, "This practice however has not been established."

Malik, however, blames the huge number of laws on any single issue. "Numerous and varied laws on any matter usually marginalise the impact of the laws. Parliament may want to review all food related laws," he added.

The non-enforcement of laws on food safety also shows how the state has been unable to uphold one of its fundamental principles dealing with people's basic needs.

Article 15 of the constitution states that it shall be a fundamental responsibility of the state to attain ... a steady improvement in the material and cultural standard of living of the people with a view to securing to its citizens the provision of the basic necessities of life, including food, clothing, shelter, education and medical care.

In Malik's view, "Food is the first basic necessity. The existence of the state may be questioned if it does not take necessary steps to ensure safe food for its citizens."

## Arrest order for Fakhrul

FROM PAGE 1

Khan passed the order after accepting the charge sheet in the case.

Mirza Fakhrul is currently in Singapore for treatment, his lawyer Sanaullah Miah told The Daily Star yesterday afternoon. Initiatives for his bail would be taken on his return, he added.

In a statement last night, BNP Chairperson Khaleda Zia condemned the arrest warrant, saying it was issued "intentionally".

She alleged the government made the move only to ruin the opposition, and the name of the BNP acting secretary general was previously not in the charge sheet.

According to the charge sheet, a group of opposition activists led by BNP leader Salauddin Ahmed torched several vehicles after blocking the Postogola-Narayanganj highway on December 9, 2012.

The opposition activists also attacked law enforcers and prevented them from discharging their duties. Mirza Fakhrul had directed them to commit the offences, it said.

Later in the day, the Kadamtali police filed the case against 77 opposition leaders and activists, including Salauddin Ahmed. Afterwards, Mirza Fakhrul was named in the first information report as an instigator.

On August 22 this year, police submitted the charge sheet against Fakhrul and 60 other leaders and activists of the then BNP-led 18-party alliance.

On that day, the investigation officer had appealed to the court for issuance of arrest warrant for Fakhrul and two BNP activists -- Mohammad Ali and Md Nasir Uddin.

The court yesterday also issued arrest warrant for the two as they did not appear before it.

Following the court order, Mirza Fakhrul's arrest warrant was sent to the Uttara Police Station as he lives in Uttara in the capital, according to sources.

## GLOBAL TIGER STOCKTAKING CONFERENCE 2014

### PM HASINA

Prime Minister  
People's Republic of Bangladesh.



Prime Minister Sheikh Hasina hands over a plaque during the inaugural ceremony of the Second Global Tiger Stocktaking Conference 2014 at Sonargaon Hotel yesterday.

PHOTO: BSS

## Save tigers, save nature

FROM PAGE 16

place of natural beauty and biodiversity. The Sundarbans is a natural protector of the southern coastal areas of Bangladesh from cyclone and other calamities originated in the Bay of Bengal.

"We are more than three years into the Global Tiger Recovery Program. I believe we have arrived at a turning point to reach our desired goals of protecting tigers. We

have to take steps reviewing our previous activities and implementation strategies," she said.

The prime minister hoped that in continuation of the previous efforts, this Conference will make a significant stride towards implementation of the Global Tiger Recovery Programme aiming to double the number of wild tigers by

the Tiger Range Countries and their partners as directed by the Thimphu Affirmative Nine-Point Action Agenda on Tiger Conservation'.

The 13 countries that are participating in the conference are Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Lao PDR, Malaysia, Myanmar, Nepal, Russia, Thailand, Vietnam and North Korea.

## ISIS executes UK aid worker

FROM PAGE 1

It is produced very similarly to the videos that showed the executions of American journalists James Foley and Steven Sotloff, the last of which included Haines and the threat that he'd be killed next.

The new video pictures a masked ISIS militant placing his hand on another captive, whom he identified as Alan Henning, a British citizen.

In a tweet, British Prime Minister David Cameron called "the murder of David Haines" an "act of pure evil."

Cameron added, "We will do everything in our power to hunt down these murderers and ensure they face justice, however long it takes."

Haines offers brief scripted comments on the video, as does the man who kills him.

Directing his remarks at Britain, the executioner -- who sounds like the man who killed Foley and Sotloff -- says, "Your evil alliance with America, which continues to strike the Muslims of Iraq and most recently bombed the Haditha dam, will only accelerate your destruction and claim the role of the obedient lap dog."

"Cameron will only drag you and your people into another bloody and unwinnable war."

Retired Lt Col Rick Francona -- an Air Force veteran intelligence officer and CNN military analyst -- surmised that if ISIS planned to dissuade Britain for

teaming up with the United States, the group will be disappointed.

"ISIS has just guaranteed British cooperation with the Americans on all phases of what we're going to be doing," Francona said. "... I think this is now a Western fight; it's not just a US fight."

News of the gruesome killing came the same day that the 44-year-old Haines' family released a brief message to his captors through the British foreign office.

In it, the family says, "We have sent messages to you to which we have not received a reply. We are asking those holding David to make contact with us."

Haines' face became known to the world in the ISIS video, released September 2, in which he looks forward and kneels as a masked ISIS militant stands behind him.

The militant says in that video, "We take this opportunity to warn those governments who've entered this evil alliance of America against the Islamic State to back off and leave our people alone."

British officials said after the video's release that they had sent troops to try to rescue an unidentified British citizen "some time ago," but failed. They released no other details.

Mike Haines, in a statement early yesterday, through the British Foreign Office, noted that his brother leaves behind two children and his wife Dragana. He described his brother as

"just another bloke" whose "childhood was centred around our family" and who was "brought up to know right from wrong."

David Haines worked for the Royal Mail, then joined the Royal Air Force. He later worked with the United Nations in the Balkans, where "he helped whoever needed help, regardless of race, creed or religion," according to his brother.

"During this time, David began to decide that humanitarian work was the field he wanted to work in," Mike Haines said. "... David was most alive and enthusiastic in his humanitarian roles."

After working for ScotRail, David Haines went on to get a job as a logistics and security manager for the Paris-based humanitarian Agency for Technical Cooperation and Development.

He was abducted in March 2013 near a refugee camp in Atmeh, Syria, where he was working to arrange for the delivery of humanitarian aid to people staying at the camp. He had previously worked on aid operations for victims of conflict in the Balkans, African and other parts of the Middle East, according to an ACTED spokesman.

"His joy and anticipation for the work he (did) in Syria is, for myself and family, the most important element of this whole sad affair," Mike Haines said. "He was and is loved by all his family and will be missed terribly."

a family of  
**30 million**  
subscribers

enjoy the wide range of banglalink's ultra-modernized network across the country

64  
district  
fastest  
banglalink  
3G



start something new

**free 30 MB**

**Viber**  
Connect. Freely.

**30 MB internet / 30 SMS / 30 MMS**

to activate bonus: type 'reg' and send sms to 2500

see inner page for details...