



Health officials screening incoming travellers at Hili Land Port in Dinajpur to prevent entry of swine flu-infected person through immigration. The photo was taken yesterday.

PHOTO: STAR

## Plea for justice in Aug 21 cases

COURT CORRESPONDENT

Two prosecution witnesses yesterday sought exemplary punishment for the accused for carrying out the grisly grenade attack on an Awami League rally on Bangabandhu Avenue on August 21, 2004.

Witnesses Mohammad Ata Ullah, organising secretary of Kotwali-Bangshal thana AL; and Rumi Islam, Mahila affairs secretary of Dhanmondi thana AL; were injured in the incident that left 24 people killed and scores injured.

Meanwhile, police yesterday seized a mobile phone, four SIM cards and a radio from the possession of one of the accused in the August 21 grenade attack cases.

The trial of the two cases is underway in a makeshift court near the Dhaka Central Jail. Judge Shahed Nuruddin of the Speedy Trial Tribunal-1 of Dhaka recorded the statements of the witnesses.

Testifying before the court, Ata Ullah and Rumi said they were present at the rally on that day. The then opposition leader Sheikh Hasina was speaking at the programme around 5:30pm.

All of a sudden, two or three grenades exploded in the area, leaving them lying on the ground.

"My legs and right hand were broken. I crawled on my left hand and saved my life," said Ata Ullah.

Later, he found himself in Holy Family Red Crescent Medical College Hospital where he received treatment for

18 days. He underwent treatment at different hospitals for a long time, but he is still sick.

Ata Ullah came to know that the grenade attack was carried out with an intention of killing Sheikh Hasina and all other top AL leaders.

Rumi also pleaded the court to hand severe punishment to the accused.

After the testimonies, the defence counsels cross-examined the two. The court then fixed March 30 and 31 for the next hearings in the cases.

A total of 122 prosecution witnesses have so far testified before the court in the cases.

Eight of the 52 accused are now on bail while 26 others, including former state minister for home Lutfozzaman Babar, are behind bars. BNP Senior Vice-chairman Tarique Rahman and 17 other accused have been absconding.

### SEIZURE OF PHONE

Hossain Tamim Ahmed, an accused in the cases, was carrying a court file which had a Samsung mobile handset, four SIM cards, a magnet, and a radio set in it.

Police Inspector Syed Shafiqul Islam seized the items when Hossain was getting out of a prison van in front of the court around 10:55am.

Asked about the matter, Tamim told police that one Kabir supplied the items to him.

Anisur Rahman, additional deputy commissioner (prosecution) of Dhaka Metropolitan Police, visited the spot. The seized items were handed over to Chawkbazar Police Station.

## Amendment to law waits for months

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guilty of crimes.

But, no visible steps were seen as of now to amend the law that forced the prosecution to stop their work from filing a case against Jamaat, frustrating the justice-seekers and campaigners for the war crimes trial.

The Daily Star could not contact Law Minister Anisul Huq or Law Secretary ASSM Zahirul Haque Dulal as both were abroad.

Founded by highly controversial Abul Ala Moududi in 1941, Jamaat was banned twice during the Pakistani era in 1959 and 1964 for its communal role. It got banned again just after independence in 1971 but was allowed to return to politics after the assassination of Bangabandhu Sheikh Mujibur Rahman in 1975.

Two special tribunals set up to deal with wartime offences in several verdicts put the spotlight on Jamaat's role in 1971 and termed it a "criminal organisation". Jamaat never repented of its role in 1971.

Justice-seekers and war crimes victims and their families have long been demanding the trial of Jamaat as a party. Their demand received fresh vigour after February 5, 2013 when youths occupied the Shahbagh intersection in the capital demanding high-

est punishment for war criminals and a ban on Jamaat and pro-Jamaat student body Islami Chhatra Shibir.

Following the unprecedented movement, the government in February 2013 amended the ICT Act and an investigation agency in August the same year launched a probe into the war crimes allegedly committed by Jamaat.

The agency handed over the probe report to the prosecution in March last year with a recommendation to ban Jamaat and six other organisations, which were associated with the party in 1971, as it found involvement of these anti-liberation bodies in grievous crimes committed during the war.

After receiving the probe report and other documents, a seven-member prosecution team started working to prepare formal charges for initiating trial.

But 15 months after the latest amendment, the law minister in May last year said the amended war crimes act was not enough to try and punish any political party, as there was no provision in the amended law to punish a guilty organisation.

On several occasions later, he said the government would amend the law to make it eligible and on December

23 last year he said a proposal to bring necessary changes would be placed before the cabinet in January next, but to no avail.

On the deadlock, prosecutor Tureen Afroz, who led the prosecution team to prepare the case, said, "It is disappointing."

"We had proceeded with the work. A lot of time and energy has been invested. But we had to drop the process at the final stage as we, through media, heard that the government was going to amend the act," she told The Daily Star.

"We [the prosecution] have nothing to do in amending law but to wait for the changes [in the act]," she added.

Sanaul Huq, a senior member of the investigation agency, said, "We think legal complicity should be removed quickly."

Kazi Mukul, general secretary of Ekattorer Ghatok Dalal Nirmul Committee, which is campaigning for the war crimes trial for two decades, said: "We are aggrieved over this unnecessary delay."

"We don't understand the reason behind the delay. There is a lot of rumour [about the delay]... However, we are hopeful that the government would amend the law quickly and Jamaat would be tried," he added.

## German plane crash kills 150

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Prime Minister Manuel Valls said there were no survivors, adding that the authorities "can't rule out any theory" on the cause of the disaster.

The plane, carrying 144 mainly Spanish and German passengers -- including two babies -- and six crew, was travelling from Barcelona to the western German city of Duesseldorf when it came down.

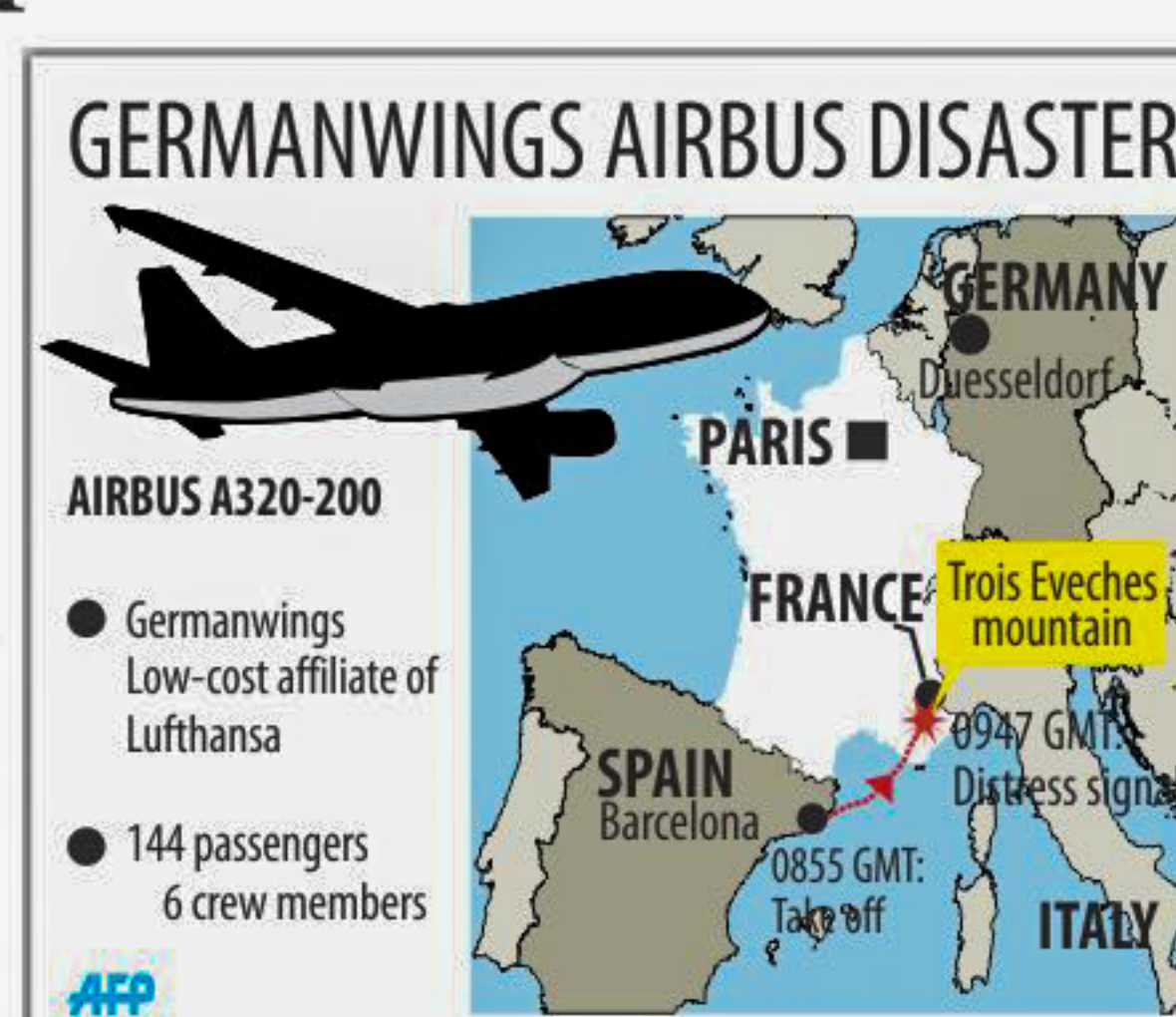
German authorities said 16 German teenagers on a school trip were on board the doomed plane, as tearful relatives rushed to the airports in the two cities anxiously seeking information about their loved ones.

French President Francois Hollande said he would meet his German and Spanish counterparts at the crash site today.

It was the first fatal accident in the history of Germanwings, and the deadliest on the French mainland since 1974 when a Turkish Airlines crashed, killing 346 people.

"It is a tragedy, a new airline tragedy. We will determine what caused the crash," Hollandesaid.

The dead included Germans,



Spaniards and "probably" Turks, Hollandesaid.

Belgium said at least one of its nationals was on board.

Germanwings said 67 Germans were believed to have been on board while Spain said 45 people with Spanish sounding names were on the flight.

A crisis cell has been set up in the area between Barcelonnette and Digne-les-Bains along with an emergency flight control centre to coordinate the chopper flights to the crash site.

Authorities commandeered a large meadow with dozens of helicopters

taking off to head to the crash site.

Valls said one helicopter had been able to touch down at the site of the accident but locals described the difficult terrain that awaited rescue teams.

"Ground access is horrible. I know the Estrop massif, it's a very high mountainous area, very steep and it's terrible to get there except from the air during winter," local resident Francoise Pie said.

A witness who was skiing near the crash site told French television he "heard an enormous noise" around the time of the disaster.

The plane belonged to Germanwings, a low-cost affiliate of German flag carrier Lufthansa based in Cologne.

Lufthansa chief executive Carsten Spohr described it as a "dark day."

A spokesman for Airbus, the European aerospace giant, did not give any information about possible causes but said the company had opened a "crisis cell" and was sending experts to the scene.

French civil aviation authorities said they lost contact with the plane and declared it was in distress at 10:30am (0930 GMT).

## The Black Night

FROM PAGE 1

members of East Pakistan Rifles and police, students and teachers as well as thousands of common people in Dhaka city.

Jagannath Hall, a non-Muslim dormitory of Dhaka University, and Iqbal Hall, now Sergeant Zohurul Haq Hall, Pilkhana, Rajarbagh Police Lines, and Hindu-dominated areas of Old Dhaka were the main targets of the operation.

Siddiq Salik, then public relations officer of eastern command of Pakistan, wrote about the operation in his book, "Witness to Surrender".

Another book, "Rifle Roti Awrat" by Prof Anwar Pasha, narrated the barbarism carried out by the Pakistani troops on Dhaka University campus.

On the Dhaka University campus, the occupation forces on that night carried out a planned massacre of 200 students, 10 teachers and 12 employees.

Armed with heavy weapons such as tanks, automatic rifles, rocket launchers, heavy mortar, light machine gun, Pak soldiers encircled Dhaka University from east (unit 41), from south (unit 88) and from north (unit 26).

The first target of Operation Searchlight was Zahrul Hoque Hall as the then Non-cooperation Movement was organised under the banner of "Independent Bangladesh Students Movement Council" from that dormitory.

By March 25, all leaders of Chhatra League had left the hall.

After 12 o'clock, the army attacked Jagannath Hall with shelling of mortar and nonstop gun firing.

They entered the dormitory through north and south gates and killed students indiscriminately in each room. Around 34 students were killed. Some students of Jagannath Hall were resident of Ramna Kali Bari.

Archer Blood, the then consul general of US embassy in Dhaka, wrote in his book "The Cruel Birth of Bangladesh" that fire broke out at Rokeya Hall, girls'

dormitory and, when the students tried to escape, the military started firing. From the conversation of military control room and army unit 88, a total of 300 students death was estimated."

The Operation Searchlight was one of very few military operations in post-World War-II history, which ultimately had been planned against civilians, just to kill a smart percentage of them and to scare the survivors.

About that night, American journalist Robert Payne wrote that at least 7000 people were killed and 3000 others were arrested in the crackdown.

In the wake of the Pak army action, Bangabandhu Sheikh Mujibur Rahman declared independence of Bangladesh through EPR wireless at 00:30 hours on March 26 (the night following March 25) in 1971 from his Road-32 residence at Dhanmondi in Dhaka.

The great leader also called upon the people to build a united resistance against the Pakistani occupation forces. Later, the military junta, in a bid to stop the legitimate movement of the Bangalees, arrested him on that night following his declaration of the country's independence.

Later, Bangabandhu was taken to the then West Pakistan where he had to spend long nine months in a Pakistani jail.

Following the declaration, the whole nation, except a few pro-Pakistani elements, joined the War of Liberation. And ultimately Bangladesh was freed from the Pakistani occupation forces with their surrender at the Race Course Maidan, later renamed as Suhrawardy Udyan, on December 16 in 1971.

The Sammito Sangskritik Jote, the Liberation War Museum, Dhaka University Teachers Association and other organisations, different political parties and other socio-cultural organisations have chalked out elaborate programmes for today in observance of the Black Night to pay deep homage to the martyrs.

## 2 Bangladeshis

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said no militant group in Libya claimed responsibility for the abduction of the two Bangladeshis.

Earlier yesterday, Helal Uddin talked to his family members in Jamalpur over the phone.

The family burst into tears of joy after knowing that he was alive.

The phone call brought an outpouring of emotion at Helal's village home in Dakkhin Gazaria.

During the four-minute conversation, Helal could not say anything about the identity of his captors or where he has been kept. But he said he was in trouble and asked the family to pray for his release.

Helal's wife Aleya Khatun said her husband told her that he along with two other Bangladeshis was held captive by an unidentified militant group.

However, the Bangladesh embassy in Tripoli could not confirm that any Bangladeshi other than Helal and Anowar had been held captive.

"It was around 10:30am. Our mobile phone was ringing. The number was unknown. I picked up and asked who the caller was," Aleya told The Daily Star over the phone from her village home.

At first, she could not believe if the caller was indeed her husband. To verify the identity, she asked him if he was the father of Helena (elder daughter of Helal Uddin). The caller replied positively.

"I was surprised and didn't know what to say. I even forgot to ask about his health," Aleya said.

"I am in danger. They don't beat me but give me food only once a day," Aleya, mother of five children, quoted Helal as saying.

She said her husband mentioned that the abductors did not behave rudely with him or demand any ransom for his release.

Helal first talked to his wife and then to his daughter, Helena said.

## Indian SC upholds

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Rohinton F Nariman in their order said they found "the law hit at the root of liberty and freedom of expression".

"Our Constitution provides for liberty of thought, expression and belief. In a democracy, these values have to be provided within constitutional scheme. The law (Section 66A) is vague in its entirety," they said.

The petitioners argued the "draconian law" introduced in 2008 by the last government was misused by politicians to hound critics. The government of Prime Minister Narendra Modi said it welcomed the ruling.

"The government absolutely respects the right to freedom of speech and expression on social media and has no intention of curbing it," telecom

and IT minister Ravi Shankar Prasad said.

Facebook, Twitter and Google did not immediately comment on the ruling but the Internet and Mobile Association of India, a trade body, said the ruling protected consumers and businesses.

"This judgment will herald a new phase in the growth and evolution of the Internet in India," the group said in a statement that also hailed a separate part of the judgement that makes it harder to force websites to take down content.

Both local and foreign Internet companies have in the past faced pressure for hosting content deemed offensive in India, which Google predicts is scheduled to overtake the United States as having the world's largest number of

web users by 2018.

Last week, police in Uttar Pradesh picked up a 16-year-old boy from his school for allegedly posting an insulting remark about the Samajwadi Party's Azam Khan, the latest victim of a law that was also used to jail a cartoonist in Mumbai.

"It is a big relief. My daughter was accused of posting offensive remarks and was arrested. I don't think expressing one's views is a crime," said Farooq Dhada.

Shaheen Dhada became a national celebrity after she questioned a labour shutdown after the funeral of Shiv Sena party chief Bal Keshav Thackeray in 2012.

Her friend Renu Srinivasan 'liked' the post and both were arrested.

## Why cops shouldn't be punished?

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torture on the journo in police custody should not be declared illegal.

Meanwhile, Mizanur was once again denied bail by a Patuakhali court in a case filed by police.

Patuakhali District and Sessions Judge's Court rejected his bail prayer without showing any reason yesterday, two days after another Patuakhali court had rejected his bail prayer.

Judge Bimol Chandra Sikder fixed April 1 for further hearing in the case and asked the jail authorities to form a medical board led by Patuakhali civil surgeon to examine Mizanur's physical condition and submit a report to it by March 31.

Police brought Mizanur to the court from Patuakhali jail by a prison van around 10:00am. He was struggling to walk as a result of tortures inflicted on him.

Mizanur's father submitted the petition with the HC on March 23, saying police detained Mizanur on March 17 in connection with a case. In violation of

the law, they tortured him physically and mentally, as he had made reports on corruption and irregularities by policemen.

During the hearing, petitioner's lawyer Rafique Ul Huq told the HC that police tortured Mizanur in custody which is illegal and unconstitutional.

Deputy Attorney General Tapash Kumar Biswas opposed the petition, saying the Patuakhali court can examine whether police tortured Mizanur in custody.

The respondents to the HC ruling are the home secretary, inspector general of police, superintendent of police (SP) of Patuakhali, in-charge of Kalaiya Police Box (naval police) in Baufal, Patuakhali ASP (Circle) Shaheb Ali Pathan, officer-in-charge of Baufal Police Station Naresh Chandra Karmokar, and assistant sub-inspectors (ASI) Halim Khan and Shafiqul Islam.

Our Patuakhali correspondent reports, police arrested Mizanur from Kalaiya Bazar area around 8:00pm on

March 17 on charge of assaulting Halim, ASI of Baufal Police Station. Halim had filed the case the same day.

Talking to local journalists at the court on March 22, Mizanur alleged that policemen tortured him physically and mentally at night in their custody. At one stage, Mizanur lost consciousness.

Police then took him to Baufal Upazila hospital that night. But they brought him back to the police station without any treatment, as some local journalists were present at the hospital, he said.

The following day, police produced Mizanur before the Baufal Upazila Judicial Magistrate's Court that sent him to jail.

Over the last few days, local journalists formed human chains, and held rallies and meetings, protesting the police torture on Mizanur.

They demanded punishment to the policemen who tortured Mizanur.

On March 22, Patuakhali Press Club set a seven-day ultimatum to the police to take action against the police personnel responsible.