25km tailback cripples Dhaka-Ctg highway

OUR CORRESPONDENT, *Comilla*

Hundreds of passengers were stuck in a 25-kilometre tailback on the Dhaka-Chittagong highway yesterday.

The tailback that ensued Tuesday night, following two road accidents in Munshiganj and Daudkandi on the vital highway, continued till the filing of this report at 9:00pm last night.

This correspondent, who travelled from Comilla to Daudkandi yesterday, reported that the gridlock intensified further because of the slow pace of toll collection at Meghna Bridge.

Abul Kalam Azad, officer-in-charge of Daudkandi Highway Police Station, said the tailback stretched from Meghna-Gomti Bridge in Daudkandi to Madanpur in Narayanganj.

Al Amin, a driver of a Papia Paribahan bus that plies on the Comilla-Daudkandi route, said he started the bus from Comilla at 1:00pm and managed to travel only 40 killometres in four hours.

Normally, it usually takes two hours or less for the same distance, he added.

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Cars, buses and trucks stuck in traffic jam in front of Comilla's Gouripur bus stand on the Dhaka-Chittagong highway. Rising number of goods-laden trucks and the long time taken for toll collection are responsible for huge tailbacks which have almost doubled the travel time on the route. The photo was taken yesterday.

PHOTO: KHALID BIN NAZRUL

Sushma's Dhaka visit deferred

DIPLOMATIC CORRESPONDENT

The proposed visit of Indian External Affairs Minister Sushma Swaraj to Bangladesh in the first half of September has been deferred.

She was scheduled to attend the fourth Bangladesh-India Joint Consultative Commission (JCC) meeting to be held in Dhaka before leaving for the US to join the United Nations General Assembly (UNGA).

Sushma, who will participate in the 72nd UNGA beginning on September 12, is compelled to defer her visit to Bangladesh due to her preoccupations at home and abroad. She may lead the Indian delegation to the UNGA as Prime Minister Narendra Modi may not take part in the UNGA, diplomatic sources said.

She led the Indian delegation to the 71st UNGA in 2016.

Diplomatic sources said Sushma's visit might take place after the UNGA

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Niko deals illegal

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bribing AKM Mosharraf Hossain, who resigned as state minister for energy in June 2005 amid controversy, with a luxury sport utility vehicle and a trip to New York and Calgary mainly for damage control following the blowouts.

The company also agreed to pay $9.5 million in fine, which went to the Canadian government fund, according to the documents obtained by The Daily Star.

Tanjib said Niko gave statements to a Canadian court, admitting that it made payments through Qasim Sharif, president of Niko's Bangladesh chapter.

He further said several payments were made by Qasim himself and some others by Nationwide, a company of former Dhaka Club president Selim Bhuiyan who worked as a Niko agent.

In its statements, the Canadian company said it made the payments "for their ability to influence the government officials and getting decision in their favour."

"As they [Niko] have confessed in writing, there is no dispute over it. The court said their acts constituted crimes... It asked the authorities to take action against them," he said.

In its judgment, the court said, "We find that the JVA and GPSA have been procured by corruption and thus render them void ab initio."

Citing the verdict, Moin Ghani, lawyer for Bapex and Petrobangla, said, "The assets of Niko Canada and its subsidiaries in Bangladesh, obtained through the corrupt scheme in place, are to be treated as proceeds of crime."

TRAIL OF CORRUPTION

The Daily Star on April 7 ran an investigative report revealing how the Canadian explorer left behind a hard-to-miss corruption trail, won an unsolicited energy deal and dodged responsibility for the subsequent blowouts by bribing influential people linked with the last BNP-led government.

The company, floated in 1987, was so desperate that it didn't even hesitate to appoint a consultancy firm, owned by a Bangladeshi-born American, for $4 million to handle the dirty work in Bangladesh, according to evidence obtained by this newspaper.

Niko went on to sign another contract with the same consultancy firm, Stratum Developments Ltd, partly for disbursing the speed money among government officials. As part of the deal, Stratum would "ensure and expedite" the process of a JVA with local explorer Bapex to develop two gas fields.

Niko's corruption evidence seen by this newspaper includes the firm's own admission of bribing Mosharraf to further its business activities in Bangladesh; a cheque showing payment to Giasuddin Al Mamoon, a close friend and business partner of Tarique Rahman; payments to businessman Selim Bhuiyan who had close links with Mosharraf; confessional statements of Selim; and consultancy and management deals signed between Niko Resources Bangladesh Ltd and Stratum.

It all goes back to 1997, when Niko entered Bangladesh during the second round Production Sharing Contract bidding for oil and gas exploration. But with just 10 years' experience in the field, the firm failed to qualify in the bid both on technical and financial grounds.

But it continued lobbying to work around the obstacle. In 1998, it submitted an unsolicited proposal for developing the Chhatak and Feni gas fields.

Bapex refused to sign the deal as it found that Chhatak field was an unexplored field, and not a used one as Niko falsely claimed.

Stratum, however, was already on the scene to make it all happen. Niko signed a "consultancy agreement" with the firm in July 1999, and renewed it in 2003.

Niko and Stratum also signed a "management services contract" in October 1999, which was renewed in October 2003, just 15 days before Niko and Bapex signed the JVA.

Government documents show that the JVA deal, signed on October 16, 2003, was vetted by the law ministry and approved by the then prime minister Khaleda Zia.

The then Law Minister Moudud Ahmed on August 25, 2003 gave his opinion in favour of the JVA.

Interestingly, Moudud's law firm "Moudud Ahmed and Associates," which was acting as a legal counsel for Niko, gave similar legal opinions on the issue on February 27, 2003.

According to Niko's documents, the firm made a payment of $6,065 to Moudud on October 12, 2000, and another of $8,315 on January 15, 2002, when he was law minister.

In a clarification of this newspaper's report, Moudud, however, claimed that the "so-called opinion dated February 27, 2003 was fictitious and forged.

The money was not paid to him but to the law firm against the bills for the work it had done for Niko during the period of their agreement, he said.

Five days after the JVA was signed, Niko wire-transferred $2.93 million from Niko Canada's First Caribbean International Bank (Barbados) account to a Union Bancaire Privee (Zurich) Swiss bank account of Stratum.

From the sum, Qasim paid $500,000 to Selim's company Nationwide.

Niko documents show that it paid Selim for his personal influence in arranging meetings with government officials at Bapex, Petrobangla and the energy ministry.

On January 8, 2004, barely three months after the agreement, Selim paid Giasuddin Al Mamoon Tk 1.08 crore through a Standard Chartered Bank pay order (Ref No-CO-60-20040107-0201).

Four years later, Selim admitted before a Dhaka court that he gave Tk 1.8 crore to Mamoon (Tk 1.08 crore through SCB cheque and Tk 72 lakh in cash in phases) and Tk 60 lakh to Mosharraf. He kept the remaining Tk 60 lakh for himself in lobbying fee.

"Mr Mamoon told me that he was taking the lion's share of the money as Tarique Rahman was with him," Selim, who now lives in Dhaka, said in the confessional statement.

But in 2012, he told The Daily Star that he gave the confessional statement "under duress".

As part of their investigation, officials of Royal Canadian Mounted Police visited Bangladesh and questioned Mamoon in jail on November 7-8, 2008. He admitted to them that he had received the money in return for securing the deal.

Mamoon is now serving jail term in a money laundering case.

Former state minister Mosharraf refuted all the allegations against him.

PENDING CASES

During the tenure of the last caretaker government, the ACC in December 2007 filed two cases -- one against Awami League President Sheikh Hasina and the other against BNP chief Khaleda Zia -- over the bribery scam.

The case against Hasina was quashed in 2010, a year after she took office.

The case against Khaleda and 10 others is under trial.

In 2008, the government filed a damage suit with a Dhaka court against Niko, claiming Tk 746.5 crore in compensation. The case is pending.

Four years later, the ACC sued Mosharraf and Qasim for bribery. This case also remains pending.

On April 1 and June 16 in 2010, Niko Resources Bangladesh Ltd filed two cases with World Bank's International Centre for Settlement of Investment Dispute -- one seeking an order clearing it of the liability for the two blowouts and the other demanding outstanding payments for the gas it supplied to Petrobangla from the Feni gas field.

Both the cases are pending.

TENGRATILA DISASTER

Niko managed to win the deal by showing the new gas field in Tengratila of Chhatak as a used one in 2003. Two huge blowouts in January and May of 2005 took place due to "faulty and negligent operation of Niko." The gas field burnt for years and eventually turned the 260 billion cubic feet (bcf) gas reserve into a vast wasteland. Bapex estimated the loss to be $1.05b.

NIKO RESOURCES LTD

PARTNERS IN BRIBERY

NIKO RESOURCES SIGNED TWO WRITTEN CONTRACTS WITH A CONSULTANCY FIRM TO WIN ONE-SIDED DEAL THROUGH BRIBERY.

QASIM SHARIF

Upon a $4m bribery deal, managing director of the consultancy firm got in touch with influentials in the then ruling BNP and government, and lured them into Niko scam. The Bangladeshi-American was later made president of Niko Bangladesh.

SELIM BHUIYAN

Picked possibly for his strategic links, businessman Selim laced together all key players in Niko's corruption web. He was a family friend of AKM Mosharraf Hossain, the then state minister for energy and mineral resources, and also knew Giasuddin Al Mamoon. He kept Tk 60 lakh for himself as lobbying fee.

GIASUDDIN AL MAMOON

Mamoon was supposed to get Tk 6 crore and $2,40,000 once the deals were done. His stake was high as he was the all important friend and business partner of Tarique Rahman. Together with Selim, Mamoon went to the energy minister's residence and gave him go-ahead for Niko. He admitted to have received Tk 1.8 crore.

AKM MOSHARRAF HOSSAIN

Selim admitted that he gave AKM Mosharraf Hossain Tk 60 lakh. Niko pleaded guilty before a Canadian court of bribing him with a luxury SUV and trips to New York and Calgary. Mosharraf eventually resigned when the bribery news made headlines.

TIMELINE

1997: Niko enters Bangladesh, takes part in second round gas block bidding, but fails

1998: Niko submits unsolicited proposal to develop Chhatak and Feni gas fields

July 27, 1999: Niko signs a $4 million "consultancy agreement" with Stratum Developments Ltd

October 1, 1999: Niko and Stratum sign a "management services contract"

October 16, 2003: Niko and Bapex sign Joint Venture Agreement to develop two gas fields

January 8, 2005: A blowout at Niko's Chhatak field in Tengratila of Sunamganj

May 23, 2005: Niko presents then state minister for energy AKM Mosharraf Hossain a Lexus SUV

June 2005: Mosharraf travels to Canada and the US with expenses borne by Niko

June 18, 2005: Mosharraf steps down amid controversy

June 23, 2005: Another blowout at the same field in Tengratila

December 27, 2006: Niko signs GPSA with Petrobangla to sell the gas extracted from Feni gas field

June 2011: Niko Canada pleads guilty before a Canadian court to bribing Mosharraf and agrees to pay a $9.5 million fine

May 2016: HC issues rule asking why Niko deals with Bapex and Petrobangla should not be declared illegal

August 24, 2017: HC gives verdict

End Rohingya restrictions

FROM PAGE 1

citizenship law, which was enacted by former dictator U Ne Win. The law doesn't recognise Rohingya as one of the country's 135 ethnic groups.

Some rights groups hailed the report as a milestone for the persecuted Rohingya community because the Myanmar government had previously pledged to abide by the findings of the commission.

The report suggested that the government should maintain a strong bilateral relationship with Bangladesh to address the challenges in Rakhine.

"Events in one country have a profound effect on the other, as demonstrated by the thousands of Muslims from Rakhine State who sought refuge in Bangladesh after the violence in late 2016.

"There are profound developmental and humanitarian needs on both sides of the border, but also opportunities for cooperation that would benefit both countries," said the report.

Security deteriorated sharply in Rakhine on the border with Bangladesh on October 9 last year when "militants" killed nine policemen in attacks on border posts.

In response, the Myanmar military sent troops fanning out into Rohingya villages in an offensive beset by allegations of arson, killing and rape by the security forces. Some 87,000 Rohingyas fled the violence into Bangladesh.

Bangladesh has been hosting 300,000 to 500,000 Rohingyas for over three decades. Around 30,000 more registered Rohingya refugees have been living in two camps in Cox's Bazar.

According to the commission report, the governments of Myanmar and Bangladesh should facilitate the voluntary return of refugees to Myanmar through joint verification, in accordance with international standards and with assistance from international partners.

"When refugees from Rakhine State would return from Bangladesh, the government of Myanmar should help create a secure environment and, where necessary, assist with shelter construction for those whose homes have been destroyed," it said.

Welcoming the intention of the Myanmar government to set up a joint commission with Bangladesh, the report said the two governments could actively encourage more exchanges between civil society members, think tanks, academics and the private sector to promote mutual understanding and cooperation.

RISK OF RADICALISATION

The Rakhine commission warned that failure to implement its recommendations could lead to more extremism and violence.

"Unless current challenges are addressed promptly, further radicalisation within both communities is a real risk," the report said, describing the Rohingya as the single biggest stateless community in the world.

If the legitimate grievances of local populations were ignored, they would become more vulnerable to recruitment by extremists, observed the commission.

The report acknowledged the recent government efforts to improve freedom of movement, but said it only affected those holding the "correct identification".

"To have greater impact, freedom of movement should be delinked from the citizenship verification process, meaning that all individuals in Rakhine State should be able to move freely irrespective of whether they hold an NVC [National Verification Card], NRC [National Registration Card] or citizenship documentation, consistent with the basic rights of all people to free movement," the report said.

An estimated 120,000 Muslims are confined to IDP (internally displaced people) camps in Rakhine, many without access to basic rights such as education and healthcare.

The commission said efforts to allow people return home has "shown little progress". It called upon the Myanmar government to develop a "comprehensive strategy" towards closing all IDP camps.

The strategy should be developed through consultations with affected communities and should have clear timelines, the report said, adding all returns and relocations must be voluntary and should allow people to return to their place of origin as a priority, added the report.

In the interim period, it suggested improving shelter, water, sanitation and livelihoods in the IDP camps.

Humanitarian and media access to Rakhine has largely been cut off since the October attacks, and the commission urged the government to ensure full and regular access to all parts of the state.

The military has been accused of using disproportionate force in its operations, including allegations of mass rape, extrajudicial killing and torture. The government and military have continuously refuted the allegations.

In March, the UN Human Rights Council passed a resolution to form an investigation team to probe rights abuses in Myanmar, with a particular focus on Rakhine. However, the Myanmar government denied visas to its members.

The Rakhine commission further called for an "independent and impartial investigation" into the facts on the ground in order to ensure that those who conducted violations were held accountable.

The commission urged the government to form a ministry tasked solely with implementing its recommendations.

"The secretariat's staff should be in permanent consultation with groups in Rakhine State in the implementation of its work," it added.

State-run Global New Light of Myanmar said the president hoped the international community would "understand the challenges and situation being faced by the government" in dealing with the Rakhine issue.

Maldives MPs

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to ensure that the majlis (parliament) function freely in accordance with Maldivian law and parliamentary procedure," Keshap said in a statement.

It is not the first time the US, among other nations, have urged the Maldives to safeguard democracy amid a crackdown by Yameen on his political opponents, most of whom are in exile or jail.

A coalition led by former president Mohamed Nasheed wants to defeat Yameen at elections next year and sees the impeachment of the Speaker as a first step to taking control of parliament to ensure free and fair polls next year.

The first attempt to impeach the speaker in March triggered chaos when troops acting on Yameen's orders stormed parliament and removed dissenting opponents by force.

Nasheed became the Maldives' first democratically-elected president in 2008, but was narrowly defeated by Yameen in a controversial 2013 election run-off.

In 2015, he was sentenced to 13 years in prison on terrorism charges that were widely seen as politically motivated. He now lives in exile in Britain.