

Vigil for 11 deceased Nepali students

OUR CORRESPONDENT, Sylhet

The auditorium of Jalalabad Ragib-Rabeya Medical College was lined with candles, flowers and photographs yesterday evening.

Several hundred students attended the vigil and observed a one-minute silence in memory of their Nepali friends killed in Monday's plane crash.

The campus has been reeling from shock since the tragedy. As academic activities remained suspended, only a handful of students and teachers wearing black badges were seen talking softly in otherwise empty corridors in the afternoon.

"We, the Nepali students, usually travel together when we go home. Our final professional exam was over just two days ago, and they were supposed to be called doctors once the results were published. But we are counting bodies instead," said Shubhas Acharya, a Nepali student, who was supposed to be on board the plane, but failed to book a ticket on time.

The 11 Nepali students of the college, who died in the crash, were his classmates. He and several other remaining Nepali students are scheduled to leave for Kathmandu today. His friends Sanjay Poudel and



Candles, flowers, and photographs during a vigil at the auditorium of Jalalabad Ragib-Rabeya Medical College in memory of the students killed in Monday's plane crash.

PHOTO: COLLECTED

Anjila Shrestha, who died in the crash, were in a relationship for several years and had been planning their marriage.

"I am lost for words. They made little plans about things to do in the vacation that started a few days ago,"

Shubhas said.

The college started a three-day mourning yesterday, said the Principal

Prof Abed Hossain.

"We suspended all classes and exams and put our flag at half-mast," he said, "We are also trying to contact the families of the students who were killed."

There were 13 Nepali students of the 19th batch in that plane.

Forty-four Nepali students were admitted in the batch in 2012. The college had about 250 Nepali students.

The students on board the ill-fated plane were Sanjay Poudel, Sanjaya Maharjan, Neega Maharjan, Anjila Shrestha, Purnima Lohani, Shweta Thapa, Meeli Maharjan, Saruna Shrestha, Algina Baral, Charu Baral, Samira Byanjankar, Ashna Shakya and Princy Dhama.

Tanzim Nahiyon Sourav, a student of the class of 2013, said, "We do not know what to say to our Nepali friends."

Nahid Tarana, manager of a super store near the campus, said she was shocked to see familiar faces in the news.

"They had been a jolly bunch, always smiled, laughed, and did everything together. It is really sad that they died just before becoming doctors," she said.

Students of Park View Medical College in Sylhet also held a candle light vigil on campus in the evening.

JS BY-POLLS

JP wins in Gaibandha, AL in B'baria

STAR REPORTS

Jatiya Party candidate Shamim Hyder Patwari won yesterday's by-polls in Gaibandha-1 (Sundarganj), while ruling Awami League candidate BM Farhad Hossain was victorious in Brahmanbaria-1 (Nasirnagar).

Shamim defeated AL candidate Afroza Bari by around 10,000 votes.

Patwari secured 78,926 votes, while 68,913 votes went to Bari, according to Regional Election Officer and Returning Officer GM Shahatab Uddin, who announced the result of the by-polls unofficially.

According to Election Commission, around 44.46 percent votes were cast in the constituency.

In Brahmanbaria-1, AL candidate Farhad Hossain got 83,314 votes while his nearest rival Rezwan Ahmed of JP secured 34,901 votes.

According to our correspondents, by-polls to both constituencies were held peacefully, except for a few stray

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Govt seeks stay on Khaleda's bail

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The BNP chief's lawyers yesterday submitted two petitions with as many courts in Dhaka seeking their order to recall two production warrants issued against Khaleda in the Gatco and Barapukuria coalmine graft cases.

Meanwhile, another Dhaka court yesterday issued a production warrant against Khaleda asking the jail authorities to produce her before it on March 28-29 in the Zia Charitable Trust graft case.

BNP lawyers said even if the HC bail order is upheld by the full bench of the SC, Khaleda might not walk out of jail soon as production warrants have been issued against her in other cases.

Khaleda has been facing arrest

warrants in five more cases filed with different courts in Dhaka and Comilla. Of them, three were filed in Comilla in connection with arson attacks and two in Dhaka over defamation and "celebration of fake birthday".

The BNP chairperson, now behind bars in the Zia Orphanage graft case, faces 33 more cases.

Talking to The Daily Star, Khaleda's lawyer Moudud Ahmed said, "The government is trying to delay her release by taking various measures. We will take necessary legal actions."

Zainul Abedin, one of the counsels for the BNP chief, said Khaleda would have to secure bail from the trial court concerned in the Comilla arson case.

The copy of the HC bail order would

reach the jail authorities by today as the order was released yesterday, he added.

The former prime minister landed in jail on February 8 after the Dhaka Special Court-5 had sentenced her to imprisonment.

Since then, the BNP has been observing various agitation programmes, including hunger strike, human chain and demonstration demanding release of the party chief.

BNP leaders alleged that the government was hatching a conspiracy to hold a lopsided parliamentary election keeping Khaleda and her party out of it.

SUPREME COURT PROCEEDINGS
The Supreme Court is set to hold hear-

ing on the two petitions today.

The petitions, filed yesterday by the ACC and the government, have been included as first and second items in today's cause-list of the four-member SC bench, headed by Chief Justice Syed Mahmud Hossain, for hearing, according to the SC website.

After a brief hearing on the petitions yesterday, the chamber judge of the Appellate Division of the Supreme Court did not issue any stay order, meaning that the HC bail order would remain in force until the apex court's further order.

ACC lawyer Khurshid Alam Khan told this correspondent that the issues of Khaleda's bail is now within the purview of the SC, as two petitions

have been moved before it.

LOWER COURT PROCEEDINGS

A Dhaka court yesterday issued a production warrant against Khaleda asking the jail authorities to produce her before it on March 28-29 in the Zia Charitable Trust graft case.

Judge Md Akhtaruzzaman of the Special Judge Court-5 issued the order after the prosecution had submitted a petition seeking for production warrant against the BNP chief.

About the petition, ACC Public Prosecutor Mosharrif Hossain Kajal told the court that Khaleda was earlier convicted and sentenced to five years' imprisonment in the Zia Orphanage Trust graft case.

As she is now in jail, she cannot

appear before the court. Therefore, a production warrant should be issued against her, the lawyer argued.

The ACC filed the corruption case with Tejgaon Police Station in August 2011, accusing Khaleda and three others of abusing power to raise funds for the trust from unknown sources.

Khaleda's lawyer Sanaullah Miah yesterday submitted two petitions with Dhaka courts seeking their order to recall two production warrants issued against the BNP chief.

The judges concerned of the courts asked the lawyer to submit the HC bail order to them. As the lawyer failed to comply, the courts did not issue any order in this regard, said court sources.

The truth lies in black box

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cleared to land on runway 02, the flight began deviating from its course.

A series of conversations emerged between the captain and the tower controller (both radio voices switched from female to male) about which runway the flight BS211 was aiming for.

Amid much confusion -- mostly on the part of the flight crew -- the ultimate landing clearance on runway 02 was received. The crash occurred less than a minute after that.

A transcript of the conversation shows the control tower had told the captain: "I say it again, do not proceed towards runway 20. Cleared to hold at your current position."

The captain agreed and said he would orbit in the air.

A little later, the tower cleared the craft for landing. "BanglaStar211, runway ... eh ... cleared to land. Runway is vacated, either runway 02 or 20?"

The captain said he would land on 20.

The tower then supplied the captain with data on wind direction and speed. And just a little later, the alarmed tower asked: "BanglaStar211, confirm you have the runway in sight?"

To this question the answer of the captain was quite chilling -- "Negative, Sir" -- because he was on his approach to land and yet he could not see the runway. And the captain was trying to do a visual landing.

This was a critical moment as a Turkish Airlines pilot said keeping the Kathmandu runway in sight all the time is a must.

The alarmed tower right away instructed: "Turn right and ah ... you have the runway. Confirm you have the runway not in sight yet?"

The captain veered his plane and replied back: "Affirmative. We have runway in sight. Requesting clear to land, sir."

The tower gave him the clearance.

By this time, the worst thing might have happened, aviation experts guess. It was apparent that the pilot was not aligned with the runway at a low approach for which the runway was not in sight in the first place. And the

plane might have been quite low in the sky. For visual landing, the pilot needs to see the runway at least from 500 feet.

So the pilot might have yanked the plane to the right, it might have overbanked and lost much of the control.

The next conversations between the tower and the pilot might be an indication.

The pilot says: "Cleared to land runway 02."

The tower replies: "Roger. Runway 02 cleared to land."

But then strangely the pilot again asks: "Sir, are we cleared to land?"

The tower yells: "BanglaStar211, I say again turn (yelling in back-ground)"

At this point the pilot may have turned further and the aircraft stalled. Kathmandu airport at an elevation of 4,500 feet has thin air and that makes a lot of difference in manoeuvring a plane.

Questions also hung heavily on activities of air traffic control authorities. It apparently chose to deal dangerously with incoming flights. They were found to be clumsy in communications and focus divided.

They cleared the US-Bangla aircraft to land on runway 02 only three minutes after allowing a Jet Airways flight, a Boeing 737-800, from Mumbai to land on the same runway. And midway through its conversation with pilot Abid, the tower cleared another aircraft (Buddha282) to land on runway 02.

Sanjiv Gautam, director general of the Nepal's Civil Aviation Authority, however, saw no wrong signals given to US-Bangla pilot.

"The weather was clear. The pilot had minimum five-kilometre visibility. The pilots confirmed that the runway was visible... (yet) the pilots were not following our instructions," he told CNN. "The aircraft displayed uncontrolled movement during landing. The alignment wasn't right; it was tilted on one side."

A Qatar Airways captain did not give the Kathmandu tower a clean hit to say the least. The tower influenced the pilot to follow a non-standard approach by asking to hold, which is

not acceptable in Kathmandu due to terrain, the captain said.

"Improper input from ATC [tower] confused the pilot," the captain observed. The pilot should not have accepted the hold and should have completed the procedure as published in the Kathmandu approach chart.

The Qatar pilot wondered why planes were asked to land from different directions. "At one time, there can be only one runway direction for landing."

Captain Abid was for sure quite experienced in flying both passenger and fighter planes. Why is then a pilot of his stature would act strange? This big question goes unanswered.

There are a lot more questions in the minds of the aviation experts. They wonder why the captain was talking to the tower instead of the co-pilot. In the norms of aviation, the pilot flying only concentrates on manoeuvring the aircraft and pilot monitoring (the other pilot) talks to the tower.

But in this case the captain himself was talking. Kathmandu being a captain's landing airport, according to many airlines policy, including Biman, the question comes if the co-pilot was actually attempting the landing for which the captain was talking to the tower in the end.

Aviation sources said the young co-pilot was in fact on her maiden assignment to Nepal and a junior with reasonable experience should have been tasked with this kind of critical airport. The airline, when approached, denied the inexperience claim.

The Turkish Airlines pilot, who has worked for Bangladeshi carriers, said the new and inexperienced co-pilot could have led the captain to manoeuvre the plane and talk to the tower simultaneously and the whole thing was a "massive pilot error".

However, it is also not clear why the pilot attempted visual landing in a risky airport like Kathmandu. Bangladesh Biman strictly discourages visual landing in Kathmandu because it is a critical airport, also the second riskiest in Asia. Biman allows only instrumental landings.

Biman's operations manual of

Boeing 737-800 says "due to physical geography of Kathmandu, the Normal operation, even on a fair day, is a high work load/stress situation from the pilot point of view."

The routes for arrival and departure are specified as "difficult terrain" and Kathmandu airport as "Special airport".

In bad weather it gets worse and a one engine fail operation that creates one of the most demanding situations for the pilot to handle, the procedure says.

The approach to the runway 02 is made through a gap in the southern range of mountains. On the approach path profile, there is a mountain peak at 7,688 feet. The minimum segment altitude over this mountain is 8900ft leaving a clearance of around 1212 feet only.

There are also some questions over Dash8 Q400, the kind that had crashed in Kathmandu Monday afternoon for 146th time across the globe. The Scandinavian Air System (SAS) stopped using this aircraft in 2007 after a series of landing accidents.

A captain of US-Bangla narrated his experience with Dash8 Q400 and said it is a very difficult machine to control. He was once panicked while landing in Barisal because overweight and crosswind almost threw it off the runway.

Was there any fault that developed in the very late stage of the landing?

US-Bangla was the fourth owner of the nearly 17-year-old aircraft, after Royal Jordanian AL, Augsburg Airways/Lufthansa Regional and Scandinavian AL. Since delivery in 2014, it recorded only one accident, a runway excursion after landing in Saidpur.

There could be one or multiple reasons -- stress, overwork, loosing situational awareness, environment pressure, tower pressure, and minimum help from an inexperienced first officer -- for which the pilot made a poor judgment on the runway position.

Unfortunately, Abid did not survive to tell his story. So, we're left with the black box for the truth.

We all have failed

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"Unless there are tangible changes made within Myanmar to address the root causes of the problems, and hold accountable those responsible for the crimes against the Rohingyas, the risk of new violence, the risks of atrocity crimes being committed against the Rohingyas is considerable," Dieng said.

Nearly 700,000 Rohingyas fled to Bangladesh after Myanmar security forces began a crackdown in Rakhine on August 25 last year. The new arrivals joined some 300,000 others who had fled previous atrocities in Rakhine where the Rohingyas are deprived of citizenship and basic rights though they lived there for decades.

"Let us be clear: international crimes were committed in Myanmar. Rohingyas Muslims have been killed, tortured, burnt alive and humiliated, solely because of who they are," said Dieng, who visited the Rohingya camps in Cox's Bazar and met ministers and members of the civil society and the diplomatic community in Bangladesh.

"All the information I have received indicates that the intent of the perpetrators was to cleanse northern Rakhine state of their existence, possibly even to destroy the Rohingya as such, which, if proven, would constitute the crime of genocide," he said.

While the crimes would be determined by the court, he said, this should not delay the resolve to act immediately to hold the perpetrators of the atrocity crimes accountable.

According to the Framework of Analysis for Atrocity Crimes prepared by UN in 2014, the term "atrocity crimes" refers to three legally-defined international crimes: genocide, crimes against humanity and war crimes.

The UN Secretary-General's Special Advisers on the Prevention of Genocide and on the Responsibility to Protect have distinct but complementary mandates to work together to advance national and international efforts to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, as well as their incitement.

Dieng said the UN has plans to collect evidence of genocide on the Rohingyas through a judicial investigation.

"The judicial commission can make a legal determination and say what happened is genocide in Rakhine," he told journalists, urging the international community, in particular the United Nations Security Council (UNSC), to consider different "accountability options".

"The world needs to show that it is not ready to tolerate such barbaric acts... there must be accountability for the crimes that have been committed."

Asked how Myanmar's suspected genocide is referred to the International Criminal Court (ICC) when the country is not a party to the ICC, while China and Russia may use their veto powers against it, Dieng said

Sudan and Libya were not state parties to the court but the international crimes in those countries were referred to the ICC by the Security Council.

"So nothing will deter if the SC [Security Council] refers it to the ICC," he said, emphasising that international pressure on Myanmar is critical in this regard. Regional bodies like ASEAN can also work on it, he said.

He hopes China will play its role as a permanent member of the UNSC.

"I cannot but simply invite China and India to use their leverage because it is not simply about the Rohingyas, but it is about humanity. It is about saving lives."

"We cannot sacrifice our moral leadership. I expect both India and China to show that moral leadership. It is not only about economic leadership, political leadership, but today more than ever we need to show moral leadership."

Dieng said the UN Security Council is responsible for peace and security, and that it has five permanent members having veto powers.

"We should not use that veto when it is about protecting population against genocide."

Dieng said there are groups, including in Africa, who are standing for the cause of the Rohingyas.

"Don't be surprised in near future how vast movement would be there in support of the Rohingya. That day, be China be India, who are developing their relations in Africa and other parts, will think twice and understand this is simply about humanity."

He lauded Bangladesh for its moral leadership in sheltering the Rohingyas, and called on the international community to do more to support Bangladesh in shouldering the responsibility by providing support to the refugees and the host communities.

The UN's top official on preventing genocide also said majority of the Rohingyas want to return to Myanmar, but only when they are able to do so in safety, dignity and with access to the basic rights including citizenship.

"So far, the Myanmar authorities have shown no genuine efforts to allow this. In fact, refugees continue to cross the border."

He said under the present conditions, returning to Myanmar will put the Rohingya population at risk of further crimes, and that the international community has a responsibility to protect them from the risk of further atrocity crimes.

"However, accepting the current status quo would be a victory for those who planned the attacks. We must not accept either of these scenarios."

Meanwhile, Law Minister Anisul Huq yesterday said he raised the issues of atrocities and genocide against the Bangalis by the Pakistani forces on 25 March, 1971 and during the Liberation war.

He made the comment during a meeting with Dieng at the secretariat yesterday, says a ministry statement.

Keep Korea sanctions until progress in talks

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about this opportunity," McMaster told reporters after the closed-door meeting at the US mission to the United Nations.

"But we are determined to keep up the campaign of maximum pressure until we see words match with deeds, and real progress toward denuclearization."

Trump agreed last week to a first face-to-face meeting with Kim, which could take place by the end of May, raising hopes for a diplomatic breakthrough after the two leaders spent months

hurling insults and threats at each other.

During the meeting with the ambassadors, McMaster pointed to three UN sanctions resolutions adopted by the council as key in the campaign to bring North Korea to the negotiating table, according to a council diplomat.

McMaster said the council had shown "unity and resolve that has us now at the point where we may be able to pursue a diplomatic solution on the complete denuclearization of the Korean peninsula."

The Security Council has imposed tough economic sanctions aimed at choking off revenue to Pyongyang's military programs after Kim's regime carried out a sixth nuclear test and a series of advanced missile launches.

The sanctions resolutions were unanimously adopted following negotiations with China, Pyongyang's ally.

US Ambassador Nikki Haley singled out China for praise, saying Beijing had been "very helpful" in the push for sanctions, and also cited South Korea and Japan.

The sanctions resolutions ban North

Korean exports of commodities and severely restricted shipments of oil and fuel to the isolated state.

Dutch Ambassador Karel van Oosterom, who chairs the council's North Korea sanctions committee, told reporters "we have to continue implementing the sanctions as they stand."

A council diplomat said the US appeal to keep up sanctions pressure showed that Washington remained skeptical about prospects for a deal with Pyongyang on scrapping its nuclear program.