



Palestinian mourners carry the body of 23-year-old Ahmed Qutoosh, who died of his wounds endured during clashes with Israeli troops, during his funeral in Nuseirat, in the central Gaza Strip, yesterday. Tensions between Israel and Gaza have spiralled since March 30, when Palestinians began protesting for the right to return to the homes their families fled or were expelled from in 1948, during the war surrounding the creation of Israel.

PHOTO: AFP

It's a safeguard for democracy

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Justice Moyeenul Islam Chowdhury, senior judge of the bench, had issued a rule on the government, asking why the article should not be declared unconstitutional.

Justice Md Ashraful Kamal, the other judge, had summarily rejected the petition, saying that the petition is contradictory to the constitution.

Later, Justice Md Abdul Wahhab Miah, who was performing functions of the chief justice at that time, sent the writ petition to the bench of Justice Abu Taher for its hearing and disposal.

In his order, Justice Moyeenul said parliament members could not discharge their duties properly as they could not express their opinions independently because of article 70.

The MPs are not independent as they cannot vote against their party decisions and that is why they are subservient to their parties, he noted.

Political parties, not the people, are the source of all powers under article 70, although the people are the source of all powers under article 7 of the constitution, said Justice Moyeenul.

The Supreme Court's Appellate Division has accepted the HC observation regarding article 70 in the judgment of the 16th constitutional amendment case, he said in his order.

Justice Moyeenul in his orders said it was mandatory for the HC Division to abide by the Appellate Division verdict.

There are elements for issuing a rule in response to the writ petition that challenged article 70, he said.

In his order, Justice Ashraful Kamal observed that raising question over the article 70 was demeaning the 403 members of the Gono Parishad (national assembly), including Father of the Nation Bangabandhu Sheikh Mujibur Rahman, and the people of Bangladesh as well as the constitution. Article 70 was incorporated in the constitution in 1972.

He rejected the petition, saying it is contradictory to the constitution.

On April 18 last year, lawyer Eunus Ali Akond submitted the writ petition

with the HC challenging the legality of article 70. In the petition, he said the article is against democracy and articles 7, 19, 26, 27, 44, 31 and 119 of the constitution.

In his order, Justice Abu Taher said, "The provision of present article 70 has been substituted by the Constitution Fifteenth Amendment. By way of the fifteenth amendment, the original provision of Article 70 has been simply substituted. So, by the fifteenth amendment nothing has been changed.

"The fifteenth amendment has not introduced any provision which can be said to have been made addition or alteration in any manner as contemplated under Article 142 of the constitution. In view of the constitution, there is no scope at all to challenge the present article 70 since it is the original form of article 70 of our constitution.

"So far, the observations as made by our High Court Division as well as Hon'ble Appellate Division as relates to present article 70 of the constitution in the sixteenth amendment case is concerned, I am of the view that the aforesaid observation was made during the course of delivering a judicial opinion, but one that is incidentally or collaterally and not directly upon the questions before the court and therefore not precedential though it may be persuasive."

"In view of the aforesaid reasons as stated above I do not find any substance of this application. Hence this application is summarily rejected," said Justice Abu Taher.

In the HC judgment on the 16th constitutional amendment case, Justice Moyeenul and his colleague Justice Quazi Reza-Ul Hoque had observed, "Keeping article 70 of Bangladesh constitution as it is, the members of parliament must toe the party line in case of removal of any judge of the Supreme Court. Consequently, the judge will be left at the mercy of the party high command."

"As regards article 70 of the constitution of Bangladesh, we must say that

this article has fettered the members of parliament. It has imposed a tight rein on them. Members of parliament cannot go against their party line or position on any issue in the parliament. They have no freedom to question their party's stance in parliament, even if it is incorrect. They cannot vote against their party's decision. They are, indeed, hostages in the hands of their party high command."

4 Saudi activists freed, one held as crackdown persists

AFP, Dubai

Saudi authorities have released four detained activists but arrested another one, pressing ahead with a sweeping crackdown just a month before the kingdom lifts its ban on women drivers, campaigners said yesterday.

Walaa al-Shubbar, said to be in her 20s, is the latest activist to be freed after at least 11 were arrested last week, mostly identified by rights groups as veteran women campaigners for the right to drive and to end the conservative Islamic country's male guardianship system.

Campaigners including Amnesty International earlier confirmed the release of Aisha al-Mana, Hessa al-Sheikh and Madeha al-Ajroush, elderly activists well-known for being part of a group that launched the first Saudi protest movement in 1990 for the right to drive.

There was no immediate comment from Saudi officials and the terms of their release have not been made public.

Meanwhile, authorities late Thursday arrested Mohammed al-Bajadi, co-founder of the Association for Civil and Political Rights (ACPRA), one of the few independent human rights groups in Saudi Arabia, Amnesty said.

Small or not

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"shootouts" and people of the areas came up with similar accounts about how the drug trade backed by local big shots went uninterrupted over the years.

Mosharaf Hossain Bidyut, 39, was killed in a "shootout" near the Brahmaputra River at Chhankanda of Jamalpur on May 23. Accused in 15 cases and involved in the trade for 11 years, he was all along a small peddler, according to family members.

Wishing anonymity, a number of locals said Bidyut had close ties with law enforcers and used to give a share of the pie to cops.

"Bidyut was not a big drug peddler or someone involved in big-scale drug business. He actually passed his days in financial hardship," said one of his relatives, seeking anonymity.

Bidyut's wife Shilpi said her husband was close to police. On Monday, three policemen visited their house twice and had chats with them, and he was picked up the next day, she alleged.

In Comilla, six alleged drug traders have been killed in "shootouts" with law enforcers since the drive began, and at least three of them were small peddlers living hand to mouth, locals and family members said.

The three are Peyar Ali, 24, of Shuvopur of Comilla Sadar upazila, Nurul Islam Isa and Kamal Hossain alias "Phensi" Kamal. Isa and Kamal were also CNG-run auto-rickshaw drivers.

However, several drug wholesalers still remain out of the dragnet and are now running home delivery services.

They maintained good political connections and had to pay police and politicians every month, alleged locals.

"Drug traders have good connections with a top city Awami League leader, a councillor and a city-unit Jubo League leader," said a veteran businessman of Comilla, wishing to remain unnamed.

The story is a bit different in Kushtia, where an alleged drug lord named Hamidul was killed in a "gunfight" with Rab on May 15. Eleven years ago his elder brother Rashidul was killed in a similar "gunfight".

Rashidul and Hamidul, known as the drug sultans of Kushtia town, were named as "most wanted" on the list of law enforcers in the district.

The racket operated in the last 20 years by maintaining good relationship with local police, local sources said. It had around 100 associates to sell heroin, Phensedyl, ganja and yaba among 4,000 subscribers across the district, sources in police and Rab said.

Earlier in 2003, the racket got locked into a fierce gun battle with a joint force team, leaving three policemen and a border guard killed. Three of its men also died in the fight.

Rashidul and Hamidul used to get backing from some leaders of both the BNP and Awami League, depending on which party was in power, locals said. A section of policemen also used to help them in exchange for money, they added.

Debashish Datta, executive committee member of Kushtia district Jubo League, said there is no doubt that drug

peddling has long been going on in the district with the help of police.

"We have learnt that the home ministry has prepared a list which include some police members who abetted the drug trade," he said and demanded immediate action against those unscrupulous cops.

[Our correspondents from Jhenidah, Jamalpur, Kushtia and Comilla contributed to this report]

Assam

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"economically vibrant" and free from "scourge of illegal migration and insurgency", he told reporters at a press meet here.

"While non-physical barriers will be used to seal the riverine areas along the border, the portion on land will be secured with smart fencing," the CM said.

Talking about the widespread protests in Assam over the Citizenship (Amendment) Bill, 2016, he said, the state government would never go against the interests of its people.

The Bill seeks to grant citizenship to persecuted minorities from Afghanistan, Bangladesh and Pakistan after six years of their residence in India.

"Assam has taken initiatives to update the National Register of Citizens (NRC) under the directions of the Supreme Court. Ours is the first and only state in the country undertaking this exercise to document bonafide citizens of the state," Sonowal added.

Fifth grader

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rapists, but they were released later.

Sources said the family members of the alleged rapists and local Union Parishad member Majibur Rahman were allegedly putting pressure on the victim's father not to file a case. They even offered her father Tk 1 lakh for a mutual compromise, the sources added.

The victim's brother, however, on Thursday night filed a case with Ghior police accusing the three youths.

Contacted, the member of Ward No. 3 of Nali Union Parishad acknowledged his initiative to compromise. He tried to mutually settle the matter because of the victim's religion and tender age, the member argued.

Additional Superintendent of Police (Shibalaya Circle) Mahabubur Rahman admitted that a rape case was filed in Ghior against three youths on Thursday night.

He said a medical test of the victim was done at Manikganj Sadar Hospital and she would be sent a magistrate's court for recording her statement. They are trying to arrest the culprits, he added.

Bringing hope

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"Our teachers are really kind," adds Laboni's classmate Juthi Akter. "I like to go to school because I want to be educated."

Established on 67 decimals of land on the banks of the Padma River, the school currently has five teachers catering to 233 students. It has four tin buildings with six classrooms. According to head teacher Abdus Salam, the school achieves a 100 percent pass rate in the Primary School Certificate exams.

"It came to my attention that the children living on the shoal were deprived of primary school," says 77-year-old Ashraf, the school's founder who worked as a controller in the Defence Finance Department until he retired in 2003. "I decided to establish one."

To do so he sold an allotment for a half-share in an apartment he had received from the Defence Officers Housing Society in Dhaka Cantonment for Tk 50 lakh. After spending Tk 15 lakh on the school's construction he invested the rest, an investment that has been paying the teaching salaries and covering other school expenses ever since.

But despite the enduring enthusiasm for the school that Ashraf shares with his wife Fatema Kaniz, herself a former teacher, the future of the school is far from secured. "We are both retired now," says Fatema, from their home in Dhaka's Bakshibazar. "We are not so solvent. In the absence of either one of us, it will be difficult to continue our support for the school."

"I am old," Ashraf says. "I hope that in the long run the government can keep the school alive."

The primary education officer for Manikganj district, Aleya Ferdousi Shikha, appreciates the school's financial circumstances. "A project to nationalise one thousand private primary schools across the country is likely to be approved soon," she says. "Once that has occurred we will send a proposal to the primary education department to include this school in the project."

The pavement

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On sunny days the tiles could produce 200 watts of energy per square metre, and about 150 watts if cloudy.

Lead researcher Dr Azmy Gowaid and his team received £75,000 funding when organisers of the 2022 World Cup in Qatar invited competitive bids for innovative designs that could deliver a tournament powered by as much renewable energy as possible.

The team of five scientists has already conducted a pilot study at the Al Shamal stadium in Qatar.

They are planning to demonstrate its prototype either outside one of the World Cup venues or in a fan zone.

Dr Gowaid, who is a lecturer in Power Electronics at Glasgow Caledonian University, said: "Qatar has a drive to deliver as much as possible a sustainable tournament and so they are keen to get some sort of renewable technology running alongside the tournament."

Prior to that, Dr Gowaid's project, called PVTopia, will be rolled out in the hotter climates of North Africa and the Middle East.

The tile's innovative cooling system that prevents heat damage will be put to the test under severe surface temperatures reaching 80°C.

Dr Gowaid said: "This is about cities generating their own energy rather than supplying the whole country's needs."

"You're looking – for a start – at the owners of residential houses or small commercial shops generating their energy on their own."

"If this is deployed amongst thousands and thousands of people then eventually the overall impact is going to relieve the (national) grid significantly."

Dr Gowaid points out that while the costs of the tiles can be double that of normal paving, the energy they produce means the installation costs will soon be met.

Once the break-even point is reached the tiles will continue producing power for another 15-20 years – for free.

Special tribunals

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rooms. The tribunal can only sit in the afternoon after the activities of the other tribunal ends.

The tribunal has a judge, a stenographer, a bench assistant and a driver. Public prosecutors for both the tribunals are yet to be appointed.

The tribunals would hold trials of cases filed under the act in metropolitan and district areas of Dhaka and Chittagong, according to the order.

As per the law, a judge of a tribunal shall conclude the trial of a case within six months from the date of framing of charges.

If the judge fails to conclude the trial by the time, the judge may, for reasons to be recorded in writing, extend the time by no more than three months. If the judge fails again to conclude the trial within that time, the judge may, after informing the High Court Division and the government in writing as to the reasons for such delay, further extend the time by three more months.

Counterterrorism officials and other law enforcers have long been advocating tribunals dedicated for militancy cases.

They have been saying that the trials would be quick, which in turn would help control the militancy menace.

According to counterterrorism officials and legal experts, some of the main reasons behind suspects getting bail are lengthy trial and probe processes.

Data of a Police Headquarters (PHQ) cell that monitor militancy shows 564 militant suspects managed to secure bail between January 2016 and September 2017. Law enforcers have no clue as to where nine of them are now.

Real-time data

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communicating data directly with the bench at next month's tournament in Russia.

"I welcome the use of tablets for coaches at the World Cup," Bierhoff told reporters at the world champions' training camp in northern Italy.

"There are many more options available such as artificial intelligence and machine learning, things that are not necessarily well heard within football but will be part of the future."

FIFA's plan is that each team is offered two devices; one for a team analyst observing the match from the stands and another for the coaching team on the bench.

Cameras then track the positional data of players and the ball and the information can be shared between the analyst and the bench during the game.

"We will test it in the warm-up games because we have to see how much information is useful and can actually be processed during a match," Bierhoff added.

The introduction of tablets at the World Cup comes long after other

A total of 908 militancy cases have been lodged under anti-terrorism act across the country between 1999 and September 2017, according to the database.

Verdicts have been delivered in only 12.44 percent of those cases (113 cases) while 619 are under trial and 289 are being investigated.

Abdullah Abu, metropolitan public prosecutor in Dhaka, said the trials of militant suspects used to stall as there were no special tribunals focusing on the cases.

Witnesses not showing up were also a reason for delays. "Not only civilian witnesses, sometimes policemen remained absent," he said.

He added that trials of cases in courts across the country against the same suspect contributed to the delays.

"We are now hopeful as the special tribunals will only deal with militancy cases. So, it will solve the longstanding problems by completing trials by the deadlines," he told The Daily Star recently.

The slow progress in proceedings of cases often creates opportunities for suspects to secure bail and go into hiding, counterterrorism officials claimed.

Monirul Islam, chief of Counter Terrorism and Transnational Crime unit of police, also hailed the tribunals.

"We are now hopeful about the quick trial and punishment of the dreaded militants, which would take us one step closer to stopping the menace in the country," he told The Daily Star.

Although section 28 of the anti-terrorism act enacted in 2009 authorises formation of such tribunals, it took the government nine years to form the courts.

sports, such as American football and rugby, have allowed the use of technology during coaching as well as direct communication between team officials and analysts in the stands.

Football has long resisted the introduction of technology in matches, such as video replays for referees or goal-line technology, and is only now gradually introducing video assistant referees.

Bierhoff said smaller teams could also benefit from data exchange at the World Cup as it now gave them more options to react during a game and coaches would gradually come to rely more on experts.

"I think the games may become a bit more flexible and a coach of a smaller team at the World Cup can now react based on the data," the former striker said.

"It may also change roles. You expect a head coach to know everything from fitness to tactics and skills. Nowadays he is more a leader, a coach working with experts."

The Germans are in World Cup Group F with Sweden, South Korea and Mexico.

N Korea summit

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First Vice Foreign Minister Kim Kye Gwan called Trump's decision "unexpected" and "regrettable." But he left the door open for talks, saying officials were willing "to sit face-to-face at any time."

Just before Trump announced the cancellation of the meeting, North Korea declared it had "completely" dismantled its nuclear test site in the country's far northeast, in a carefully choreographed goodwill gesture ahead of the summit.

But the chances of success for the unprecedented face-to-face had recently been thrown into doubt as threats were traded by both sides.

SHOCKING

The US summit cancellation blindsided treaty ally South Korea, which until now had brokered a remarkable detente between Washington and Pyongyang, with President Moon Jae-in calling the move "shocking and very regrettable."

Japanese Prime Minister Shinzo Abe said however he respected and supported the US president's move.

China, Pyongyang's sole major ally, urged the two foes to "show goodwill," while UN Secretary-General Antonio Guterres called on the parties to keep talking, as did host Singapore, and Russia's President Vladimir Putin held out hope the talks would eventually take place.

Trump's announcement came a day after Pyongyang hardened its rhetoric, calling comments by Vice President Mike Pence "ignorant and stupid."

"Sadly, based on the tremendous anger and open hostility displayed in your most recent statement, I feel it is inappropriate, at this time, to have this long-planned meeting," read Trump's letter to Kim.

But he said talks could still go ahead "at a later date."

Politically, Trump had invested heavily in the success of the planned summit.

As the date drew nearer, however, the gulf in expectations between the two sides became apparent.

Washington has made it clear it wants to see the "complete, verifiable and irreversible denuclearization" of the North.

But Pyongyang has vowed it will never give up its nuclear deterrent until it feels safe from what it terms US aggression.

USAIDES STOOD UP

A senior White House official said Pyongyang had demonstrated a "profound lack of good faith" in the run-up to the summit -- including standing up the White House's deputy chief of staff, who had travelled to Singapore for preparatory talks.

The White House viewed North Korea's objections to the latest US-South Korean joint military exercise -- and its recent cancellation of a meeting with the South Koreans -- as a breach of its commitments leading up to the summit.

It also was unhappy about the North's failure to allow international observers to verify the dismantling of the Punggye-ri test site, the staging ground for all six of its nuclear tests which was buried inside a mountain near the border with China.

But the North's Kim Kye Gwan countered that Pyongyang's angry statements were "just a backlash in response to harsh words from the US side that has been pushing for a unilateral denuclearization."

Both Pence and Trump's hawkish National Security Advisor John Bolton had raised the spectre of Libyan leader Moamer Gaddafi, who gave up atomic weapons only to die years later at the hands of US-backed rebels.

Experts warned that cancelling the meeting could have knock-on effects, especially among allies already rattled by Trump's unpredictability.

"In a contest of who can be the most erratic leader, President Trump beats Kim Jong Un hands-down," Joel Wit, founder of the respected 38 North website which monitors North Korea, wrote on Twitter.

"His unsteady hand has left everyone scratching their heads, including our ROK (South Korean) allies."

But others said Trump's willingness to walk away could extract further concessions from Pyongyang.

"North Korea will have to propose more detailed plans for denuclearization if it wants to talk in the future," said Go Myong-hyun, an analyst at the Asan Institute of Policy Studies.