

NON-SUBMISSION OF KHALEDA'S HEALTH REPORT

BNP sees 'govt interference'

STAFF CORRESPONDENT

The BNP yesterday expressed grievances as the court deferred the bail hearing of party chairperson Khaleda Zia over the Zia Charitable Trust graft case.

The party also alleged that the final report on Khaleda's health was not submitted to the court due to "direct interference" from the government.

"The appellate division's decision not only frustrated the nation, but also aggrieved us. We are anxious... The whole nation is concerned about Khaleda Zia's deteriorating health," Mirza Fakhrul Islam Alamgir, secretary general of the party, told journalists at a press conference in the party's Nayapaltan headquarters.

Fakhrul alleged that Khaleda was a victim of "inhuman behaviour" of the government as she was denied bail again and again.

He demanded the immediate release of the 73-year-old party chairperson so she could seek better treatment.

Issuing a note of warning, the BNP leader said Khaleda's health was deteriorating fast and if anything untoward happened to her, the "unelected" government had to take responsibility.

"So far, we came to know from unofficial sources that the final report on Khaleda Zia's health condition was prepared on Wednesday night, but due to government interference [in submitting the report] she was denied bail," he alleged.

Fakhrul also alleged that Khaleda could not move about on her own and even had difficulty in moving her hands.

Replying to a query, Fakhrul said, "If Khaleda was denied bail, the party's standing committee will take a decision about the next course of action."

Before the verdict, a large number of law enforcers took position in front

of the party's Nayapaltan office to avert any untoward situation.

A number of party leaders and activists also gathered at the party office. BNP leaders claimed that some of their colleagues were picked up from the area, but police did not comment on the matter.

BNP's student wing Jatiyatabadi Chhatra Dal alleged that Khaleda Zia's medical report was being prepared in Gono Bhaban.

Central Chhatra Dal and Dhaka University Chhatra Dal leaders made the allegation at a rally near the Raju memorial sculpture, where they had gathered to demand the release of Khaleda Zia.

"The judiciary was controlled from Gono Bhaban. Khaleda Zia's medical report was prepared in Gono Bhaban," Iqbal Hossain, general secretary of Chhatra Dal, alleged.

Meanwhile, Awami League General Secretary and Road Transport and Bridges Minister Obaidul Quader yesterday said a fitting reply would be given if BNP resorted to anarchy centring the verdict of cases against Khaleda Zia.

"The government will have nothing to do if the court does not grant bail to Khaleda Zia. If BNP carries out anarchy centring the verdict, a befitting reply will be given," he told reporters, reports BSS.

Prime Minister Sheikh Hasina on Wednesday said Khaleda Zia had been enjoying her days "like a king" in the hospital under the supervision of the jail authorities.

The PM made the remarks at a meeting of the Awami League at the Gono Bhaban.

"Khaleda Zia is in a good condition in jail...like a king. Now [she has been transferred] from jail to hospital," Hasina said, adding that, "And she has been given a maid servant when people don't get housemaids...She has been given this much facility."

Amend kidney law

FROM PAGE 1

The HC ordered the government to amend the act within six months incorporating a provision to allow emotional donors, Deputy Attorney General Saifuddin Khaled told The Daily Star.

The court also said the voluntary donors would have to be selected after their physical and mental health check-ups and drug addicts would not be allowed to donate.

Rashna told this newspaper that the HC in its verdict also asked the authentication board, formed at hospital-level following the 2018 amendment to the act, to verify the emotional donations and carry out enquiries to ensure kidneys are not being bought and sold.

The court laid out guidelines for the authentication board following the rules practiced in India, she said.

The guideline includes examination of documents and photos to establish relationship between the kidney donor and recipient, and the financial status of both parties.

Rashna said her client was looking forward to the changes in the law.

In 2017, Fatema Zohra filed a petition with the HC challenging the constitutionality of sections 2 (ga), 3 and 6 of the Organ Transplantation Act 1999. These sections mainly focused on the definition of the related persons.

Fatema donated a kidney to her ailing daughter Fahmida, but that kidney too was damaged a year later. She managed a donor for her daughter but the person could not donate because of the law.

Later, Fatema submitted the

petition before the HC seeking necessary orders.

On August 24, 2017, the HC issued a rule asking the government to explain as to why the above-mentioned sections of the act should not be declared unconstitutional.

While Rashna argued for the petitioner, DAG Saifuddin Khaled represented the state and ZI Khan Panna appeared for Ain O Salish Kendra (ASK) as an intervener in the case.

An expert committee, as per the HC's order, submitted a report to the HC in October this year saying that there was no need to allow voluntary donors beyond certain relatives as it might lead to several problems, including organ trafficking.

It said the inclusion of a provision allowing voluntary kidney donors might give the rich the chance to exploit the poor by offering them benefits or subjecting them to physical and mental torture.

The seven-member committee was led by Md Rafiqul Islam, president of Bangladesh Renal Association and pro-vice chancellor of Bangabandhu Sheikh Mujib Medical University.

Gonoshasthaya Kendra founder Dr Zafnullah Chowdhury, who voluntarily attended a hearing on November 7, told the HC that the law needs to be amended so that any healthy person other than relatives could donate organs.

He also said that there must be a provision in the law so that poor people were not victimised and the donors are compensated appropriately.

Baki's wait for gold continues

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Baki will have another chance to win a gold when he pairs up with Atkia Hasan Disha for the 10m mixed team event, but this was the event where he excels.

Another silver came from the women's 50m rifle three-position team event yesterday while two silver medals in wushu came courtesy of Marjina Akter and Sajib Hossain. Fulpati Chakma and Rajkumar Roy won two silver medals in weightlifting.

Mahmudunnabi Nahid and Junyana Ahmed bagged two bronze medals as swimming events of the Games began yesterday.

Meanwhile, there was a thumping victory for the Bangladesh women's cricket team in Pokhara. Salma Khatun and Co thumped Maldives by 249 runs, bowling the islanders out for just six runs after Nigar Sultana and Fargana Haque's twin centuries set up a mammoth total of 255 for two.

There was a win too for the men's football team, who beat Sri Lanka 1-0 to revive their chances of reaching the final.

"I didn't do that badly in the final. I usually score like this in the final. I got medals with lower scores in the Commonwealth Games. So, I'm not that disappointed with the performance, although it's disappointing not to get a gold medal in my event," Baki told reporters.



PHOTO: PALASH KHAN

Chaos at SC over Khaleda's bail

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and they needed one more week to carry out various tests on her.

He prayed to the court to adjourn the hearing till December 12.

Khaleda's lawyer Zainul Abedin opposed the attorney general, saying her condition was bad.

He requested the apex court to hear the appeal yesterday and grant her bail considering her health condition and humanitarian aspects.

The lawyer also claimed that they got a copy of the medical report on Khaleda's condition, prepared by the BSMMU authorities.

But the AG said his office did not get any such report from the BSMMU.

Zainul then showed a copy of the report to Mahbub.

The AG asked how the BNP lawyers could get the copy of a confidential medical report.

Zainul said the report was prepared by a BSMMU medical board.

Mahbub questioned the report's authenticity, saying the BSMMU vice chancellor told him that they could submit the reports on Khaleda's health condition only after conducting some more medical tests on her.

Zainul then read out the SC's November 28 order that directed the BSMMU VC to form a medical board and submit a report on Khaleda's condition on December 5 (yesterday). The court had also asked the BSMMU to give it on the same date the report prepared by a BSMMU medical board on October 30.

The AG told the SC that it might adjourn the hearing until the medical reports are produced before it.

AM Mahbub Uddin Khokon, another counsel for Khaleda, alleged that the BSMMU did not submit the medical report on the attorney general's advice.

"What an audacity! The medical report was not submitted even though the apex court gave an order," he said.

State counsels objected to Khokon's comment.

The CJ said the court would go through both the reports and hear the appeal on December 12.

Zainul urged the court to fix Monday for hearing the appeal.

But the SC bench didn't change its decision and asked the BSMMU VC to submit the reports to the apex court

by December 11. The pro-BNP lawyers then started shouting and created disorder in the courtroom.

The CJ and the other five judges sat silently for a few minutes. They left the courtroom around 10:00am, failing to run judicial functions due to chaos.

The pro-BNP lawyers said they would not leave the courtroom until the SC hears the appeal and grants Khaleda bail.

After one and a half hours, the judges returned to the courtroom.

The CJ said, "There is a limit to everything... I have not seen such a situation in a courtroom before. This is unprecedented."

Zainul said Khaleda was very sick and she could not move or walk, but the prime minister claimed that the BNP chief was well.

In response, the CJ said, "This court passes order based on documents and evidence. It does not care what someone says."

Barrister Ajmal Hossain then started placing arguments in another case at 11:35am. But the pro-BNP lawyers didn't leave the room and the court proceedings continued for about 40 minutes amid chaos.

The atmosphere became raucous around 12:15pm as the pro-BNP lawyers started shouting slogans, hampering court proceedings for about an hour.

The judges left the courtroom at 1:15pm. Usually, the SC holds proceedings till 1:15pm.

On November 14, Khaleda filed the appeal with the SC, challenging the High Court order that rejected her bail petition in the Zia Charitable Trust corruption case.

On October 29 last year, Dhaka Special Judge's Court-5 convicted Khaleda in the case and sentenced her to seven years' imprisonment in her absence. The Anti-Corruption Commission had filed the case with Tejgaon Police Station on August 8, 2011.

The BNP chief landed in jail on February 8 last year after the same court awarded her five years' imprisonment in Zia Orphanage Trust graft case.

The HC on October 30 enhanced her jail term to 10 years in the case, dismissing her appeal.

How convicts got IS caps remains a mystery

STAFF CORRESPONDENT

The mystery over how death-row convicts in the Holey Artisan Cafe attack case got caps with the emblem of Islamic State remains unsolved even after nine days.

On November 27, at least two of the convicts were seen wearing the caps in a Dhaka court after the verdict in the case was delivered.

Two probe committees -- one by police and another by jail authorities -- were formed to investigate how the prisoners got the caps.

Yesterday, Joint Commissioner of Dhaka Metropolitan Police's Detective Branch Mahbub Alam, who leads a three-member probe committee of police, said they were yet to find the caps.

The investigators found a CCTV footage that shows that the convicts had caps in their pockets when they were leaving the prison for the court that day, he said.

He, however, could not confirm whether the caps had the IS emblems.

Mahbub made the statement to journalists after a press conference at the DMP Media Centre in Dhaka.

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TIB paints grim picture

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humanitarian ground, but the problem is lingering due to some influential countries and the international community, which have not done enough to oblige Myanmar to solve the crisis, the TIB executive director said.

He also lambasted the UN, China, India, and Japan for not preventing the military crackdown on the Rohingyas despite being aware of what was going on.

GOVERNANCE CHALLENGES

The TIB report revealed a host of challenges in managing the Rohingya crisis, including financial anomalies, lack of coordination among government and aid agencies, duplication of activities, and delay in approval of projects by the government bodies concerned.

The report, prepared between July 13 and October 30 this year, said the offices of the Refugee Rehabilitation and Repatriation (RRRC), DC and UNOs in Cox's Bazar are doing the same work of monitoring and regulating the activities of the NGOs.

There is also a gap between the RRRC and the DC office in terms of sharing information, the report said.

As a result, NGOs have been facing

delays in getting project approvals, work permissions, project completion certificates, and assessments of relief materials.

The report jointly presented by TIB researchers -- Shahnur Rahman and Nazmul Huda Mina -- says there are allegations of corruption and irregularities in the use of the grants received by the NGOs.

The government has no structure for ensuring accountability of the UN agencies and their implementing partners.

They are also allegation that the NGOs are not proactively disclosing their expenditure (operating expenses, program costs), the report said.

Although it is mandatory to allocate 25 percent of the grants for the host community, the provision is not being maintained properly.

There is also no guideline on how to follow this rule.

In addition, some of the international organisations are accused of spending more for administrative purpose than for programmes meant to the Rohingyas.

The government has no structure for ensuring accountability of the UN agencies and their implementing partners.

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