City

An appeal to the chief justice

The Appellate Division's chamber judge stayed the bail for eight weeks in the same month. Sunday's rule was on the state's petition to stay the bail. Sarwar's bail was upheld, and now no legal bar exists to prevent Sarwar from coming out of jail, according to his lawver.

Meanwhile, he has been in jail for year without being charged while the DSA gives a maximum time limit of 105 days to investigation officers to complete probe and file charges against an accused.

In Sarwar's case, we are in full agreement with the CJ that no derogatory words can be used in social media posts that are vulgar, insulting and hurt any person's reputation, stature and dignity. His cautionary words were well taken and we support them.

However, while ruling on the case, the CJ commented, "We are cautioning that we will not consider granting bail to those who tarnish the country's image in any manner. It has to be kept in mind that the image of the country is the first priority."

Considering the deep and widespread impact of any comments by our respected CJ and fearing that it may be interpreted in the lower courts in a manner perhaps not intended by the CJ, we feel the need to raise a few questions:

1. Isn't the concept of "tarnishing the image" of the country subjective and can mean different things to different people?

2. Isn't it possible that a simple critical view of a situation may be construed by some as "tarnishing the image" when it was never intended to be so?

3. Isn't it possible that without a clear definition of what constitutes "tarnishing the image", we run the risk of the CJ's valuable comments being used as a blanket cover by lower court judges to refuse bail whenever such claims are made against an accused?

4. Will it not make it more difficult to get bail under the DSA, making an already difficult situation more so for the victim? We can easily imagine the CJ's comments being misused to refuse bail in a culture when bail refusal under the DSA is the norm.

5. Isn't "tarnishing the image of the country" more a matter of perception rather than of fact? The CJ in his comments referred to words that should not be used in social media posts. But "image" is a different thing altogether.

Let us take a concrete example. We are now building our country's "image" as an economic role model full of potential and opportunity and hope to become a developed country by 2040. This is one image based on for harassment of journalists.

facts. But suppose an opposite view is circulated that Bangladesh faces severe challenges from climate change and that, according to many UN and other studies, we run the risk of losing 10% to 15% of our land area to the rising sea level with the possibilities of severe social and economic disruptions. This is also a fact-based image. These are two very contrasting images -- one positive, another predictive.

Suppose someone feels that by publishing the "climate change" article, a newspaper and its author have tarnished the image of the country' and lodges a case under the DSA? When we write fact-based stories about corruption, food shortage, money laundering, violence in the society, rape, child abuse, violence against women, etc are we "tarnishing" the image of the country? We are certain that our CJ is not referring to such reports and fully supports the free media, but what if somebody feels different and lodges a case under the DSA, and a local judge in some remote area feels that such reports "tarnish the country's image"? We, in the media, live in that ever-present reality.

The point we are making is that if a concept like "tarnishing the image" is made an "offence" and punishable, we run into a very serious risk of abuse of the law. We are afraid that this concept will be used against investigative reporting and will ultimately become an instrument of gagging the media.

The answer lies in keeping such subjective issues outside the purview of the law. To the best of our knowledge, there are no laws in any democratic country that deal with protecting "the image" of the respective country However, if our respected chief justice feels that we have to deal with it, then "defining" what constitutes "tarnishing the image of the country" is a must. It is necessary also from the perspective of clarity. For a law to be effective, it must be clear and specific so that citizens are fully aware of what their duties and obligations are. It must be very clear what constitutes violating a law; otherwise it will inevitably lead to misinterpretations and consequent misuse of the law.

We conclude by appealing to the honourable chief justice, with all due respect for him personally and for his office institutionally, to help us better understand and properly appreciate his valuable comments by defining what constitutes "tarnishing the image" and how it can be used to serve the country better without harming democratic dissent, freedom of expression, critical review of government's performance, artistic freedom, personal freedom and fundamental rights given to us by our constitution. Otherwise, "tarnishing image" will be a catch-all



Tear gas and fire extinguisher gas float around demonstrators during a protest against the military coup in Naypyitaw, Myanmar yesterday. PHOTO: REUTERS

spot. Three people were wounded.

"How inhumane to kill unarmed

civilians," said the witness, a 20-year-

old man. "We must have our right to

two injured during a protest in the town

of Phyar Pon in the Irrawaddy Delta, a

more than 50 people to quell the daily

demonstrations and strikes against

the February 1 coup, according to the

political activist and local media said.

At least one person was killed and

Police and military have killed

Crackdown on, 3 more killed were shot in the head and died on the United Nations.

FROM PAGE 16

of Myitkyina, the witnesses said. It was not immediately clear who fired on the protesters although both police and the military were at the scene.

Photos posted on Facebook showed the bodies of two men lying on the street. Witnesses said they were taking part in a protest against the coup when police fired stun grenades and tear gas. Several people were then hit by gunfire from nearby buildings.

One witness, who said he helped move the bodies, told Reuters two people

Law ministry

FROM PAGE 1

treatment inside the country." He said the law ministry sent the relevant file containing the opinion to the home ministry that forwarded the application for extension of Khaleda's

jail sentence to the law ministry recently for its opinion. "Now, the home ministry will send the file to the Prime Minister's Office for approval. After getting the decision from Prime Minister Sheikh Hasina,

measures," the minister added. The government on September 15 last year extended for six months its earlier order that suspended the jail sentence of Khaleda and released her from jail.

gazette notification in this regard on September 15.

The notification said Khaleda will receive treatment at her home and she cannot go abroad during this period. On March 4 this year, Home Minister Asaduzzaman Khan told reporters at the secretariat that, "Khaleda Zia's brother Shamim

seeking extension on the stay of his

was hit by the Covid-19 pandemic. She reportedly did not visit any hospital for treatment. However, doctors visited her at home regularly

A military spokesman did not

respond to calls asking for comment

on the latest incidents. Police in

Myitkyina and Phyar Pon also did not

yesterday five media companies have

were named as Mizzima, Myanmar

Now, 7-Day, DVB and Khit Thit Media.

All have been active in covering

protests against the military coup.

been stripped of their licences.

State television MRTV announced

The five independent companies

respond to calls.

Khaleda landed in jail on February 8, 2017, after being sentenced to five years' imprisonment by a special court in Dhaka in the Zia Orphanage Trust graft case. On October 30 the following year, the High Court enhanced her punishment to 10 years

The former prime minister was convicted by another special court out of jail at a time when the world rigorous imprisonment by the court.

45 'BCL men'

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"Top Ten Mart Ltd" in the city's Sadar Road area around 6:00pm Sunday.

They randomly started picking multiple products. When the shop employees asked for payment, the youths replied that a BCL activist would pay later. Then, the youths tried to flee.

When the shop staffers tried to resist them, a clash between them and the youths broke out. The youths then vandalised the store's windows. ransacked and looted products, the statement said.

The clash left four staffers injured.

During the clash, most of the youths managed to flee the scene. But the staffers could catch five of them.

The employees dialed 999 and sought help from law enforcers. Police rushed to the spot and detained the five.

Three of the detainees are Rakib Hossain, 22, Shakil Ahmed, 22, and Md Uzzal, 19. This newspaper is not disclosing the names of two others as they are children.

Locals said most of the attackers were activists of Bangladesh Chhatra League, pro-Awami League student body.

Police said store manager Imran Sheikh yesterday filed a case against 45 youths with Kotwali Police Station.

The accused include 5 detainees, 30 named youths and the rest unnamed.

Police, however, said political dentities of the accused could not be known immediately.

Most of the accused are students of different educational institutions in Barishal, said Nurul Islam, officer-incharge of the police station.

"We have taken the case seriously and are trying to identify the looters scrutinising CCTV footage. We hope that we can arrest the criminals shortly," the police officer told The Daily Star yesterday.

We could not fulfil

FROM PAGE 16

his activities in the last five years without any pressure from the government. He also said he refrained from making any decision when he thought that it might tarnish the image of the country.

Replying to a question, the ACC chairman said the graft watchdog is more powerful now. "It is not a toothless tiger anymore.'

Mentioning that many works were needed to be done to make the ACC more powerful, Iqbal said it was not possible for one commission aloneto to so much work.

Iqbal and Commissioner AFM Aminul Islam had joined the ACC on March 10, 2016.

Former senior secretary of the agriculture ministry Md Moinuddin Abdullah and ex-chairman of Bangladesh Telecommunication Commission (BTRC) Regulatory Jahurul Haque have been appointed as chairman and commissioner of the ACC respectively.

Iqbal yesterday said he was leaving office taking responsibility for all failures of the commission.

"As the chief officer of the office, I am taking responsibility for all failures and crediting all successes to ACC officials."

Probe if he's the right one

Tribunal-1 of Sirajganj, jailer of the district, and other officials concerned are respondents to the rule.

The HC bench of Justice JBM Hassan and Justice Md Khairul Alam issued the order and rule following a writ petition filed by Hawlader's wife

case in February, 2019.

In 2009, Manik Mia was arrested in a case filed over possession of 600 bottles of Phensedyl, DAG Tushar Kanti Roy said.

The same year, he secured bail from the HC and went absconding before he was convicted in the case.

Bhashani's support for non-cooperation

FROM PAGE 16

Reciting the Quranic verse La-kum dee-nu-koom wa lee-ya deen (For you is your religion, and for me is mv religion)Bhashani demanded that Yahya Khan accept the independence of East Bengal and thus, maintain a friendly relationship between the two wings of Pakistan. The Maulana accused Vahya of violating the basic

state can and must provide." [Craig supply, food supply, post and telegraph Baxter (ed.), Diaries of Field Marshal Mohammad Ayub Khan (1966-1972), UPL, 2007, pg. 462]

The retired dictator's assessment Awami League volunteers. The relief and rehabilitation work in cycloneechoes the mind of the hawks in the Pakistan military establishment affected areas were also exempt who opted for bullets to suppress from the non-cooperation ban. The Bangalees' victory in ballot. BLACK FLAGS HOISTED secretariat, Supreme Court and High

Iskandar filed the appeal on March 2

and gave treatment.

after dismissing her appeal in the case.

in Dhaka in the Zia Charitable Trust corruption case on October 29, 2018. She was sentenced to seven years'

the home ministry will take necessary sister's sentence where he also urged waiver of her punishment." Khaleda was freed from jail on March 25 last year after the government suspended her jail sentence for six months. She walked

The home ministry issued a

protest peacefully."

Salma Begum.

She submitted the writ petition to the HC on March 2, challenging the legality of her husband's arrest and imprisonment.

Sirajganj Special Tribunal-1 convicted and sentenced Manik Mia to four years in prison in a drug related Ray told The Daily Star.

In the bail bond documents, Manik Mia mentioned his name as Manik Hawlader, added Tushar. arrested Manik Police later Hawlader, he added.

Manik Hawlader is innocent, the writ petitioner's lawyer Partha Sarathi

600 miners march

FROM PAGE 16 Plant.

Some of the miners returned to work yesterday, after the authorities filed a case over the incident.

Chinese contractor CMC-XMC consortium is responsible for coal production and development of the mine.

Rabiul Islam, president of the Miners' Union at Barapukuria Coal Mining Company Limited (BCMCL), said around 1,100 local miners became unemployed after March 26, 2020, due the pandemic.

There were only 300 Chinese miners at the mine, who continued production in small volumes. The nearby Barapukuria Coal Fired 525MW Power Plant used the produced coal to generate electricity until September, he added.

In September, the authorities began to let the local miners inside the mine if they tested negative for coronavirus.

On September 12, about 400 local miners returned to the mine. Over 200 others joined later, he said, adding that the rest of the miners, however, remained unemployed.

He alleged that the miners were

forced to stay in three small rooms and no one was allowed to see their family members in the last seven months, he added.

"In the last seven months, I lived in a bathroom," miner Abdur Rahim said.

Although they had suffered so much, they were not being paid regularly, said Shahinur Rahman, another miner.

The miners started demonstrating inside the project area on Friday evening while the sacked miners also demonstrated outside the premises.

Khaled Mohammad Zaki, deputy commissioner of Dinajpur, held a meeting with the coalmine authorities and the miners, but failed to stop the miners from leaving on Sunday night.

Meanwhile, the mine authorities filed a case with Parbatipur Police Station triggering a wave of panic among the miners.

Rabiul said police have picked up five miners.

BCMCL Managing Contacted, Director Kamruzzaman admitted that the environment inside the mine was "tough". He added that the miners kept violating the health guidelines.

Dolphins have personality

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helped scientists understand how certain human personality traits have developed independently of immediate environments.

The study identified personality traits that humans and dolphins have in common involve curiosity and sociability in particular.

This is despite dolphins having evolved in a totally different environment from primates and their last common ancestor living around 95 million years ago.

Blake Morton, lead author of the research, said: "Dolphins, like many primates, have brains that are considerably larger than what their bodies require for basic bodily

functions; this excess of brain matter essentially powers their ability to be intelligent, and intelligent species are often very curious."

Dr Morton, a psychology lecturer at the University of Hull, told PA news agency the team chose dolphins because, like primates, they are intelligent animals who live in social groups but are very different in many other wavs

He said the most widely accepted model of human personality was defined by five traits: openness, extraversion, conscientiousness, agreeableness and neuroticism. These are replicated everywhere in humans, regardless of environment.

norms of democracy by postponement of the National Assembly without consulting the majority party leader Sheikh Mujibur Rahman.

Earlier, after arriving in Dhaka from Santosh, Bhashani had a telephone conversation with Bangabandhu, and the two leaders discussed various aspects of the ongoing movement.

AYUB KHAN'S MYOPIA

Referring to the ongoing crisis in East Pakistan the former Pakistani military dictator Ayub Khan wrote in his diary (March 8, 1971), "In a confused situation like this, it is difficult to say what is the correct solution. The choice lies between so many evils. Some shooting might well be a lesson and more effective answer. This may sound hard hearted and callous, but a large majority of people who are law abiding are entitled to protection from the goondas which only the

Black flags were hoisted atop private houses, educational institutions, business establishments and many offices in East Pakistan in protest of the firing during the ongoing movement. All means of transport also flew miniature black flags. People of all ages wore black ribbons.

Archer K Blood, the then consul general of the US Consulate in Dhaka, says Bangabandhu okayed the resumption of work on the Dhaka-Aricha road bridges by Vinnell-Zachary-Perini, an American-Canadian company, provided the company vehicles flew black flags. Archer K Blood, The Cruel Birth of Bangladesh, UPL, 2006, pg. 183]

Tajuddin Ahmed issued new directives on behalf of Bangabandhu which permitted a selective revival of government services -- banks (9:00am to 12:30pm), EPWAPDA, EPADC, coal

office and so on. The police were asked

to carry out duties of maintenance of

law and order assisted, if necessary, by

Commenting on this phase of noncooperation, Rehman Sobhan wrote: "This [closure of government offices] however did not mean that all civil servants were sitting idle. They were carrying the struggle from its phase of non-cooperation to active cooperation with the Awami League. Groups of officials accepted the task of identifying problems and presenting them to Sheikh Mujib for decision. A sort of improvised secretariat was in operation where streams of businessmen and civil servants were visiting in search of solutions to problems, consultation and reassurance. The conditions of works were difficult, but decisions were being made and in many cases more rapidly than within the Eden Buildings." [Forum, March 13, 1971] Shamsuddoza Sajen is a journalist and researcher. He can be contacted at

He said they tried to deliver a strong message that no corrupt person would be spared.

Replying to another question, Iqbal said reform to ACC rules was needed to curb internal corruption within the commission.

suggested involving He representatives from the civil society, government officials and retired journalists in a committee, responsible for looking after internal corruption, to ensure transparency and accountability of the commission.

No revealing FROM PAGE 1

they should not be directed to take action against those who published the identity of the victims of rape and sexual offences in print, online and electronic media.

Secretaries to the ministries of information, law and home affairs and chairmen of Bangladesh Press Council and BTRC, director general of department of film and publications, principal information officer of press information department, secretary of Bangladesh Press Council, chairman of Bangladesh Sangbad Sangstha and inspector general of police have been made respondents to the rule.

The HC also set May 3 for further nearing on the issue, writ petitioners lawyer Mafuzur Rahman Milon told The Daily Star.

The bench of Justice Farah Mahbub and Justice SM Maniruzzaman came up with the order and rule following a writ petition filed seeking its directive on the matter.

Justice Watch Foundation submitted the petition on January 19 as a public interest litigation to the HC requesting it to order authorities concerned of the government to strictly enforce section 14 of the Women and Children Repression Prevention Act 2000, which bans publishing and broadcasting names and photos of victims of rape and sexual assault.

In the petition, the organisation requested the HC to issue a rule asking the respondents to show cause why their inaction and failure to strictly enforce section 14 of the act should not be declared illegal.

Executive Director of Justice Watch Foundation and its lawyer Mahfuzur Rahman Milon earlier told The Daily Star that different media platforms have been broadcasting and publishing names and photos of rape and sexual assault victims, including those of the O-level student who was killed after being raped, despite the ban under section 14.

'I appeal to all, no lip service please' the Middle East, face physical, mental

FROM PAGE 16

Nathalie Chuard, Swedish Ambassador Alexandra Berg von Linde, Maldives Commissioner Shiruzimath High Sameer, Bangladesh Foreign Secretary Masud Bin Momen, foreign ministry officials and DCAB leaders attended it.

Momen said that while Myanmar has been committing gross human rights violations, some countries that advocate human rights are doing business with it and the volume of their trade is increasing.

Imposing sanctions on enerals will not work. some The generals international community should go to Rakhine and ask Myanmar should to create conditions conducive to the repatriation of the Rohingyas in Rakhine, he noted.

The global community's focus must be on Myanmar, not on whether the refugees are sheltered in Kutupalong or Bhasan Char, mentioned Momen.

"If they [the Rohingyas] stay here for long, there are possibilities for creation of pockets of radicalisation. I appeal to all -- no lip service please ..

"We should be more sensitive to the Rohingya women.

Momen highlighted the progress made in women empowerment in Bangladesh. At present, about 30 percent of the foreign ministry officials are women. They include eight female Bangladeshi ambassadors posted in different countries.

In response to DCAB member Israt Zahan Urmi's comment in her keynote speech that many of the Bangladeshi female workers abroad, especially in and sexual abuses, Momen said the government is working to reduce such

He further said some women rights groups demanded that women must not be sent to Saudi Arabia to work there as domestic workers. The demand is contrary to the principle of gender equality.

"All have the right to mobility. Our constitution does not discriminate. However, if there are abuses, it is our responsibility to address those," Momen said.

Foreign Secretary Masud Bin Momen said torture of female domestic workers is a serious problem that must be addressed.

The ministry has adopted a policy of sending more female envoys to the Middle East countries so that they can work better to protect the rights of female workers.

He said men must change their mindset intreating women colleagues in workplaces, and that there must be a culture of respect for women everywhere.

ÚN Resident Coordinator Mia Seppo said women have special capabilities in peace-making. When they are involved in signing deals or negotiations, they have better chance of making peace due to their natural capacity to listen and speak with empathy.

"Gender equality is beneficial for both men and women," she noted.

DCAB honoured Mashfee Binte Shams, the first woman secretary at in the same 24-hour period.

the foreign ministry, with a crest at the event. DCAB President Pantho Rahman and its General Secretary AKM Moinuddin, among others, spoke.

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WORK AT BHASAN CHAR The foreign minister has urged the UN Refugee Agency to work at Bhasan Char, which has a housing facility capable of sheltering 100,000 Rohingyas.

Around 12,000 Rohingyas have already been relocated there from refugee camps in Cox's Bazar.

Momen made the call yesterday when UNHCR's new representative Johannes van der Klaauw presented his credentials to the minister at his office.

"I told the representative that they are welcome to work at Bhasan Char," Momen told this correspondent.

The UN has been asking for a technical assessment of the Bhasan Char project before deciding to work there. Presently, 44 NGOs are providing humanitarian assistance to the Rohingyas at Bhasan Char.

Covid deaths

FROM PAGE 16

Meanwhile, the daily infection rate jumped to 4.98 percent yesterday, up from 4.3 percent on Sunday.

But the mortality rate remained unchanged at 1.54 percent for the past few weeks, the DGHS said in a handout.

The authorities have so far tested 4,163,163 samples, including 16,958