

BANGLADESH
UPDATE



221
New cases in 24hrs



15,72,127
Total cases



27,912
Deaths



15,36,111
Recoveries

GLOBAL
UPDATE



5,099,860
Deaths



252,976,443
Total cases

Damaged bridge clogs up highway

Travellers suffer on Dhaka-Mymensingh highway

Our Correspondent, Gazipur

A damaged slab on Tongi Bridge on Dhaka-Mymensingh highway caused a long tailback, making travellers suffer.

A five feet long and three feet wide slab of the bridge collapsed on the Dhaka-bound lane on Wednesday, resulting a huge traffic congestion on the highway.

People were seen crossing the broken bridge on foot. Dhaka-bound vehicles were diverted but that led to traffic jams.

Rafiqul Islam, an applicant of National Security Intelligence (NSI) recruitment test, said he left home around 6:00am from his home in Gazipur to attend the exam.

“There was a huge pressure of traffic on the diversion road in the morning. I had to walk for about a kilometre,” he said.

A local vendor Jasim Uddin was carrying onions and other vegetables for his retail shop from across the bridge.

He had to cross the broken portion with the help of porters.

“The authorities should take steps immediately to save us from sufferings,” he said.

Visiting the spot, this correspondent found that no vehicle on the Dhaka-bound lane was moving on the bridge whereas vehicles on the adjacent lane were moving at a snail’s pace.

A pickup van driver Ramzan Ali told the correspondent that it took him three hours to cross the bridge. He was heading towards Mymensingh.

Mohirul Islam Khan, project director of Bus Rapid Transit (BRT), said a new slab would be set up on the broken portion. “It may take 10 days.”

Abdullah Al Mamun, deputy commissioner of Gazipur Metropolitan Police (Traffic division) said there was no alternative to cross the river without the Tongi Bridge.

He said they were working to reduce the sufferings of people.

2 out of five AL rebels win

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Nasir Uddin Mollah, 65, of Kurongichor area appeared to have suffered a heart attack as supporters of member-elect Golam Mostafa and those of the defeated candidate Mizanur Rahman Mizan clashed around 9:00pm, police and witnesses said.

Nasir, who was walking through the area, collapsed on the spot, said Abdus Salam, sub-inspector of Dhamrai Police Station.

In Manikganj’s Singair, two cows and a motorcycle of Khokon Miah, religious affairs secretary of Jamirra UP Jubo League, were set on fire early yesterday.

In Patuakhali, eight Electronic Voting Machines, snatched from a school in Galachipa upazila on Thursday, were recovered from a nearby garden yesterday, said police.

THE UNOPPOSED
Chairmen of 100 union parishads

will be elected unopposed in the third phase to be held on November 28 when 1,004 UPs will go to polls. At least 337 UP members and 132 candidates of seats reserved for women are also set to get elected uncontested, according to EC data.

Most of those set to be elected unopposed are the ruling AL leaders, party sources said.

Thursday was the last date for withdrawal of candidature. EC data shows that 4,409 individuals are running for chairman posts, 11,105 for reserved member seats for women and 34,632 for member posts.

In 14 UPs of Chattogram’s Raozan, only AL-nominated chairman candidates are running. At least 126 members and 42 candidates for seats reserved for women will also be elected unopposed.

[Our correspondents from districts contributed to the report]

The world must act seriously

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Gap: Improving Global Governance after Covid-19” here on Thursday afternoon.

She said in August 2017, Bangladesh helped avoid a major regional crisis by giving temporary shelter to Myanmar’s forcibly-displaced people, of which more than a million continue to face an uncertain future.

Mentioning that the Indo-Pacific region must be an area of peace and prosperity for all, Hasina said, “Our vision for the region is to have it free, open, peaceful, secure and inclusive.”

The major actors in the region should learn from the past and work responsibly in the present to ensure a sustainable future, she said, adding, “Bangladesh wishes to engage with all our partners on the basis of mutual respect and understanding.”

The PM said in 1997, Bangladesh ended an armed conflict in its Chittagong Hill Tracts through a historic Peace Accord. “We vowed a ‘zero tolerance’ approach to all forms of terrorism. We keep investing at the community level to contain their spread.”

Hasina said for many years now, Bangladesh ranks top among the troop and police contributing countries to UN peacekeeping operations, and hold on to its faith in the Middle East Peace Process in support of the Palestinian cause.

She said the Covid-19 pandemic has exposed the fault-lines running deep within the international health and financial systems.

Hasina said there is no option but to secure vaccines for millions of people without access to them.

“We must keep raising our climate ambitions to save people’s lives, homes and livelihoods.”

The PM said Bangladesh believes that peace around the world is the best guarantee for national security. “We avoid the path of conflicts and seek pacific settlement of disputes,” she said.

As a permanent member of the UN Security Council, Hasina said France is uniquely placed to promote international peace and security.

French President Emmanuel Macron convened the Forum while its president Pascal Lamy chaired the event.

COP26 nears end with 1.5C

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“Unabated” coal plants are those that do not deploy carbon capture technology to offset some of their pollution.

The text requests countries to come back next year with updated climate pledges.

US climate envoy John Kerry said in Glasgow that fossil fuel subsidies – including America’s own – were “insanity”.

“We believe that this is existential,” he told delegates.

“For many of you it is not existential in the future, it is existential today. People are dying today. All around the world the impacts are being felt, today.”

The draft text also fleshes out a call for developed countries to “at least double” their funding for adaptation – helping at-risk nations face climate impacts – by 2025.

But a faultline remains over the failure of wealthy nations to meet their decade-old promise to provide \$100 billion annually to help vulnerable nations prepare for the worst.

Kenyan environment minister Keriako Tobiko told delegates that failure to honour the funding pledge had severely hurt confidence.

“For myself, for Kenya, our trust has been shattered,” he said, as more than 100 indigenous and other protesters marched through the summit venue demanding the rich world honour its promises.

‘STARK REALITY’

The two-week summit began with a bang as world leaders descended on Glasgow armed with a string of headline announcements, from a commitment to slash methane emissions to a plan to save rainforests.

But current national emissions cutting plans, all told, would lead to

2.7C of heating, according to the UN, far in excess of the Paris target.

In a speech to delegates, European Commission Vice President Frans Timmermans held up his mobile phone with a picture of his one-year-old grandson on screen.

“If we fail -- and I mean fail now in the next few years -- he will fight with other human beings for water and food. That’s the stark reality we face,” he said.

He said the goal of limiting global warming to 1.5C is “about avoiding a future for our children and grandchildren that is unlivable”.

‘SAVING LIVES’
Negotiations received a shot in the arm on Wednesday when the United States and China -- the two largest emitters -- unveiled a joint climate action plan, although it was light on detail.

But Johnson’s identification of the cash issue cuts to the core, with the rich West accused of creating climate change but now refusing to pay for its consequences.

Developed nations meanwhile favour a greater push on emissions reductions, something countries yet to fully electrify their grids -- and largely blameless for emissions -- feel is unfair.

Countries already battered by climate disasters such as record-breaking drought and flooding are also demanding they be compensated separately for “loss and damage”.

“Rich nations treat climate finance as charity or a favour to placate developing countries into signing a compromised package of decisions,” Harjeet Singh, senior adviser at Climate Action Network International, told AFP.

“We are talking about saving lives and undoing an injustice to build a safe future for all.”



Prime Minister Sheikh Hasina hands over the 2021 Unesco-Bangladesh Bangabandhu Sheikh Mujibur Rahman International Prize for Creative Economy to Japheth Kawanguzi of MoTIV Creations Limited (Uganda) on Thursday at the Unesco headquarters in Paris.

PHOTO: PTD

Tax dodger let off the hook

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customs rules. We have paid the money according to customs demand.”

Asked if the CRBC has filed any case against its C&F agents for fraudulence, Jinwu said, “We did not file any case against the C&F agent.”

About a customs notice on September 11 for submission of documents related to CRBC’s claim that it had paid its C&F agents Tk 28.52 crore, Jinwu recently said they were preparing them and were expected to send them to the customs authorities in days.

Sources say that the CRBC paid the dodged tax of Tk 16.92 crore only after the customs temporarily blocked its BIN (business identification number), halting all its imports.

Saiful Islam, the proprietor of SF International, in a letter to the customs commissioner on June 29 said he paid one Rahim Tk 66 lakh and Tk one lakh each to an “ARO and to the Audit Investigation and Research” in cash for the release of the six consignments.

He also said he was refunded Tk 8 lakh and requested the custom commissioner to take necessary steps to recover the remaining Tk 60 lakh.

Saiful did not mention why he paid the huge sum to Rahim but sources hinted that the payment was to a middleman for underhanded dealings with revenue officials.

The Daily Star has a copy of Saiful’s

letter but he withdrew his allegation later on through another letter.

“I spoke about bribery in anger. Later, I realised that it was not right and I withdrew it.”

On forgery of documents, he said the customs and the importer would look into the matter.

From documents, The Daily Star learnt that three assistant revenue officers (ARO) and three revenue officers (RO) were assigned to assess the consignments.

Contacted, ARO Amzad Hossain Hazari told The Daily Star, “We were trying to release the goods quickly as they were imported for government projects. As a result, we did not have the opportunity to analyse the documents well.”

Regarding the bribery allegation, he said, “No name was mentioned in the allegations of bribery. There was no financial gain. It was a mistake.”

Mallik Sadril, another ARO, echoed Hazari’s statement.

The Daily Star contacted three other officials concerned over the phone. They refused to make comments. The phone of the sixth was unreachable.

Mohammed Shafi Uddin, additional commissioner of the customs house, told The Daily Star that they did not slap any fine on the importer as the incident occurred “unintentionally”.

Honourable judge, we respectfully

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any case after 72 hours, doesn’t it mean that a rapist is no longer a rapist after that time limit. Because if the police do not register a rape case, then the victim has nowhere to go to begin the process of seeking justice.

To the best of my knowledge, there is no time limit for any crime. For all crimes -- petty or grievous -- once committed, the long arm of the law, however late, will find the criminal. That is the faith we repose on our legal system regardless of how much it runs counter to facts. So, when no other crime is “time-bound” why should rape be an exception? It is one of most frequently committed crimes against women, and by making it time-bound, did we not just add a newer form of discrimination against women? It comes from the very tribunal that has been set up to give special protection from gender-based crimes to our women and girls. How ironic!

A very simple question to the honourable judge -- hasn’t a potential rapist just been encouraged to commit rape and pay some local goons to prevent the victim from going to the police station for the following 72 hours -- by threats of bodily harm to the victim or her family or damage to property? And by the magic of words of an honourable court, doesn’t the offender become fully exonerated of the dastardly crime that he committed and become an innocent person as if nothing has happened? The only difference would be that, unlike an innocent person, he would now be planning to get his second, third, fourth victims, since all he has to do is prevent the victims from lodging FIR for the next 72 hours.

I have no doubt that our honourable judge is fully aware of the tremendous emotional, cultural trauma and family pressure a girl has to face to go for legal action against rape. Already the existing legal framework is not helpful to women. The evidence act’s gender bias has been forcefully brought out by legal experts over the years.

With the 72-hour limit in her mind, we would humbly request the honourable judge to try, for a few minutes, to enter the traumatised mental and emotional mind of a rape victim, especially one of a very young age. The first thought that goes through her mind is to hide the incident. If she is a little more mature, she would rush to confide to her parents and, depending on their strength, both financial and social status wise, the parents would

seek advice from close relatives and locally important people. Obviously, suggestions would vary and may even be contradictory. If the parents are very supportive and the victim opts for the legal course, then comes the question of affordability. If everything falls into place, then the struggle starts with convincing the police to accept the case. In the meantime, the family of the rapist -- usually high-ups in the village power structure, otherwise the son wouldn’t dare rape anybody in the first place -- grinds their own axes and makes all out attempts to dissuade the police from doing anything. All this while vilifying the victim through character smearing with the help of social media and word of mouth.

In the above background, the honourable judge wants the “semen test” to be done in the first 72 hours otherwise, advises the police not to take the case. Seriously, is justice being served here or a mockery is being made of the poor, powerless, resource-less, influence-less people of rural Bangladesh, especially the vulnerable young women.

The matter becomes sadder still when one reads further the observation as reported in the media. (It has to be kept in mind that our court reporting is usually based on the verbal pronouncements of the judges on which reporters can only take notes but cannot record it nor take photographs of the texts. Our reporting in this particular case was also based on the usual practice, based on the verbal statement of the judge when she was pronouncing it). The honourable judge said that the two girls came to the party, drank with the accused and danced with them -- and therefore it couldn’t have been rape. She said, “they were partner to the sexual intercourse willfully because they willingly went to the party, danced, drank alcohol and they swam in the pool”.

In effect, not only the accused have been found “not guilty” but the victims have been found guilty of creating a condition which made their sexual assault by five men, so to speak, normal and made them “partners in sexual intercourse”. The honourable judge assumes that “coming to the party, dancing, swimming” amount to consent for sexual intercourse. But the law does not permit her to come to that conclusion. The law, we repeat, says “no is a no”. If a woman says “no” regardless of what happened before, it is a “no” and sexual intercourse at that stage is rape. It does not refer to what happened before.

“The case was disposed of under section 83 of the Customs Act ...,” he said.

Shafi said, “There were no direct bribery allegations against anyone in this incident. But we have identified those officials involved in mishandling those consignments. The matter of taking departmental action against them is under process.”

However, Golam Kibria, a member (Custom Policy and ICT) of the National Board of Revenue, said the company must pay a fine if it evades revenue due to changes in the HS code.

“There is no chance of ducking the fine with a mistake as an excuse.”

A source said there was no way to have incorrect HS code on imported goods meant for government projects. The NBR prepares what goods will be imported and how much and their HS codes in advance, the source added.

“This was done deliberately,” the source said.

CBRC, one of the four large state-owned companies in China, focuses on global civil engineering and construction projects such as highways, railways, bridges, ports, and tunnels. It is constructing the Bangabandhu Sheikh Mujibur Rahman Tunnel under the Karnaphuli, the third terminal of Shahjalal International Airport and Matarbari Alta Super Critical Power Plant projects.

Begging pardon of the honourable judge, we humbly pose the question that doesn’t your views amount to meaning that any young woman who responds to a friend’s (the victims were very much known to the perpetrators) invitation to a party in a hotel (the girls felt safe as the invitations were from friends), swims in the pool and has a few drinks can be raped with impunity because she did “all this” willingly? Just because she came, and drank and swam so she was willing to have sexual intercourse? Isn’t that what the judge’s observations mean? So, all the young women who came to that party that night could have been raped and be considered “partners in sexual intercourse”?

May we humbly and very respectfully ask the judge whether she is aware of the concept of “no means no”. A woman can join a friend’s party because she wants to, she can have a drink or two because she wants to, she can even swim in the pool because she wants to. How can this be taken as consent for sexual intercourse, which the judge appears to imply? Modern legal statutes have gone so far ahead as to recognise sex workers as victims of rape if there is intercourse without consent.

What the honourable judge has done is legitimise a stereotype -- women who are trying to break the glass ceiling and take on many of the jobs generally reserved for men must be of questionable moral character and as such, predatory men can make them prey of their lust. It is also true that many women are less shy about physical relationships than before. That is not the point. The point is that the decision is hers -- and only hers to make - and not by the man who may read whatever his lustful fantasies may drive him to. A “NO MEANS A NO”. And that is also what our law says. A sexual act without the consent of the woman is rape. What a man interprets to be her consent does NOT matter. And there is no two ways about.

Honourable judge, I am in serious doubt as to whether or not I have understood you correctly? I would sincerely like to believe that I have not, and all that I wrote above were results of my misunderstanding of what you meant. In that case, I most humbly and sincerely apologise. But in case I have not, and that there is truth in what I and millions of other women and men have understood your words to mean, then a reciprocal gesture of humility would help us all to strengthen our faith in the wisdom of our honourable judges.

BLAST ON OIL TANKER

1 killed, 7 injured

Our Correspondent, Barishal

A man was killed and seven others were injured as a petroleum tanker vessel caught fire on the Sugandha river in Jhalakathi yesterday.

The blaze broke out around 8:00am when some workers were cleaning oil releasing pipes, adjacent to the engine room, of the vessel.

Shahidul Islam, station master of Fire Service and Civil Defence in the district, said the fire was doused after two hours of frantic efforts by the firefighters.

Visiting the spot, Kobad Ali Sarker, assistant director of fire service in Barishal, said not a single fire extinguisher on the vessel was carrying fire dousing chemicals.

“This is an example of sheer negligence of the authorities and unskilled handling of the situation.”

Contacted, Shafiu Islam Biswas, marketing officer of Padma Oil Company, said, the tanker named Sagar Nandini-03 was carrying about 11 lakh litres of petrol and diesel.

Around 2 lakh litres of petrol was unloaded at the depot on Wednesday afternoon. The ship, anchored on the south bank of the Sugandha, was supposed to unload 923,000 litres of diesel yesterday, he added.

Asked about the negligence, he said, Padma Oil Company only receives oil from the tankers. “Ensuring safety on the vessel does not fall under our jurisdiction.”

According to fire service officials, all the injured were admitted to Barisal Sher-e-Bangla Medical College Hospital. Later, they were shifted to Dhaka Medical College Hospital (DMCH) as their conditions deteriorated.

Of the eight injured, Sukani Kamrul Islam, 35, of Moralganj upazila in Bagerhat, died on the spot.

Those who are receiving treatment at DMCH are Rubel, Rony, Shahidul Islam, Mehedi, Asif, Ripon, and Rakib.

Tabith Mallick, in-charge of Barisal Sher-e-Bangla Medical College Hospital’s burn unit, said all of them were seriously injured in the blaze, with between 40 and 70 percent burn.

At least three of them were in critical condition, he added.

Z I Khan Panna

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Kamrunnahr of the Women and Children Repression Prevention Tribunal-7 of Dhaka that police should not accept any rape case if the complainant goes to the police station 72 hours after an incident is totally contradictory to the law and justice,” he said.

Such a recommendation from a judge will only encourage offenders, ZI Khan Panna, a lawyer of the Supreme Court, said yesterday.

He said the trial in the Bangabandhu Sheikh Mujibur Rahman murder case began 21 years after the killing through the cancellation of the Indemnity Ordinance.

“If any time limit had been given, how could the trial of the case for the killing of Bangabandhu and his family members take place?” he questioned.

ZI Khan Panna also said the judgement delivered by Judge Mosammat Kamrunnahr in the Banani Raintree hotel rape case was “very much questionable”.

Shahdeen Malik

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“An observation made by a trial court has no legal value or obligation,” he said. “If the High Court division and the Appellate division of the Supreme Court make any interpretation of law, that has to be followed.”

Delivering the verdict in the case on Thursday, the judge noted that the Banani Raintree case was lodged 38 days after the incident happened, and so no DNA evidence could be found. “Semen cannot be traced after 72 hours...” she said.

Khurshid Alam Khan

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He said first information reports were filed even 100 hours after rapes were committed, but the prosecution succeeded in proving the cases in court relying upon circumstantial evidences and evidences of victims. “Thus, culprits were punished.”

He said, “I think the prosecution has miserably failed in discharging its duty of proving the allegation of rape [in the Raintree case]. It is a very fit case for moving an appeal before the High Court Division challenging the tribunal verdict of acquittal.”

The lawyer also said, “From newspaper reports, it appears to me that Judge Mosammat Kamrunnahr has acquitted the accused on the ground that the allegation of rape has not been proved. But from the circumstantial evidences as well as the evidence of the victims, it can be said that the case of rape has been proved”.

In this context, the tribunal judge could have relied upon the relevant decisions of the Supreme Courts of Bangladesh, India and Pakistan. According to the decisions, judges can consider the testimony of the victims for conviction of the accused. But Judge Mosammat Kamrunnahr has failed to do it, he said.

“The judgement was delivered on the basis of medical report and evidence from doctors. But I think that apart from medical reports, there were sufficient evidence to convict the accused in the case,” he added.