

HC spells it out again High time to discard the SPA now

What could be interpreted as its strongest signal ever to the executive and the legislature to do away with the Special Powers Act (SPA), the High Court on Tuesday de-cleared the detention of 198 people illegal under what we would term the blackest of black laws. So similar had the cases been in nature that the judges would have given a single verdict in all the writs had the deputy attorney general not pleaded against it thus sparing the government further embarrassment on this score. The rulings, as we see them, came as a ringing indictment on the SPA and also on the government for the way it has abused the law.

Let us now deal with some facts. Since its enactment in 1974, over nearly three decades now, some 70,000 cases have been filed under the SPA and 99 per cent of these have been thrown out of the court. The judiciary has almost always found its application "outside the scope of the law and in breach of the fundamental rights of citizens". Unfortunately, successive governments have found it convenient to ignore a widespread demand for its abolition; after all, the SPA gave them the long handle to size the opposition leaders and activists up, whenever they wished. So the legacy has gone on.

Since the restoration of democracy in 1991, first the Bangladesh Nationalist Party (BNP) government, then the Awami League (AL) administration and now the BNP-led four-party coalition have all gone back on their promises to repeal the law. They have all blatantly used the SPA to serve the partisan ends when in power and deplored it when in the opposition. Strong voices against the law, frequently heard locally and internationally, have simply fallen on deaf ears as successive governments have continued to make use of it with a mischievous abandon.

The cycle should end here and now. The higher judiciary spelled it out loud and clear, while commenting that the government was issuing random detention orders, ninety per cent of which "are on the basis general directives". The people would surely want to add a few lines to the comment and seek reprieve from the bad name the government is bringing to the nation every day by taking recourse to the law.

Cold spell

Poor preparedness makes things worse

At least nine people lost their lives in the northwestern region of the country in the last 48 hours, as the moderate cold wave turned unbearable to a vast majority of the population -- poorly clothed to face the chill.

The weather department has given a detailed account of how the cold wave, originating in the far-off frosty zones, is sweeping across certain parts of the sub-continent. We feel relieved to know that it will not last long.

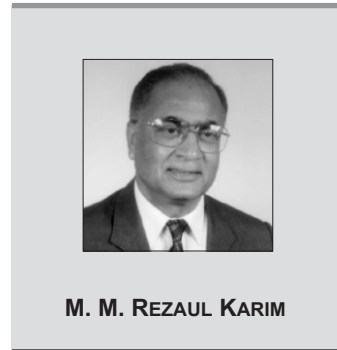
The availability of information regarding the likely changes in weather pattern should have left us reasonably prepared for any inclemency of this kind. Reports from the districts do indicate that people have been caught unawares by the cold-spell. Poverty is no doubt one reason why they fail to protect themselves when the mercury drops sharply.

But there are other reasons also. The experience of 1998 has made it clear that a big chunk of the population is not prepared to face a cold wave, and some suggestions were put forward on possible ways of taking the sting out of it. The widely held view on the matter is that the initiative for building a sound defensive shield against the onslaught of cold must come from the lowest level, that is, the wards and union parishes. But the victims of this year's cold spell do not appear to have been benefited by anything called community service.

The availability of warm clothes at an affordable price is still an unresolved question. We are yet to work out how the extremely vulnerable people in the remote areas can be helped when they are trapped in a cold wave.

The foggy weather, which invariably follows a sudden downward movement of the mercury, disrupts life in many ways. It has been reported that thousands of launches got stuck in the river Meghna owing to poor visibility. Travelling by roads has also become hazardous. One thing is pretty clear: the element of preparedness for an unkind winter is missing everywhere. We have to make amends for it on a double-quick basis now. That's the tragedy of planning for something after it has occurred.

Asian unity and Bangladesh's policy thrust to the East



M. M. REZAUL KARIM

A conference of Asian political party leaders was held in Bangkok from 22nd to 24th November. Leaders of 76 political parties, both from the ruling and the opposition, from 25 countries participated. Besides Asia, Australia and New Zealand were duly represented. Even Russia, whose two-thirds territories fall within the domain of Asia was represented by the President of its Communist Party. Cambodia was represented by President of its National Assembly and Prime Minister Hun Sen. Three former Prime Ministers -- Sheikh Hasina of Bangladesh, Sher Bahadur Deuba of Nepal and Benazir Bhutto of Pakistan -- attended the sessions. Bangladesh Nationalist Party was represented by its Secretary General, two of Chairperson's Advisers and its Office Secretary.

The objective was to provide a forum for Asian leaders to meet, deliberate and decide upon issues aimed at realising their ultimate, though far-fetched, cherished goal of forging unity of Asian nations, somewhat in the form of European Union.

This could have been the dream of the initiator of this concept, Jose de Valencia Jr., Speaker of the Philippine's National Assembly. He as well as all those who attended were well aware of the formidable hurdles and numerous steps member nations have to take before attaining anything close to their vision. Yet, their participation demonstrated a sense of sincerity and determination in working towards realisation of their objective. As European Union had to go through so many stages, starting initially from a coal and steel union, common market, united parliament

endeavour, skill and farsightedness. He is an ambitious politician. His ambition is not confined merely to the politics of Thailand. It goes beyond the territorial boundary and encompassed the region. His strategy represents endearment with the neighbours. He opened fruitful dialogue with Myanmar's military ruler and became popular in Bangladesh by opening cheap air-routes from Chittagong to Chiangmai. He is more cautious of his dealings with the well-recognised Asian leaders of Malaysia and Singapore and careful with the leader of the large nation of

nominal representation of that region at the inaugural conference in Manila in 2000. While institutionalisation of some form of cohesion among the participating nations in Asia may still be a far cry, because of sharp diversity in size, resources, ideology and state of development etc., the conference, nevertheless, generated a common desire of the participants, at least to forge greater co-operation for their peoples to their mutual benefit.

Prime Minister Begum Khaleda Zia in her address to the students wing of the BNP on 2nd January stated that the present thrust of the

forced by Begum Zia's earlier red carpet visit to Thailand and the recent dialogue established with Bangladesh's close neighbor, Myanmar. BIMSTEC and the Kunming Initiative also played a role in the creation of Begum Zia's policy thrust. In spite of that, her statement gave rise to various speculations from different quarters. People kept wondering whether it meant that Bangladesh will not henceforth assign that much of interest as before for the promotion of friendship and cooperation with its western neighbours, the Muslim

cooperation with countries on her eastern flank in the same way as the role played by the SAARC in consolidating Bangladesh's relations with countries on its western flank.

Then why was it not so perceived, if not by the people in general, at least by political pundits? The ostensible reason lies merely in the fact that not much attention was paid by successive Bangladesh governments in the past to explore the possibility of promoting friendly co-operative relations with countries in the East. It is now being done through the initiative of Prime Minister Begum Khaleda Zia. Her government has, indeed, seized this opportunity to do so. Of course, gradual opening up of Myanmar from its erstwhile cocoon has helped the process a great deal.

The principle of fostering good neighborliness should also govern our relations with countries of South East Asia and of East Asia... While our new focus will be directed to the east, our traditional and beneficial relations with the USA and countries of Europe, Middle East and South Asia will not suffer and definitely continue to figure out prominently in the conduct of our foreign relations.

M.M. Rezaul Karim, a former Ambassador, is a member of BNP's Advisory Council.

CURRENTS AND CROSSCURRENTS

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and a common currency, so are the Asian leaders required to demonstrate their long patience and dogged perseverance to achieve success.

In order to ascertain the initial reaction, the first such conference was held in Manila two years ago in September 2000. The efforts were much encouraging and that is why the response this year was overwhelming, both in number and status of the participants. Thai Prime Minister Thaksin Thanarat was the keynote speaker. The phenomenal progress that Thailand has been able to make, despite the setback of Asian monetary crisis a few years ago, owe much to his commendable

the Philippines, though the latter has its own candidate in its Speaker, Joe Valencia.

The very fact that so many leaders from so many countries of Asia attended a conference with a view to exploring possibility of forging some form of unity through dialogue is a positive step towards achieving the desired objective. It was not merely dialogues between leaders of Asia but it provided a forum where leaders of the ruling party and of the opposition, if they wish, have an opportunity to talk to each other without exposure to domestic publicity. Countries of the Middle East were conspicuous by their absence, though there was

foreign policy of her party would henceforth be eastward. The statement was made shortly after her return from China on a successful mission and looked to many as a major shift in her foreign policy. The defence co-operation agreement signed with China during the visit produced some apprehension in certain quarters. But this doubt has no foundation at all, since the agreement was not a security pact but an umbrella agreement under which China would be able to supply arms, equipment and other provisions as well as training facilities in the defence sector of Bangladesh.

The eastward belief was rein-

world, countries of Europe and, above all, USA?

The answer to that question is an emphatic "no". Bangladesh Nationalist Party professes friendship with all countries, especially with its neighbours, on the basis of the principles of sovereign equality and mutual interests. People, however, normally take countries of South Asia as Bangladesh's neighbors. But Myanmar, Thailand and China are no less close neighbours of Bangladesh, distance and otherwise, as India, Pakistan and Sri Lanka. The Kunming Initiative of regional cooperation has its potentials of promoting Bangladesh's

Are dark days really just around the corner?

SAGAR CHAUDHURY

THIS being the first London Letter of 2003, it is no doubt appropriate that I begin by wishing all readers a Happy and Prosperous New Year. But the British Prime Minister, apparently, finds little to be cheerful about the coming days. In the gloomiest New Year message of the five years of his premiership, Tony Blair, who was spending an annual holiday with his family in Egypt, told his fellow Britons that the country faced a record number of dangerous and difficult problems in the months to come. "I cannot recall a time," he began: "when Britain was confronted, simultaneously, by such a range of difficult and, in some cases, dangerous, problems." In his message he of course tried to reassure the nation that "although the concerns are real and justified, Britain is well-placed to face up to them," but at the same time he warned that the country could not hope to survive them without a combination of luck, hard work and good judgment. Mr Blair described "the prospect of committing UK troops to action if Saddam Hussein continues to flout international law" as the most pressing problem and also specified other threats to security which were "the mass of intelligence flowing across my desk that points to a continuing threat of attack by Al Qaeda, the lack of progress on the Middle East Peace Process which has the potential to wreck havoc well beyond that region, and more recently the disturbing developments over North Korea's nuclear programme." Perhaps his apprehension is not entirely unfounded, as painfully brought home by the latest suicide bombs massacre in Tel Aviv last Sunday, following which the Israeli Prime Minister Ariel Sharon accused Mr Blair of "legitimising terrorists" because he has called a summit of Palestinian leaders in London next week. However, knowing that it is domestic problems that voters are most worried about, Mr Blair also referred to his Government's poor performance in implementing an effective transport policy, the continuing inadequacies of the Health Service, a less than satisfactory law and order situation and an underperforming education service, but pleaded that people must "set problems and progress in a context that is balanced. And where progress has been made, it has been because we have held firm to the reform path."

Summing up the problems in the international and the domestic fronts, the Prime Minister tried to introduce a confident note in his message by adding: "So that is where we will be in the coming year. A year of challenge -- big challenges requiring big decisions, requiring strong leadership and direction. We will do our best to

provide it." Meanwhile, Mr Blair's promise has been interpreted by many as a feeble attempt to recover some of the credibility that he and his Government seem to be losing steadily. During a recently conducted poll by BBC Radio 4's 'Today' programme on Britons the nation would most like to see him deported from the country, the Prime Minister's name had to be removed from the vote early because so many people wanted to select him. (Incidentally, his wife Cherie topped the poll, beating the Muslim cleric Sheikh Abu Hamza al-Masri into second place.) Giving his reaction to Mr Blair's New Year speech, Tory Deputy Leader Michael Ancram told BBC Radio 4: "I do get a faint feeling that he is trying to divert attention away on to the international side in order to divert attention from all the problems there are going to be domestically for him." The Liberal Democrat leader Charles Kennedy also said that solving problems at home should be Mr Blair's top priority. "After nearly six years of a Labour government, where are the real improvements he promised for our schools, hospitals and public transport system?" he asked, adding: "These are the issues of most immediate concern to the people of Britain." And referring to the likelihood of British troops joining American troops in the war against Iraq, former Labour deputy leader Lord Healy warned Mr Blair not to repeat the mistakes of Tory PM Anthony Eden who invaded Egypt in 1956 during the Suez Crisis. "If, as seems all too likely at the moment, George Bush ignores all advice and does attack Iraq..." he said: "...the consequences of an attack for him and for the West as a whole could be quite disastrous."

On a lighter vein, perhaps not everything is full of gloom and doom, after all. There are indeed one or two bright rays peeping through the dark clouds. Here are a few samples, chosen at random: An average Briton is richer today than he or she was in January last year. In fact, they are richer than ever before. Compared to 1953, that is, half a century ago, when life expectancy for British men was 66 and that for women 71, life expectancy for men today is 75 and that for women 80. High unemployment, now a common feature of most European economies, has ceased to be a British disease, albeit for the time being.

Since winter set in last November, most parts of Britain

may not have had a single dry day till now, still the country does not have avalanches, typhoons, man-eating sharks or other dangerous predators. Mother Nature has made this country's mountains, forests, rivers and seas the safest on earth.

In spite of the racially motivated incidents that occur with disturbing regularity, the British can still have a good claim to be one of the least racist nations in the world.

All over the world, millions and millions of moviegoers are being thrilled by three blockbuster movie series: James Bond, Harry Potter and The Lord of the Rings -- and they are all based on characters and stories created and written by British authors.

Watching Shakespeare at Stratford-upon-Avon is an experience unparalleled in the whole world.

Well, these may not sound like much, but pondering over them could help blow the 'winter blues' away.

Family-friendly rights for workers

In a significant reshuffle of the rules regulating working conditions in both the public and private sectors, the Department of Trade and

Commerce has announced plans for introducing new flexible working hours for parents with little children or children with special needs. A research recently conducted by the Department shows that many working parents prefer flexible hours to perks such as company cars, health club membership or even higher salaries, because that makes it much easier for them to discharge their parental duties. The highlights of the new rights for parents which will almost certainly come into effect from April 2003 are:

Parents of children aged 6 and disabled children aged under 18 will have the right to apply for flexible working hours which could be as simple as starting late or finishing early to fit in with school and care centre hours. Employers will have the duty to consider all such requests seriously.

Maternity Leave will be increased from 18 to 26 weeks in the case of ordinary paid leave, plus 26 weeks of unpaid additional leave. The current maximum entitlement is 29 weeks after birth.

Standard Statutory Maternity Pay -- SMP -- will be increased from £75 a week to £100 a week. Most employers will be able to reclaim all the money from the Government.

There will be a new right for

fathers to claim two weeks' Paternity Leave, or paternity pay of £100 a week, within eight weeks of the birth of their children.

There will be new paid adoption leave and other provisions for parents adopting a child.

The new regulations will apply to around 3.6 million working parents -- including 2.1 million fathers -- and will also cover around 200,000 parents and carers of disabled children under the age of 18. A special hotline is already operating for explaining the details to persons who wish to take advantage of the changes that come into force in April. Under the new system, an employee will submit a written request for 'flexible' hours giving reasons for the request, and the employer's duty will be to consider the request seriously and talk it over with the employee. The request can be rejected if granting it adversely affected the firm's business performance, but any decision taken and its explanation will have to be put in writing.

There have been, understandably, expressions of dismay from business leaders about the possible consequences of the scheme. The Institute of Directors said that many companies are "already working with staff to provide flexible working

OPINION

'Is Khaleda-Hasina talks at all possible?'

Shah AMS Kibria, MP

MR Editor, I write in connection with your editorial comment of January 5, 2003 entitled, "Is Khaleda-Hasina talks at all possible?" I know that any proposal for a meeting between the two leaders of the two main parties of the country seems to excite the imagination of many people. Some people seem to hold the view that a meeting between the two ladies holds the key to all our ills. These wide-eyed people seem to feel that just get them to meet and talk and all the problems of the country will disappear like magic.

I was disappointed to note from the editorial mentioned above that you seem to have fallen a victim of such a simplistic notion. Of course the Prime Minister and the Leader of the Opposition should meet to discuss national issues of public interest. Yes, they should meet as often as possible and necessary, in the parliament and outside the parliament. But right now, what are the critical issues that need prior attention? Without attending to these issues any such meeting would provide a pleasant photo opportunity but would not be very meaningful.

First and foremost, the rule of law must be restored. Supremacy of the Constitution must be reestablished. I hope you will agree with me and indeed with millions of our compatriots, that when the orders of the Supreme Court are not obeyed and when the basic principles of the Constitution are disregarded, the government has deviated from the path of lawful governance. Court orders are being flouted regularly and deliberately. The basic rights of citizens to life, liberty and property are being trampled underfoot. No one seems to be accountable for the deliberate torture and death of innocent

citizens. The country is being ruled by force. Under these circumstances, what should be the subject of discussion between the two leaders? Is the rule of law or adherence to the Constitution negotiable?

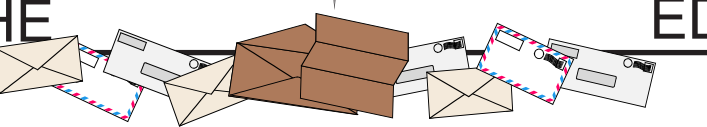
Secondly, the deliberate repression against the opposition leaders and activists must stop. There is no provision in the Constitution that electoral victory gives the winning side the right to persecute the Opposition at will, even by flouting the orders of the highest court.

Thirdly, killing of innocent citizens in government custody without any lawful authority must stop. Such deaths are clearly homicide for which the guilty must be punished under the country's criminal law.

Unless these basic issues are addressed and resolved, what is there to talk about? These are absolute pre-conditions of a lawful government. Should the Leader of the Opposition plead with the Prime Minister to restore the rule of law, obey the provisions of the Constitution and enforce the criminal and civil laws of the country? Mr Editor, these are the duties of the head of the government. There is no scope for any talks on these non-negotiable issues. Let certain fundamental conditions -- the restoration of the rule of law, adherence to the Constitution, and an end to harassment and violence against the opposition -- be met and I am sure the entire nation will wholeheartedly support the proposals for meetings between Begum Khaleda Zia and Sheikh Hasina on issues of national concern. Key issues such as the restoration of law and order, an economic recovery programme and reforming the administration and the education system could all be tackled more effectively in the context of a meaningful dialogue. However, call for a meeting under the existing circumstances is not only premature but somewhat naive.

Shah AMS Kibria is former Finance Minister of Awami League government

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

No army deployment for UP elections

Does the government actually want a fair Union Parishad election? Termining it as grass root level polls as an excuse for not deploying army for fair election does not make it any less important for any party.

Directly or indirectly it is very much important for the ruling party in motivating the common people to follow or support their government, through the candidates of Union Parishad election. Even though after the long Operation Clean Heart people are still not certain that if the true intention of the government was actually an unbiased catching of criminals.

Now, even after the Election Commission's request for army deployment, the government

rejected it. They also gave the reasoning that if they deploy the army now for this then they have to do the same for all levels of election. Who will compel them to do so? What sort of eyewitness is the government trying to do?

According to The Daily Star the Prime Minister had an exclusive meeting with important ministers, the list of ministers included all the names but the name of our Home Minister. How is he supposed to ensure law and order like this? **Mizanur Chhittaog**

Fake image

While we never tried to build a true image why is the government so sensitive about protecting the so-called image?

We the people who have to travel abroad with green passport face the 'image problem' in the foreign immigration. It is only the green passport holders of Bangladesh who understand well the pain of image crisis. Not the VIPs who travels with the red passport!

It is not Shahriar Kabir or Muntasir Mamun who have destroyed our image abroad. It is the leaders like Khaleda Zia, Sheikh Hasina and Ershad who have deteriorated our image. This country is suffering from the disease sown by our leaders. We must get rid of this disease as soon as possible and act positively!

Arresting the intellectuals and journalist having opposing views will no way develop the leaders' image or the national image. **Haroon Rashid**

Gulbag R/A, Chittagong

BRTC bus service needed

Dhaka city and city belt dwellers are quite aware of the business of the newly introduced route from Abdullapur (Uttara) to Savar Bazar via Jiraboo and Jahangirnagar University. Many passengers commute from Savar to Uttara and other city areas and vice-versa everyday. The only arrangement of transportation for these commuters is a very poor local bus service.

This service is not only inadequate but also overcrowded comparing to the number of passengers. Moreover, this poor bus service doesn't maintain any timetable. I have noticed that many

passengers wait for a long time for a bus in different stoppages viz. Radio colony, PATC, University gate-1, gate-2, Bishmile, Kathghara, Jiraboo, Ashulia and many more. In addition to that a number of medium and small industries are sprouting up along these road sides and consequently many people are working there and they also avail this bus service. With this increase of passengers, the service holders who live in Savar and attend their offices in Banani, Uttara, Tongi, Gazipur etc. can't maintain their office time and they have no alternative too.

Therefore, on behalf of the people of Savar, I request the authorities concerned to look into the matter and introduce a BRTC city bus service for the aforesaid route which will definitely dispel the

hardship of the commuters of Savar zone.

D. M. Mamun Hossain
Lecturer, Department of chemistry

Double standards

I would like to know what the blind supporters of the US say about the war against Iraq and diplomatic issue with North Korea.

As Mr Elahi, a supporter of the world destruction and American supremacy, fail to see the double standards against the Muslims. North Korea has broken all its nuclear agreement with the US, thrown out the UN inspectors and is producing bombs. With all the inspection going on in Iraq, the visit to over couple of hundreds sites and no evidence from the US and UK intelligence of any trace of weapons of mass destruction found, US is

preparing for war.

These people fail to understand the real reason for this attack. Here's a list for those people who have a tunnel vision: OIL, ISRAEL and oh did I mention OIL. **Muhammad Manchester, UK**

Merger and acquisition

Bangladesh is a small country with high density of population. Since it is a developing country, everybody should give emphasis on proper space utilisation through merger and acquisition; particularly in the

field of trade, commerce and industry!

Mushroom growth of convenience shops, street side vendors, redundant factories and empty warehouses, old vessels and worn-out transport vehicles, and even new private banks and insurance companies; cannot contribute wholesomely towards healthy growth of our economy.

Isn't it the function of the leaders of the Chambers of Commerce & Industry, trade association and professional bodies to monitor and foster cordial business relationship among different promoters and entrepreneurs, and initiate the process of merger and acquisition in the country? **Golam Ashraf Gulshan, Dhaka**