

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.

"Innocent yet tortured" and some suggestions



When the children cry...

This is in reference to an article "Innocent yet tortured" and a letter "Some suggestions" by Shahnewaz Siddique published (January 8).

Mr. Siddique in his letter mentioned about possible networking among readers of *The Daily Star*. I think it is a tremendous idea. *The Daily Star* can set up a forum in their website to discuss the stories they publish. I can offer technical help with that if necessary. Just to give you an idea, how networking makes a difference, I would like to tell a story how two stories published in *The Daily Star* changed lives of some people by such networking.

After reading an article on journalist Tipu Sultan's torture in *The Daily Star* and Prothom Alo, I set up a website in 2001 to raise some funds for his treatment. This website was subsequently linked from *The Daily Star's* website and within three weeks I raised about \$15000 for Tipu that came of tremendous help for his full recovery. From that initiative, some people contacted me to create a permanent organisation for such cases of human rights abuses where the expatriates can help. As a result of the networking we formed an activist human rights group called Dristhipat in October 2001 which is based on Internet (<http://www.dristhipat.org>). The networks grew larger and on October 2001, after seeing a story in *The Daily Star* on minority oppression in a village called Annadaprasad in Bhola, we decided to do help them out. After two months of fundraising, we raised about \$29000.

Since then, the money has been spent to build 20 houses for the affected and create a permanent scholarship for minority students in that village. Now our members are spanned in four continents of the world and it is a great example of how expatriates can come ahead to alleviate the pains of some people in Ban-

gladesh rising above petty political belief for the common interest of helping Bangladesh. I would urge Mr. Siddique and other like-minded people to come ahead and contact us to create a positive impact and join the force.

In this light, I would like to thank *The Daily Star* for giving us such a great opportunity by providing honest and investigative reports in their daily. One such report "Innocent yet tortured" touched a lot of hearts. We would like to help out the victim who is in dire financial need. If others are interested, we can save this poor victim as well. Would *The Daily Star* be kind enough to set up a fund for him?

Asif Saleh
New York, USA

Condemnation is a word that does not come close to what I am feeling after reading the news "Innocent yet tortured".

This is exactly what I had been warning against for the last few months. To every one who had written in this Letter Page in support of Operation Clean Heart (OCH), I ask: are you all happy now? After all, Operation Clean Heart people are merely taking "criminals" off the street and no innocent law abiders have been touched!

Many readers have taken exception to my opinions on the grounds of my physical remoteness from the "reality of Bangladesh". Now it has closely hit home. We are all guilty by association, especially those living in Bangladesh. You have all stood by and let this happen.

I have nothing but utter condemnation for our society. My thoughts and prayers are with the boy and his family. To top it all, he will not get justice because of the new indemnity. It is a sad day to be a Bangladeshi.
Yahya, USA

I am surprised by the statement of our Foreign Secretary on the issue of "no illegal Bangladeshi residing in India". Well, I myself know of at least one Bangladeshi who has been living in India illegally for the last three. She went on a student visa to Delhi and now is working there for a fashion house.

And how can the Foreign Ministry turn a blind eye to the numerous reports of people from our minority community taking refuge to India? The Foreign Ministry should verify the Indian press reports before coming up with absurd statements.

Joey
Gulshan Avenue, Dhaka

Deployment of army for UP polls

Deployment of army for UP election would have served two purposes. Army would have acted as a deterrent to lawbreakers (which are unfortunately eroding for police), secondly, legitimacy for the whole election process.

But this provides added cost on the government exchequer for movement of army in addition to the movement of other law enforcing agencies. Cost of POL, TA and DA of officers of the armed forces will be in addition to the usual cost of maintaining law and order. Army deployment would have also made precedence for future UP elections and thereby made the role and effectiveness of police weaker.

Deployment of army in aid to civil power is considered as extra and beyond their job purview. Army deployment for the last few months, possibly, affected their normal training and exercise. Therefore, we should not make any decisions based on personal preferences. Conducting elections divisionwise, by deploying police, BDR, civil officers is good enough for holding free and fair elections.

UP elections have maximum turnout of around 70 to 80 percent. Some polling centres are too congested to accommodate all the polling personnel and polling agents having long cues for awaiting voters. It is better to finish taking votes before dusk, as such training and preparing the voters will be very useful. Experienced Presiding Officers should be selected instead of new ones who have no practical experience. Another note of caution is taking care of the supplies for the election i.e. supply of quality seals, ink, knives etc.

I do not think deployment of army is necessary. Instead we should develop proper strategy to conduct free and fair election with regular forces like police, BDR etc. We should also bar the ministers and MPs from canvassing for any candidate.

M M Haque
On e-mail

"My visit to Bangladesh - An American view"

This is in reference to the letter by MAU (January 8). It's an embarrassing mail for many of us. But we must admit that the American lady said nothing but the truth.

Last year one of my American friends visited Dhaka, Chittagong, Sylhet etc with her Bangladeshi husband and wrote me her experience after returning to USA. I was embarrassed. This embarrassment is not for our poverty. I didn't get any complain about our people. But it is the govt offices and the govt officials that are responsible for the negative image of our country.

Often the slogan "Clean Your City" will be found inscribed on the roadside wall or on the billboard. But no one was ever told how to clean the city. In fact there is no garbage management system in the city.

Dhaka looks better after banning 2-stroke autorickshaws. But still the traffic system remains chaotic.

Entrance to Dhaka from Chittagong by road is a horrible experience. Footpath should be made available to the public instead of hawkers or wrongs do not make a right) but have the two gentlemen complained to the British Government and/or the Government of the USA about their treatment of foreigners? I am all for improvement (and believe me Bangladesh needs improving!) but bashing one's own country all in praise of 'foreign' countries is certainly not the way to do so.

Advocate Afsana Wahab, Ph.D
Bashundhara Residential Area, Dhaka

"Autorickshaw and the affluent"

Mr. Aran thinks that just because he did not beat up a defaulter driver, he will be spared of criticism. Well, that is not likely.

things on the counter for everyone to gawk at?

Admittedly, this is no excuse for us to treat them in a like manner (two wrongs do not make a right) but have the two gentlemen complained to the British Government and/or the Government of the USA about their treatment of foreigners? I am all for improvement (and believe me Bangladesh needs improving!) but bashing one's own country all in praise of 'foreign' countries is certainly not the way to do so.

Advocate Afsana Wahab, Ph.D
Bashundhara Residential Area, Dhaka

"Autorickshaw and the affluent"

Mr. Aran thinks that just because he did not beat up a defaulter driver, he will be spared of criticism. Well, that is not likely.

had many such experiences while being a resident of Gulshan before coming to UK for treatment. Mr. Khan has again proved his immaturity by saying that he doesn't beat up the faulted drivers! Does he think that NOT beating up those poor people is a sign of generosity! And of course, rickshawpullers plying their three wheelers and earning money to feed a family is much more important than people like Mr. Khan having a smooth drive to relax at their friend's place.

Those poor people will respect the rich for their generosity, and because they are well educated, and because they have money or they pay more tax. Money cannot buy everything, it couldn't buy health for me. I hope Mr. Khan will consider those poor people as human beings. They have the right for moral income. And I guess, the government has banned rickshaws in many roads and autorickshaws to

cities, only bikes and non-motorised vehicles are allowed in city centres. Sure, the ricks-hawpullers may not be as organised and law-abiding, but is anybody else?

Khan Kabir
USA

"Is Khaleda, Hasina talks at all possible?"

The Opinion "Is Khaleda, Hasina talks at all possible?" (January 5) by the former Finance Minister SAMS Kibria suggests that Khaleda-Hasina meet will not be meaningful unless the fundamental conditions--restoration of rule of law, adherence to the constitution and end to harassment and violence against the opposition are not met.

During the rule of past governments including the Awami League,

Hartal on January 16!

Awami League has called a hartal on the 16th of January in protest of the government's decision on increase in oil price and other diminutive matters. What they failed to realise was the distress that this stereotypical dawn-to-dusk hartal has inflicted on both O and A levels students. Almost every important leader from both the opposition and the government knows the time period of these exams but they have this knack to disrupt the schedule.

Around a thousand students will have to sit for their exams at the dead of the night in different exam centres from the British Council to the NSU. The inconvenience that hartal can cause is not taken into account by these politicians. If hartals can be avoided during HSC and SSC exams, then why not the O and A Levels exams?

I was even more shocked to see the lack of concern on *The Daily Star* when the hartal was announced. At least the media should be responsible on raising such issues. The distinction that most in our society put forth in the case of English medium students is well talked about but now this has simply gone

too far.
Haji Mohammad Isam
Dhanmondi, Dhaka

It is our belief that the opposition political parties are well aware that O and A-Level examinations are being held these days. They must also be aware that the schedule of the examinations are decided by the British Board of Exami-



Exams 'yes', hartal 'no'

nations and remain absolutely unchanged, only in exceptional circumstances the timings are changed and that again within that date.

In view of the opposition's call of hartal on 16 January 2003, the British Council Dhaka has rescheduled the afternoon examinations of 16 January 2003 at 2230 hours, and these exams are sched-

uled to continue until 0100 hours of 17 January 2003. But then on 17 January 2003, the exams are again scheduled in the morning hours.

The above timings would put the students in a very difficult situation, particularly in terms of timings, exam preparations, and the unbearable cold which has swept the country. These will have an adverse affect on their grades as well.

We, the parents of the examinees appeal to our esteemed opposition parties to take the plight of the young students into account. It must be remembered that their future is at stake.

We would like to put the following suggestions to this effect:

1. Shift the date of the hartal and declare it after 22 January 2003; or
2. Declare a half-day hartal. Or
3. Convince the British Council to shift the 17 January 2003 exams to early evening. It is our earnest belief that the political parties who are supposed to be representatives of the people will take the issue seriously and change their decision accordingly.

Concerned Parents of O and A-Level Examinees
On e-mail

Torture of two brothers

The news (January 7) of torture of two brothers at Khilgaon after their arrest by the army has sent shiver down our spine. The police station received them badly mauled and nearly dead. This time the army personnel were cautious enough to spare them not to die of heart attack!

The two brothers' fault as discerned from the news report was that their young brother is a local President of Chatra League. The army's claim of their involvement in anti-social activities have been negated by the neighbours. The case that was lodged against them was politically motivated and later withdrawn, as the members of the family affirmed. But the two brothers fell prey to torture. And it gives us the impression that army has been deployed to cleanse the society of none but the Awami Leaguers.

But the army was deployed to curb on crimes and criminals. People welcomed them and their effort to root out the criminal elements from the society. But should the public at large be panicky and weary of their fate because of their belonging to other platform? We do not want army to be the cat's paw of the people at the helm of state affairs, we want them win the heart of the general people by being committed to fairness and equality, and prejudiced to none.

Ahmed Nazir
Dhaka

Illegal Bangladeshis in India

I am overwhelmed by the alarming decision of India to deport 20 million "illegal Bangladeshi immigrants". I don't know how as many as 20 million people, the figure that amazingly is less than the entire popula-

tion of either Australia or Canada, could infiltrate in to the land guarded by the Border Security Force (BSF). Someone may say that it was not one day in which these people have gone there. But then, what have the authorities been doing for so long? Why now? What next?

Ironically India, in its bid to become a regional superpower appears to be gradually losing common sense and it's leadership is adding clamour to an already bewildered nation, who could re-elect a person like Mr. Narendra Modi to power despite ample allegations and evidences of his involvement in igniting of thousands of Muslims in Gujarat. I feel horrified that our country will one-day be surrounded by a big neighbour led by the policies of people like Messrs. Advani, Modi, Thackeray and Ms. Uma Bharti.

Ahmed Mohiuddin
Banani, Dhaka

Joint Drive Indemnity Ordinance 2003 and some points to ponder

I would like to express my grave concern over the promulgation of the ordinance, indemnifying the action of the joint force under Indemnity Ordinance of 2003.

Retrospective effect to indemnify the action of the joint force shall go against the Bangladesh Constitution as well as International Convention against Torture.

Armed forces have their own code of conduct and disciplinary roles. Because of misconduct and negligence of duty they have to face trial under Court-Martial. The newly promulgated indemnity ordinance would seriously affect military discipline.

The government should have placed the Joint Drive Indemnity Ordinance, 2003 before the Jatiya Sangsad for a full debate, as the Article 46 of the Constitution would not cover justification for indemnifying the action of the joint forces. This Article of the Bangladesh Constitution puts specific circumstances and a limitation, under which indemnity can be applied.

Recognition of inherent dignity and equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. Universal Declaration of Human Rights (UDHR) Article 3: Every one has right to life, liberty and security of a person. Article 5: No one shall be subject to torture or to cruel, inhuman and degrading treatment or punishment. Article 7: All are equal before the law and are entitled to equal protection against any discrimination in violation of this declaration and against any incitement of such discrimination. And Article 8: Every one has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Torture is prohibited under the UDHR, the International Covenant on Civil and Political Rights. Prohibition of torture is also part of international customary law.

No national constitution or international laws would agree or support legitimising the killing (as alleged to have taken place during Operation Clean Heart) of members of the public under the coverage of a black law. The Ordinance would tarnish the image of the government in the country and abroad.

Delwar Jahid, Canada

The Joint Drive Indemnity Ordinance 2003 which absolves all army personnel associated with torture and custodial deaths is tantamount to legally allowing the government to launch an occasional campaign of terror, torture and deaths on its citizens and getting away with it.



Army above law?

This Ordinance, as it has been pointed out, is contrary to the spirit of the rule of law, which allows equal rights to everyone before the eye of law and prohibits the government's arbitrary use of power against its citizens. The rule of law is very much enshrined in the Bangladesh constitution in article 27 and a number of other related articles. The Bangladesh Constitution, however, also allows indemnity in its article 46, but for very special circumstances which should not cover the present circumstances. By applying

indemnity to the present set of circumstances, the government will do at least the following harms:

- Pervert the spirit of democracy
- Contribute to the violation of fundamental rights (prohibited in article 26)
- Make the army unnecessarily unpopular and controversial in the eyes of the general public
- Tarnish the image of Bangladesh in the world community

It is hoped that good senses would prevail on the part of the government and they would decide not to further pursue the bill in the Parliament.

Panini Ahmed, Boston, USA

It is painful to see one more black Indemnity bill being put forward to the people to accept. There could be provision to deploy army in case of national crisis like the tremendous deterioration of law and order that we had seen before the drive began. However, army should not be above law specially when our politicians want to uphold democracy. Army should never have any role in civil administration, in fact, they are not trained for that cause.

During Operation Clean Heart we saw many unlisted (defined as having no case with the police) people dying in custody. When army came to know that a top terror was not listed by the local police it could first apply its law to the police for being so negligent to the duty. Why so many people had to face such terrible fate for the negligence of our law-enforcing agency?

Army could have been more cautious in implementing its agenda. It could catch the criminals of its list, however, could give the victims a chance to speak for themselves. This is simply undemocratic.

I don't want to complain to any human rights group, but my plea to our government is let not compel our people to accept another black indemnity ordinance. We should always keep our armed forces above politics and debate, then we should remember that it should never be used for causes that could make its action debatable. The whole responsibility lies with the incumbent government.

Dr. Abu Hena Mostafa Kamal
Silicon Valley, California, USA

NOTICE
We are planning to bring out a full-page readers' reaction on the newly promulgated Joint Drive Indemnity Ordinance 2003. The readers are requested to send their opinion on the subject by January 16.
Editor