

North Korea's stand

Smaller nations have reason to feel insecure

If containing proliferation of nuclear weapons and dealing squarely with emergence of potentially dangerous states were the objectives that the coalition countries wanted to attain, then there is bad news for them.

North Korea, an ever defiant country with nuclear capability, has made it plain to the US administration that it is not going to roll back its nuclear programme and suffer the "miserable fate that has befallen Iraq." The message is clear: some countries are feeling all the more insecure after the US-led attack on Iraq.

So if President Bush and Prime Minister Blair now begin to curse the impudent possessors of dangerous weapons, they will have few listeners. The example that they have set by invading Iraq might turn out to be highly counter-productive in the long run, since the nations deemed to be a threat to peace will no longer hesitate to develop the weapons for launching a massive counter-attack. And the way the United States and Britain sidetracked the UN before attacking Iraq might make them feel that they have to have their own defence mechanism, regardless of how the plan is looked upon by others.

Apparently, terrorism is what President Bush wants to root out, and he has managed to identify some terrorist states which deserve the same treatment that the civilised world is ready to mete out to the terrorist groups that have sprung up in and around the flash-points. The supporters of the outrageous assault on Iraq have also put forward the argument that 9/11 changed the whole perception of national and global security, particularly in the United States. There may be truth in the contention, but what is highly regrettable is that neither the United States nor its allies have ever tried to trace the causes behind the growth of terrorism.

British Foreign Secretary, Jack Straw, came close to diagnosing the disease when he said that the allies could not show the same determination and sense of purpose while dealing with Israel as they did in the case of Iraq. He has divulged in one sentence the most unpalatable truth of our times -- Palestinians are not getting their due. The US should, therefore, concentrate on establishing a just world order if it really wants terrorism to lose its force.

Murders around the country

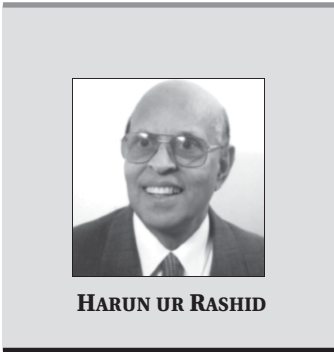
When will we be able to establish rule of law?

THAT thirteen people have been murdered in a couple of days in just eleven districts is undoubtedly a news of grave concern. Usually we only glance through such crime news when they are published separately, but when a Bengali daily like Prothom Alo publishes a compilation of these horrific reports, it simply shakes us up. Law and order in the country has always been a big source of worry for all the governments. The political parties pledge to bring back order and restore discipline in the society during their campaign. But it's been proven beyond doubt that it's easier said than done.

Though we had strongly protested the decision and subsequent deployment of army by the BNP-led four-party alliance last year because it grossly violated our fundamental rights as citizens, the crime rate had reduced to a considerable extent during that period. The criminals had probably went into hiding in the fear of getting caught. Now it seems that they have returned and in full force. What we fail to understand is, why can't the law enforcing agency, for example the police force ensure safety and protection to the citizens? We know that they have limitations in terms of manpower and investigation methods, but we still don't know why and how the criminals get away after committing such gruesome acts?

It's been said over and over, but we ask again -- why do most of such cases never get to see the end of trial? Even the most sensational and talked about cases get slipped under the carpet. For example we haven't heard of any progress about the murder of an young actress and model, Tinni. The main suspect, a former MP, is yet to be caught. There are many more such examples of justice delayed, justice denied. If such a sensational case could be forgotten by the law enforcers, we wonder what would happen to all those simple people around the country looking for justice? Do they have any other choice but to accept it as *fait accompli*? On the other hand , how can we expect the criminals to be scared of law and punishment until and unless we fail to establish rule of law in our society?

Iraq war and the role of UN Secretary General



HARUN UR RASHID

THE current war on Iraq has no UN authority and therefore there is a strong view among majority of international legal experts that this Anglo-American led war against Iraq grossly violates the UN Charter and international law. Moreover it is an unprovoked and unnecessary war. The Anglo-American alliance invaded Iraq using the controversial doctrine of "pre-emptive attack".

War was first formally prohibited in 1928 under Kellogg-Briand Pact (US-France). In 1945 the UN Charter outlawed war to save "succeeding generations from the scourge of war" except in the case of self-defence when a country is attacked. This is because the First and Second World Wars brought untold sorrow and misery to human kind. During the First World War 16.5 million people were killed including 3.5 million civilians while during the Second World War 45 million, half of them civilians, lost their lives. Besides the loss of precious human lives another damaging aspect of war is the economic social costs for generations.

In view of the devastating effects of war on human beings, the UN Charter laid down elaborate procedures to maintain international peace and security and if a country is attacked, the UN will meet the challenge by organising collective self-defence as provided in Article 51 of the Charter.

In this connection, the role of the Secretary General of the UN is pivotal in ensuring that all member-states abide by in good faith the provisions of the Charter (Article 2.2 of the Charter). Over the years the Secretary General is considered as the conscience-keeper

of UN Charter and peace in the world and every nation looks up to the Secretary General to uphold boldly the principles and purposes of the Charter.

The functions of the Secretary General are specifically enumerated in Articles 98 and 99 of the Charter. Article 98 provides that the main organs of the UN (General Assembly, the Security Council, Economic and Social Council) may entrust the Secretary General to "perform such other functions" as they deem fit. This means that the main organs of the UN

intimately connected with every aspect of the functions of the UN. The Secretary General is seen as the symbol of international legality and morality. Often the personality and stature of the Secretary General influence the functions of the UN. In this connection the second UN Secretary General Dag Hammarskjöld (Swedish national) is acknowledged to be the most dynamic and innovative Secretary General of the UN. During his tenure (1954-61), many UN activities that were apparently not contemplated under

General said that the legality of war against Iraq without UN authority would be seriously impaired. He was right in his assessment of the situation because any unprovoked armed attack against any UN member without the UN authority was against the UN Charter. However after the war was launched, there are many questions raised as to whether the Secretary General has performed his responsibilities to uphold the spirit and letter of the Charter and it is argued that he has not for the following reasons:

matte to the Council for an appropriate decision before withdrawing them. By withdrawing them there is a view that he had facilitated the Anglo-American attack.

Third, in the general debate in the Security Council on 26 March, the Secretary General raised humanitarian issues in Iraq and suggested that oil for food programme must reach to the Iraqi people. It is argued that he by-passed the principal issue, i.e. legitimacy of war. Since the humanitarian disaster was caused by the war, he should have raised the root

This gives an unmistakable impression that the Secretary General had not been bothered about the treatment or fate of prisoners of war from Afghanistan and Iraq under the US. Many argue that the statement from the Secretary General was only prompted when US soldiers were taken as prisoners of war by Iraq.

Conclusion
The Secretary General is elected by the General Assembly (192-members) with the recommendations of the Security Council under Article 97 of the Charter. Accordingly he represents the voice of the international community and a great responsibility devolves on him at the time of international crisis. The standing and stature of the office of the Secretary General is only tested when he is put under pressure from big powers. He has to discharge his responsibilities without fear or bias or external influence.

The Anglo-American unilateral attack has been carried out without the UN authority and thus has seriously damaged the standing and core functions of the UN as to the maintenance of international peace and security. The worldwide anti-war protests demonstrate the overwhelming global opinion against war on Iraq.

In the light of the world opinion and also in consideration of war being fought without UN authority, it is argued that the conduct of the Secretary General Kofi Annan does not match his responsibility as the custodian of the UN Charter. He is seen to be too weak to stand up to Anglo-American pressure. Many UN observers suggest that the Secretary General would have gained worldwide applause if he had resigned from his position after the attack on Iraq. His action would have reiterated boldly the UN principles and he would have been remembered as the person with the highest principle who has put the UN and justice above everything else. His resignation could have altered the course of war or world history.

Barrister Harun ur Rashid is a former Bangladesh Ambassador to the UN, Geneva.

BOTTOM LINE
Many UN observers suggest that the Secretary General would have gained worldwide applause if he had resigned from his position after the attack on Iraq. His action would have reiterated boldly the UN principles and he would have been remembered as the person with the highest principle who has put the UN and justice above everything else. His resignation could have altered the course of war or world history.

delegate their powers to the Secretary General to perform specific tasks on their behalf.

Article 99, on the other hand, is the inherent power of the Secretary General to "bring to the attention of the Security Council which in his opinion may threaten international peace and security". The phrase "may threaten international peace and security" employed in Article 99 has been interpreted to mean "preservation" and not "restoration" of international peace and security.

The Secretary General constantly watches the world security situation and if there is any threat to breach of peace in any part of the world, the Secretary General sends UN envoys to reduce tension or persuades to resolve inter-state disputes peacefully. That is why the Secretary General is considered to be "the international watch guardian" to maintain peace in the world

An aspect that merits attention is Article 100 of the Charter that provides that the Secretary General shall not seek or receive instructions from any government or any other authority. This implies that the integrity of the office is not impaired.

The role of the Secretary General is

the Charter were vigorously carried out by sheer force of personality of Hammarskjöld.

Prior to Hammarskjöld, the interpretation of his powers under Article 99 of the Charter was given a limited and narrow view. It is he who first broadly interpreted the meaning of Article 99 in the following words at a speech at the Oxford University in 1961:

"It is Article 99 more than any other which has considered by the drafters of the Charter to have transformed the Secretary General of the UN from a purely administrative official to one with an explicit political responsibility Legal scholars have observed that Article 99 not only confers upon the Secretary General a right to bring matters to the attention of the Security Council but that right carries with it, by necessary implication, a broad discretion.....in regard to matters which may threaten the maintenance of international peace and security."

Given the functions and precedents of actions of the past Secretaries General, let us now consider how the present Secretary General Kofi Annan (from Ghana) has discharged his responsibility as regards Iraq war under the Charter.

Before the war began the Secretary

General said that the legality of war against Iraq without UN authority would be seriously impaired. He was right in his assessment of the situation because any unprovoked armed attack against any UN member without the UN authority was against the UN Charter. However after the war was launched, there are many questions raised as to whether the Secretary General has performed his responsibilities to uphold the spirit and letter of the Charter and it is argued that he has not for the following reasons:

Second, the UN inspectors were stationed in Iraq pursuant to the Security Council resolution 1441 of November 2002 and it is argued that the Secretary General did not have the competence to withdraw the UN inspectors without the approval of the Security Council. Furthermore the UN military observers were withdrawn from the de-militarized zone between Kuwait and Iraq border. The Secretary General should have referred these

cause of humanitarian disaster. As Iraqi Ambassador to the UN said that the Secretary General was putting "cart before the horse". It was earlier reported in some media that the Secretary General was considering to be given the authority to spend US 1.7 billion (food for fuel) instead of Iraqi government. Many suggest that in the proposal there is an implied meaning - the Saddam Hussein regime has lost control over Iraq. Many UN watchers would consider this proposal as gross interference in the internal affairs of Iraq.

Fourth, the Secretary General came only recently with a statement on 24 March that prisoners of war should be treated in terms of the Geneva Conventions. It may be mentioned that he appeared not to have said publicly anything when the US had categorically denied treatment of prisoners taken from Afghanistan under the Geneva Conventions and they have been rotting in the Guantanamo US military base in Cuba from any accountability. Furthermore it is believed that no such statement was issued when Iraqi prisoners of war were held by the Anglo-American forces since the second day of war (21 March).

Lurking Nemesis In Iraqi Desert

ABDUL HANNAN

IRAQ, systematically disarmed and stripped of its defence arsenal by 12 years of most stringent UN sanctions and a rigorous UN weapons inspection regime since 1991 (with intervening 3 years of suspension before its resumption 4 months back) is bleeding and lies in waste by the Anglo American invading forces. The Iraqis caught in an asymmetric warfare and pitted against a powerful enemy equipped with superior weaponry, communication support and deadly long range Tomahawk cruise missiles, B52 bombers, and Apache helicopters, and what you name them, are putting up a heroic resistance and last ditch fight to live with honour and dignity by defending their national independence and territorial integrity. The potential danger of an imminent blood bath and carnage in the battle of Baghdad is real. However, amidst these dark portents of a looming disaster, there are some glimmers of hope, faint though. The elements of thick clouds of billowing and steaming sand storm, mysterious but unmistakable acts of divine intervention, reminiscent of Tiran Ababil episode in the Holy Quran, have risen in full fury to hold in check the invading US led coalition army. There are occurring casualties among coalition forces by friendly fire and accidental helicopter crashes, seen as acts of divine justice and retribution.

America and Britain, the two

permanent members of Security Council, have defied the international public opinion, arrogantly snubbed Security Council members -- France, Russia, China and Germany -- by not disarming Iraq through peaceful UN route but by unilaterally launching military attack flouting with impunity the international law and the UN charter. America has rebuked France as 'ungrateful' and ridiculed it as 'old Europe' and has accused Russia of selling anti-tank guided missiles, jamming devices and night vision goggles to Baghdad. Russia has denied

fulminations of wounded pride of a lion caged and humbled by its own stupidity. President Bush is playing with wild fire which can spill over and spiral out of control any moment into a wider conflagration engulfing the whole world by tearing apart the status quo of existing dynamics of balance of power. George W Bush the conceited, megalomaniac 37th president of the United States has assured for himself the dubious honour of a place in the company of history's dangerously mad men including Hitler, Chengiz Khan, and Tamerlain. But is not hatred and

resolution condemning this naked aggression and act of rank perfidy, expressing concern at the approaching massive human rights violation and humanitarian catastrophe. The Council should send a stern warning that the failure to comply with the resolution will be fraught with 'serious consequences'. The aim was not to disarm Iraq of weapons of mass destruction (which clearly they didn't find) but in reality to assassinate Saddam Hussein and bring about a regime change to whet their imperialist ambition to hold unfettered sway over

Contrary to Anglo-American wishful thinking, far from greeting the invaders with open arms the Iraqis are solidly behind their leadership in resisting the murderous foreign campaign and incursion into their country. According to the ICRC in Jordan, five thousand refugee camps in Amman for sheltering refugees from Iraq are empty. On the other hand Iraqis living in Jordan are returning to Iraq in large numbers to remain by the side of their nation at the hour of its peril. There is nothing to lose heart.

the charge. Russian president Putin has warned that the Iraq war is the worst crisis threatening to destabilize international relations to a new low since the cold war. America has brought unsubstantiated accusation against Syria and Iran of supplying war materials to Iraq. It has asked other countries to expel Iraqi diplomats and freeze Iraqi mission assets. It has asked Canada and Mexico to stifle dissent on war on Iraq. These are ominous signs of arrogance of a superpower which has run amuck riding roughshod over everybody at will. These are grunts and

violence an anathema to reason, science and modernism and the Christian values of love, compassion and tolerance?.

The international community cannot sit back and watch Baghdad burning without a burden of guilt but must join forces with nature to voice its protest, anger and revulsion at the unilateral and wanton invasion of Iraq. Thank heavens, an emergency meeting of the Security Council was held, pressed by the Arab League. But the Council can brook no assault on its integrity and must formulate a robust

Iraq's oil resources and expand colonial hegemony over the entire Middle East region. General Tommy Frank is no Lawrence of Arabia to 'liberate' Iraq but to occupy as a US protectorate. About post war administration dispensation in Iraq, Colin Powell wants 'dominant influence' by America. Americans have displayed their unabashed greed by starting to give contracts to American companies in the reconstruction of war ravaged Iraq. Vice President Cheney's firm Heliburton has received contract for fire fighting burning Iraqi oilfields.

discuss this critical situation. This will partially shore up the shattered identity of the United Nations which has lost all credibility. The European parliament should craft an urgent message to stop forthwith the US led coalition aggression on Iraq. The 57-member OIC and the 166-member NAM should also condemn this attack in the strongest term and ask for an immediate halt. The resolution adopted at the recently concluded Arab foreign ministers' meeting in Cairo has not been sufficiently strong because of inherent weakness of the faction ridden Arab

League. The fractured and fragmented Arabs are their own enemy. They should read the writing on the wall and close their ranks and withdraw active support to Anglo US Coalition war efforts or face the maelstrom of seething popular anger and frustration of ordinary Arabs against their despotic rulers sunk into the delight of wealth and luxury under patronage and protection of the United States.

Contrary to Anglo-American wishful thinking, far from greeting the invaders with open arms the Iraqis are solidly behind their leadership in resisting the murderous foreign campaign and incursion into their country. According to the ICRC in Jordan, five thousand refugee camps in Amman for sheltering refugees from Iraq are empty. On the other hand Iraqis living in Jordan are returning to Iraq in large numbers to remain by the side of their nation at the hour of its peril. There is nothing to lose heart. Pride goeth before fall. An unjust war will not stand. Iraq has already won a pyrrhic victory world wide morally. It will prevail on the ground too. Truth, righteousness and justice will triumph over the forces of evil. Baghdad may be destroyed and desecrated by American smart bombs but cannot and will not fall. The invaders will meet their nemesis faced with fierce Iraqi resistance combined with the raging inferno of April sun and sand storms of Iraqi desert.

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

Peace-loving liars
The big question everyone asking -if Saddam doesn't use any WMD- is that if he has WMD as US claims, then why isn't he using them? Looking at the amount of lies we have been bombarded with since the war began, you can be certain that if no WMD is found, some will be planted. They will probably release some useless pictures of Saddam's old weapon factories as their "evidence" and instead of saying we have found some WMD, they will cleverly say we have found plants, machinery, equipment and evidence which suggest that Saddam was "very close" to developing WMD. On CNN and BBC, these claims will then be analysed and verified by some clever think tanks! Therefore justifying their illegal invasion of a sovereign country and the killing of Iraqi civilians in their pre-emptive war of oil.

This war has nothing to do with WMD. Hans Blix repeatedly said before and again on 26 March, (BBC 2, Newsnight) that he has not found any WMD in any of those sites suggested by the US and UK.
For now, just wait and see these "civilised" tyrants reveal their lies, which are all rather predictable.
Azad Miah
Oldham, UK

Oil for Food Programme

The UN Security Council has revived a modified Oil for Food programme. This is indeed welcome from humanitarian point of view. But there is an invasion going on now without Security Council approval. This is what terminated the Oil for Food in the first place. Food rations reached the entire population of Iraq without fail since the start of the Programme mainly due to the uniquely efficient and thorough management of distribution chain established and run by the government of Iraq. That system and facility is still intact. Any kind of humanitarian supply, whether it is under the UN Oil for Food or through other channel cannot be delivered to the needy without return to conditions before the war. Thus the responsibility of the Council is first to stop the war before it revives the Oil for Food programme.

Second, the UN programme relied entirely on the extensive food distribution (nearly 45000) outlets established and run by the government of Iraq which have maintained efficient and equitable food ration delivery to each family in Iraq during the five years of the Oil for Food programme; the UN did only the observation task through UN observers. So the revival must rely on the government distribution system, as the UN by itself does not have the resources or capability to take on the task of delivering food rations. It is also clear that the Security Council, whose primary task is for international peace and security to stop the war and restore conditions that existed before the war if it wants to resume the Oil for Food programme in Iraq. Question is why the Council did not force the issue? If the Council cannot stop the ongoing war, the onus of providing humanitarian aid to the distressed people of Iraq will be upon the invading and occupying force who have created the situation. The only way that can be done is by vacating their aggression immediately and unconditionally.

Hussain, Dhaka
Encroachment on Banani Lake
I have with interest followed your reports on the continuous encroachments on the lakes in Gulshan. I am an expatriate living in a rented house (no. 11) on road 35 in Gulshan 2, having a very spectacular and nice view over Banani Lake, which I enjoy every day. Lately, I have noticed that a corrugated iron fence just in front of me has been moved into the lake with the undoubted intend to fill-up with soil from the present bank to the fence, to extend a road already made on ground from filling-up the lake.
The house I am living in, will then have a large apartment building in front, only serviced by a narrow road taken from the lake. I understand that the ground in front of me is already created from filling the lake, hence a salami method is apparently taken effectively into use.
I have also understood from your paper that a path round the lakes should be created in order to make

these unique areas into a recreation resort, which I believe would be of high value for a city like Dhaka in the years to come.
Since I am leaving shortly, the state of affairs is not my personal interest, however, for future generations of Bangladeshis this could be a part of a tropical city with a unique setting, in stead of being turned into a stone desert and a breeding ground for frustrated unsatisfied youth seen in many cities all over the world.
Paul Erik Schmidt, Dhaka
HSC exam and grading system
We're going to be the first HSC exam batch whose result will be out in the grading system. Before introducing a new system the correct decisions regarding it and modifications should be made long before the batch starts its class. We got a modified grading system a few weeks ago. But the authorities seemed to have overlooked the fact that it is simply impossible to get 80+ in Bangla in order to get an A+. It is hard to get even a 70+ in Bangla. Most students are targeting 60+ marks

in Bangla which obviously doesn't give us a chance for better grades. But the students who will appear in next year's exam will obviously get a chance to get GPA 5 out of 5 for the inclusion of optional subject grade. But why should not we get a chance for that simply because the authorities didn't make the right decisions at the right time? Since many students didn't include any optional subject in their study course, it'll be better if we've a modified grade for subjects concerning literature. Don't tell us its too late for that because if you could introduce us to the grading system four days before our SSC exam you can do this too.
We also had to suffer a lot for the new study course of English. It is a better one than the previous course, but again there has been much delay and confusion about the final form of question. They changed the question style so many times that we weren't able to appear in exams with questions made in that format during our tutelage in college. You just have to look up the test paper which provides questions of different colleges for the

truth. And what is this thing about rearrange that had to have 14 marks in it? The sentences can be arranged in a lot of meaningful ways.
Not to mention the fact too that students under different boards appear in exams for different question papers. I'd really like to know what is the justification behind this rule? It isn't that students from each board do not compete for the same higher education institutions where their HSC and SSC exam marks also matter. And why is it that we always have to visualise the awful number difference of a student who stood first in CTG board and someone from Rajshahi Board. Does the quality of students in different boards vary so much?
Kainat, Dhaka
"Forgotten facts"
The system of equity espoused by Mr. Joe Minx ("Forgotten Facts", March 16) is shocking. Assuming he has a conscience, can he truly justify the death of the inhabitants of Hiroshima and Nagasaki as an acceptable means to justify an end? The memorial in the city of Hiroshima has the last dying word of

a six-year-old girl, etched under the bell which is rung every year at the time the explosion occurred. The word was: "water". Was her death, justified to you, Mr Minx as a fitting way to bring an end to the war? During the bombing in Afghanistan between October 2001 and March 2002, over 3000 Afghans were killed (www.cursor.org/stories/civilian_dea_ths.htm) and their deaths a fitting revenge for you too, Mr. Minx? To the majority of Americans, war is something that happens on CNN in faraway lands with funny names. War is something that is played in the form of video games and computer games. In a land that has not experienced war on its soil for many generations, it is easy therefore to look at war in a dispassionate manner, and revert to it in the blink of an eye. War becomes an event that is dispensed through sound bytes and technicalities such as "collateral damage", and "regretful but necessary."
Shomit Chowdhury
Dhanmondi, Dhaka