

Brainstorming at BDF meet**Catalogue of steps not enough, results demanded**

AFTER the first day's hot-and-cold blowing trend-setting speeches, the second and last day of the Bangladesh Development Forum meet in Dhaka was truly businesslike and matter-of-fact, marked by what was euphemistically called free and frank exchange of views. As many as 90 representatives from 27 development partner countries and multi-lateral institutions on the one side and the Bangladesh ministers and official representatives on the other side found themselves engaged in an intensive question-answer session. No words were minced by development partners to raise all manner of questions, especially on critical governance issues, and the respondents on the government side tried to answer them as best as they could. How far the questioners were convinced with the replies only their aid pledge in the near future will tell.

One wishes the government were as answerable and accountable to the people as it has proved before the development partners. With a basically oppositionless parliament topped by tokenism in the formation of oversight JS standing committees, the government's policies and actions have seldom been subjected to a kind of scrutiny that a democratic system of government demands. The media and civil society have had to work as the sole conduit, if you like, of public information dissemination. Now it seems the development partners are pushing borders, as the expression goes, to ask the government scooping questions.

Just to sample the candid flavour of the exchange of views, when the law minister was asked about a possible time-frame for the separation of the judiciary from the executive, he indicated that at least 6-7 years would be required for that to happen. This is new information to us. Is it an attempt to explain away the endless procrastination on the task of implementing the twelve-point directions of the highest court on the subject of de-linking the executive from the judiciary structurally? After all, the commitment dates back to 1991, so that more than a decade of BNP-AL-BNP government has passed without making the judiciary independent.

The government is yet to deliver on its electoral pledges for an independent anti-corruption commission and ombudsman office which could act as powerful grievance redressal mechanisms.

The human rights violations have been a ringing indictment on governance. The development partners expressed concern over repression of journalists, custodial deaths during the joint anti-crime campaign coupled with the act of indemnifying army personnel, torture on police remand and incidence of oppression on minorities. The malady of arrest and detention under suspicion came to the fore.

Topically, some European representatives raised questions about madrassah education in the context of fundamentalism.

As expected, the donors thought it was 'crucial' that the NGOs be given 'reasonable freedom to operate without political interference and undue bureaucratic control'. We endorse the idea of quickly ironing out the differences between the government and some NGOs for the good of the poor beneficiaries.

The politician-police-criminal nexus has to be broken for the sake of a better law and order situation and an enabling environment for growth.

Rewarding accused or convicted officials!*It's simply not acceptable*

THE recent decisions taken by the government regarding an accused in jail killing case and a convict in Bangabandhu murder case are undoubtedly condemnable. Here what we saw is a prime example of bypassing the laws of the country to entertain partisan interests. It is not just bending rules but running counter to the rule of law itself. The obvious question in the public mind is, how could the government reinstate Major (ret'd) Khairuzzaman, an accused in jail killing case, in his old job in a hurry? How could the same government also decide to provide pension and other facilities to the family of late Col. Aziz Pasha, who was sentenced to death in Bangabandhu murder case? Both the decisions have not only been prevaricated and unethical but also politically wrong.

Regulations say that any government official would be suspended if a criminal case is filed against him. So why was Major Khairuzzaman, an official in the foreign ministry at the time the case was filed against him, given his job back, especially since the jail killing case is pending in court? On the other hand, someone who had been proven guilty in Bangabandhu murder case by the High Court should be treated as such. As an absconder he could not file an appeal against the conviction handed out to him in *absentia*. So, therefore, what was the need for the government to retroactively reinstate him?

The government should have been more careful in dealing with such sensitive issues, so that political considerations did not get the better of legalistic principles. If accused and convicted persons in such high profile murder cases are rewarded in this manner, then confidence in the justice system takes a serious beating. Needless to say, the extraordinary steps have set bad precedents. We simply hope that the government would reconsider its decisions soon enough so as to bring back some trust and faith in the system.

What is done, is done?**HASNAT ABDUL HYE**

SOMETIMES, protest seems futile. Indignation, however righteous, fails to make any impact on the wrongdoers. Faced with *fait accompli*, even protest appears to be outdated and irrelevant. A deep sense of frustration becomes overwhelming. The world today faces one of the greatest of moral dilemmas. Should it reconcile and accept what was considered 'wrong' before it became a reality? Should it let bygone be bygone? The questions that beg for answers are: (a) can a wrong be reconciled to because it has already happened? and (b) does a wrong appear less so because countries and the world community remain silent?

What is at issue is neither moral nor ethical imperative. The subject is nothing less than categorical imperative which prohibits violation of human dignity and using such violation to promote narrow parochial interests. It is not a moral question of what should have been done, nor the ethical issue of what could be done. Kantian categorical imperative does not give any choice, just as the Ten Commandments enjoined imperatives unconditionally on people. By invading Iraq and killing thousands of civilians and wantonly destroying their national wealth the Americans have violated international law, shown contempt for human rights and committed war crimes of the heinous kind. For this vicious war there was no legal basis, not even the slightest excuse. By the light of categorical imperative, America has transgressed.

In a move to justify themselves, both America and her closest ally laboured hard to prove with so-called 'evidences' that defying the UN, Iraq was refusing to disarm and concealed weapons of mass destruction (WMD). Even before

the war was launched, these so-called revelations of Saddam's evil designs palpably lacked credibility and raised questions from many quarters. The chief of the International Atomic Energy Commission gave Iraq a clean bill of health, so far nuclear programme was concerned. Even Hans Blix, so adept at blowing both hot and cold, pooh poohed such allegations as Iraq having mobile biological factories. Evidences produced by Colin Powell so graphically in his expose

of the world were of no consequence to America. Failing to mobilise support in the UN, America and Britain launched the war as per plan. It became apparent that the decision regarding war had already been made and the so-called coalition under American leadership was just looking for the legitimacy of a second UN resolution. In the event, they made short shrift of such a resolution, dismissively saying that there was no need

for one. It was essential and that is why America tried so hard to mobilise support in this respect. It is absurd to invoke past resolutions, which were in the context of the Gulf war and did neither include invasion of Iraq at the time nor authorised one in future. Because the war was so manifestly wrong, members of the Security Council and the world's peace loving public cannot accept with equanimity the reality of the war. On the basis of the same legal and moral considerations, they

The aggressors have won their victory by inflicting terrible deaths and destruction on Iraqis who had committed no crime. Even Saddam's government gave no indication of trying to disturb the peace in the region or of carrying out large scale human rights violation before the war. For the crimes in these categories committed earlier, Iraq was either assisted by America and Britain or simply ignored, except for Kuwaiti occupation for which it was duly pun-

and the world community and also a criminal mentality to defy authority. America, by taking on the role of rebuilding Iraq economically and politically, has simply aggravated its crime and strengthened the suspicion that it was not WMD for which the war was launched. Its hidden agenda of economic exploitation and political strangulation in the name of democracy has now become clear. What is more disturbing is that it does not feel embarrassed by criticisms for these illegal actions at all. On the contrary, it expects the rest of the world to fall in line and support its on going crimes in Iraq. This does not augur well for world peace.

If countries are to collaborate with America without the central role of UN they would be condoning the illegal actions of the invaders. Though belated, Clair Short, Britain's minister for Development, has realised what a horrendous crime has been committed and continues to be committed. Her resignation implies that the Labour party and the opposition were misled about the justification and goals of the war. She has now frankly and boldly alleged that the coalition has gone beyond the limits. It is this kind of protest and condemnation that is required now to isolate the aggressors and illegal occupiers. They should be tried in the court of public opinion on a regular basis for resorting to falsehood leading to breach of international law. Not to do so will amount to acquiescence to the aggressors and illegal occupiers and to reward them for their wrongdoing.

The world community must remain united in condemning the aggression and demanding a central role for the UN in post-war Iraq. Illegal actions cannot continue with impunity. This will be a great insult to the legal system built up by Hammurabi. The fact that Hammurabi ruled from Iraq makes this all the more urgent and poignant. What is done, is not done, because a few evil men cannot be allowed to trample upon human legacy. The progress of mankind through civilised codes and conducts must not be in vain.

Hasnat Abdul Hye is a former secretary, novelist and economist.

before the Security Council turned out to be based on fake documents. It showed the low to which the mightiest power was prepared to stoop to conquer. Even Blair's dossier on Iraq's possession of WMD has proved to be a figment of imagination, concocted as it was from a student's dissertation.

But the real issue before the Security Council was not whether these allegations made by America and Britain were true as stated but whether these should be part of the UN inspection. While America and Britain were anxious and in a great hurry to attack Iraq with a second resolution, the other members of the Security Council were in favour of finding out the truth through UN inspection. There was no doubt that, though grudgingly, Iraq was complying with UN inspection. Given the slow but steady progress on inspection and the horrors that the alternative of war involved, the world public opinion was overwhelmingly against war. Millions turned up in street demonstrations for peace, in country after country, including America and Britain. Were they being one-sided and emotional? Were France, Germany and the USSR lacking in objectivity when they counselled patience and wanted to give peace a chance? The answer should be obvious except to those who are biased and blind to their wrongdoing. Small wonders, that these public postures by allies and the peace loving people

IN MY VIEW

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Whatever America and Britain may unabashedly say, the war against Iraq has been, by any reckoning, unjust and illegal. Even a non-political figure like the Pope said so at the time. The war had no moral or legal basis, something unprecedented after the UN was established to maintain world peace. Resolution 1141 mentions about serious consequences, but these cannot be interpreted to include war. A second resolution

have to continue to condemn this crime committed in violation of international law and world public opinion. If such flagrant breach of international law is treated with silence because it is a *fait accompli*, the world community or the members of the Security Council who opposed it, will be condoning the crime of aggression. The guilt of complicity will magnify if there is collaboration with the aggressors outside the UN.

In short, there was no casus belli for the last war, at all. For this unwarranted and illegal war, condemnation by the world community has to be kept up. It is to force America to admit guilt, if not now, later. Like Japan and Germany, America and her allies in this war must apologise to Iraqis one day. What is done, cannot be seen as done, when international institutions and laws developed by nations of the world over more than fifty years are contemptuously thrown overboard by a few evil men in a few countries. If such activities are allowed to go unchallenged it will be an insult to human race and a negation of human ingenuity shown in conflict resolution. Only through continuous criticism and condemnation by the world community and the countries who stood for peace can America be made to feel the guilt.

If the war against Iraq was wrong on all counts, what the invaders are doing now is even more reckless and criminal. Having forcefully occupying a sovereign country and a member of the UN, the invaders are now busy brazenly distributing the spoils among themselves. They have not allowed UN the legitimate role of carrying on with arms inspection and rebuilding the war devastated country. Instead, America has appointed its own inspectors and civil administrators. The attitude shows total contempt of the UN

**US-South Asia triangle: A tale of two visits****PROF. BIDWAI**
writes from New Delhi

INDIA received two distinct kinds of visitors this past fortnight: US Deputy Secretary of State Richard Armitage at the official level, and 13 Pakistani members of parliament (MPs) on an unofficial visit. The first visit highlights divergences between New Delhi's and Washington's priorities. The second generates hope and underscores India-Pakistan cultural commonness.

Thereby hangs a tale. The key to improved official-level relations may partly lie in citizen-to-citizen exchanges. US mediation, by whatever name, won't ensure a just peace between India and Pakistan.

During his visit, Mr Armitage goaded both India and Pakistan to draw up a "road map" for a dialogue. He also delivered a message: India must "make up its own mind" on whether President Musharraf is fulfilling his promise of ending "cross-border" terrorist infiltration.

During his five official meetings in Delhi, Mr Armitage said the US won't put diplomatic or economic pressure on Pakistan to ensure its compliance. The onus of how to

assess "progress" on infiltration and respond is on India; "it's not my job".

This bears contrast to June 2002, when Mr Armitage conveyed Gen Musharraf's solemn assurance that cross-border terrorism would end "permanently" and "verifiably", following which India permitted Pakistani overflights. This led to troop demobilisation.

This time too, Indian officials

united, well-rehearsed, sequence of goose-steps.

Ceremonially dressed Border Security Force guards and Pakistani Rangers, with their rooster-like movements, display machismo and mutual hostility as they throw open the gates. The spectators cheer their side—and boo the other.

The Pakistani visitors met a number of Indian MPs from secu-

Regrettably, the Indian government missed a chance to make a goodwill gesture towards the Pakistani people. Had Mr Vajpayee met the MPs, he would have created a tremendous impact among Pakistan's public. Lok Sabha Speaker Manohar Joshi was willing to invite them to the Lok Sabha. But the Ministry of External Affairs didn't "clear" the invitation.

Personal interaction between Indians and Pakistanis is necessary

Begging America to pressure Pakistan was India's only "strategy" in 15 years leading to Pokharan-II and Chagai. India didn't hold even one round of talks with Pakistan on the nuclear issue. Yet, even sanctions under US law amendments (Pressler, Brown, etc.) couldn't compel Pakistan to abandon its nuclear programme. There's no reason to presume US pressure will succeed today... This situation can change only if India and Pakistan open their own lines of communication, and build on the April 18 opening. They must announce unilateral concessions and confidence-building measures.

expected that Mr Armitage would play a pro-active role on the terrorism issue. He didn't. When they suggested that Pakistan has a dual approach to terrorism—cooperating with the US against Al-Qaeda, but obstructing India's struggle against groups like Lashkar-e-Taiba—, he emphasised that Gen Musharraf is himself vulnerable to such anti-US groups.

The Pakistani MPs' visit gives more cause for satisfaction. They crossed the Wagah border to a rousing welcome. It's rare for that border-post to witness such friendship. Twice a day, it hosts a bizarre ritual. As the two national flags are raised and lowered, the gates, separated by no-man's-land, are opened in a perfectly synchro-

lar parties, and interacted in different cities with scholars, journalists, artists and citizens' groups which advocate India-Pakistan reconciliation. Their visit has produced goodwill. Such exchanges must snowball and lead to freer "cross-border" people-to-people interaction.

The MPs' visit was organised by the Pakistan-India Peoples' Forum for Peace, one of numerous citizens' initiatives. The Forum (established 1995) has Indian and Pakistani co-chairpersons, and comprises social activists, teachers, human rights defenders, theatrepeople, retired soldiers, journalists. The Forum has held six India-Pakistan conventions, with over 100 delegates from each country.

to overcome deep-rooted prejudices and remove distrust.

At least two, if not three, generations of Indians and Pakistanis have been taught to think of one another as enemies. Their textbooks vilify each other. Many of them don't believe that normal interaction is possible between the two peoples. They only expect prejudice and personal hostility if they were to visit "enemy" territory.

In reality, as individuals, Indians and Pakistanis get on extraordinarily well. Their societies share much in their culture, languages, music, literature, and day-to-day gestures, even body language. This realisation breaks down barriers which are essential to maintaining

a permanent state of hostility. It creates good faith.

That's why the Pakistani MPs' visit should be reciprocated. Under a SAARC agreement, MPs don't need visas within South Asia. They should use this privilege to a worthy purpose.

The two visits should provoke some serious rethinking. India shouldn't waste much energy in trying to persuade the US to pres-

but not bothered about its own inconsistency. America also knows it isn't easy to dictate terms to Pakistan. For instance, Pakistan-US relations plummeted to their lowest level after the nuclear tests, Kargil and Gen Musharraf's coup. Even in that vulnerable phase, Pakistan couldn't be compelled to stop covert operations.

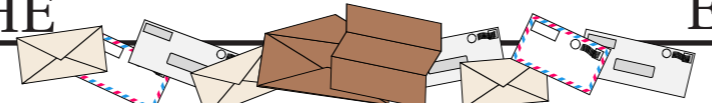
The US intervened when war threatened to break out—as in Kargil, and twice last year. India would be suicidally ill-advised to create another threat of war.

Instead, India should try to reach a rapprochement with Pakistan. In the unequal India-US-Pakistan relationship, the US always gains when the India-Pakistan base is weak. Because India and Pakistan both court it, America wields tremendous clout over them.

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This situation can change only if India and Pakistan open their own lines of communication, and build on the April 18 opening. They must announce unilateral concessions and confidence-building measures. A dialogue brooks no delay.

The US is aware of this duality.

Prof. Bidwai is an eminent Indian columnist.**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.

"Judgement of double-murder at Sutrapur"

I have read with a sigh of relief, the judgement of the sensational Sutrapur double-murder case and conviction to death sentence of 16 criminals, including the main accused Sumon and Shujon. The wailing father of one victim (Sayem) could not survive the proceedings of the case while the rest somehow lived to console themselves and convey thanks to almighty Allah and the judiciary as justice has, at last, been served.

However, I cannot comprehend how the criminals who have been sentenced to death could show "V" sign and also smile, sing and give full-throated slogans-- 'Joy Bangla' and 'Joy Bangabandhu' at the very court premises? I had written in the past about misrepresentation of 'V' signs by accused or convicts but

this time it's too much for me to digest. I just don't understand how such things could happen and how could the law enforcing agencies justify this occurrence.

AF Rahman
*Dhaka***Gulshan-Banani lakeside slums**

Many letters and articles have been written on the vast slums existing on both sides of the Gulshan-Banani lake but the authorities concerned just don't seem to care at all. These slums are a breeding ground for crimes, diseases, anti-social activities and hideouts of criminals and drug dealers. They also provide a sort of protection for land-grabbers and it is possible that many of such slums are given the patronage of the greedy influential groups and therefore the authorities including the police and Rajuk do not take any action.

May I request the Editor to run an editorial on this subject with photographs of the situation alongside the lake? With some investigative reporting, I am sure you can unearth the corruption behind the settlement of these slums including the reasons for total inaction by the authorities.

Zahir A Khan
*Gulshan, Dhaka***'No Parking'**

Nobody disputes the importance of maintaining traffic discipline. But before imposing the iron hand of law the drivers have to be educated and guided in clear terms so that they know what exactly are the prohibitions.

A recent trend established by the traffic authority is most irritating to the motorists in Dhaka. They suddenly swoop on parked vehicles and book them on charge of parking rule violation. This is

mostly happening in places where not a single 'No Parking' board is visible in the vicinity. In the absence of 'No Parking' signs it is evident that parking is not prohibited in these areas and the drivers have the freedom to park their vehicles in empty spots. Often from the hot alteration which takes place between the drivers and the adamant traffic personnel, it becomes clear that these traffic police understand little about the significance of 'No Parking' boards and their bearing on the legality of booking vehicles. They simply want to go by whisms.

As no whimsical approach in the name of maintaining traffic discipline is permissible in a democratic society, we strongly urge the authorities concerned to look into the matter at the earliest and take measures to install necessary number of 'No Parking' boards in places that deems appropriate.

Nurul Islam Khan**Sobhanbagh, Dhaka River and road transport safety**

These days, people take great risks when travelling by river and road transport in our country. Reports of mishaps in roads and river are causing heavy loss of lives and properties have become a regular feature. Some reports are so tragic and frightening that many abandon the desire to travel or travel with anxiety and risks to their lives. But this should not be the case, every tax payer has a right to safe travel and other civic amenities of life.

A simple analysis of the situation indicates that a significant proportion of these accidents are preventable. In most cases the accidents result from overloading of passengers by the greedy transport owners, mechanical faults, poorly designed vehicles especially the launches, carelessness of the

operators, poor traffic control, and lack of enforcement of safety procedures. The most important to these is the overloading of vehicles due to relaxed traffic regulations. Rooftop travelling in train, buses and launches can be instantly controlled if the traffic regulations are active, unfortunately they are not.

The government needs to take immediate action. They have banned polybag, removed the polluting 2-stroke autorickshaws, and also saved the trees in Osmani Uddyan, then why can't they be successful in ensuring safety in our transport sector?

Nazma Ahmed Kona
*Mohammadpur, Dhaka***The role of police**

Recently the newspapers have quoted the Finance Minister Saifur Rahman as saying that the deteriorating law and order situation of

our country cannot be controlled by the big *tummied* OCS.

He has rightly expressed the people's views which was dormant in their mind for long. In this regard the Minister has recommended for the replacement of such OCS by the hard working and efficient first class officer who will be able to take timely decision under any circumstances and be able to bring about a qualitative and substantive change in the overall standard of improving law and order situation which is the lone cause of discouraging the foreign investors to invest in our country.

It is needless to mention that the law and order situation is mainly responsible for the deplorable situation of economy of our country. The remark of FM has been widely acclaimed by the people of all classes especially by those who have suffered much by the police who have been entrusted with the responsibility of ensuring the lives

and securities of the people.

The time has come to modernise the police forces in a way which will regain the lost confidence of the people. Considering all the facts the government may appoint the army officers in the rank of 2nd Lt or Lt or Captain to the post of OC.

A Shahadat*Godagari, Rajshahi***Price hike**

It has become absolutely impossible to lead a decent life with continuous price hike. Fuel price hike, bus fare hike, electricity price hike and not to forget about increasing price of almost all the daily commodities.

Has the authorities concerned ever considered the fact that if our income remains the same, how are we to cope up with this price hike?

Sameer Moim*Lalmatia, Dhaka*