

Counter-terrorism bureau, unit, agency or what?

It is equally true that we ought seek all the help that is available, without any strings attached, to enhance our capabilities to address the threats of terrorism that the nation might face in future. And we must seek the best that is available in the form of hardware and software. And cooperation must be sought not only internationally but also regionally. But it is for the government to make clear to the public the arrangements that have to do with the security of the country. Any arrangement that has the potential of impinging on our sovereignty must be abjured.



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STORIES have been making the rounds last week of the possibility of some sort of arrangement between the governments of Bangladesh and the US with regards to enhancing Bangladesh's capability of combating terrorism. The people are generally in the dark about the what and wherefore of the concept, and as such, speculation has been rife as to the type, set up, manning, terms of reference and what have you, of the proposed organisation.

Some political parties have been quick to express their reservations about any arrangement with the US on matters related to the country's security, their main concern being whether doing so will cause abridgement of our sovereignty, given the US stance in this matter, demonstrated strikingly in the violation of Pakistan's air space in what the US termed as an attack on a location where the number two in the Al Qaeda hierarchy, Ayman al Zawahari, was suspected to be present. Not only is note made of the fact that there was no remorse for the action that caused the death of eighteen civilians, statements from the administration as well as from members of both the political parties in the US, and their attitude, displayed scant respect for a third country's sovereignty.

There are several reasons for public speculation and fear about the whole matter of establishing a counter-terrorism "bureau" of sorts in Bangladesh linked to the US. As reported, the two countries are likely to "set up an institutional framework of counter-terrorism bureaus," the modalities of which is to be worked out during the visit of Ms. Christina Rocca, who is in fact arriving in Dhaka today.

We are willy-nilly a partner of the US in its war against global terrorism. And to jog the readers' memory a bit, it was during the visit of Cofer Black, head of counter-terrorism in the US State Department, to Dhaka in September 2004 that he described Bangladesh as a partner in the US war on terror. And it was not without the prospect of a long-term strategic dividend that Bangladesh was included as one by the US in its war against terrorism.

Christina Rocca's statement in September 2005: "Bangladesh's membership in the counter-terrorism coalition has helped to remind the world that this is a war against terror, not one against Islam" illustrates the US motivation in taking Bangladesh onboard.

Bangladesh has many protocols with the US but one is not sure how many of those relate to security, particularly to counter-terrorism. However, what we get to hear about a new arrangement to combat terrorism is perhaps a fructification of ideas that might have been floated during several visits of high-ranking US officials in the past several years. At the end of Cofer Black's visit in September 2004, the Bangladesh Foreign Minister had said that there were many protocols with the US, and replying to a question if there were any agreement in combating terrorism, the Foreign Minister added that "if required new protocols could be signed." What is probably on the anvil is the first draft of a likely protocol to formalise and concretise an institutional arrangement in this regard.

And that has caused consternation to be expressed in Bangladesh, not unnaturally, at a public level, given the wide chasm that exists between the government's perception of the US war on terrorism and that of the common man.

Some of the gray areas that are being talked about may be worth a look.

There is apprehension as to the form of the new arrangements. A "bureau" means very little and conveys nothing about its character. Whether it would be a uniquely organised unit, with all the elements that go with anti-terrorism activities organic to it, is not clear. Some wonder whether there will be an altogether new agency in the shape of the NSI, for

collecting and collating intelligence, and advising the government on anti-terrorism matters. If that were so what will be its status in relation to the existing agencies? And what will be its terms of reference? Whatever may be its form, one is not sure as to the substantive work that it might be employed in. What frays some Bangladeshi nerves is the prospect of the new organisation making the highest intelligence agency in the country subservient to it. If not so, at least one is uncertain as to the nature of the hierarchical arrangements in dealing with intelligence matters in the country. What, however, has been foremost in the minds of the people and some of which have appeared in the newspapers is whether there will any element of "jointry" in the proposed set up, and whether and if, there is an US element in the set up, what will be its modus operandi, in that event?

Confusion has been added to the matter by reports quoting security officials unwilling to be named, suggesting that the Bush administration wants to establish a counter-terrorism unit in Bangladesh, with an initial grant of \$100 million for the outfit. The US Deputy Secretary of State for Political Affairs Nicolas Burns was to have discussed Washington's proposals, which will now perhaps be done by Ms. Rocca. The counter-terrorism unit would be

developed under direct US supervision. The US would also provide training and equipment to Bangladesh's 707th Special Mission Battalion counter-terrorism unit.

There is little doubt that Bangladesh is ill-prepared in addressing the menace of terrorism that has afflicted our country more virulently recently. Our record in unearthing the incidents of bombings that so far have taken several hundred lives is hardly convincing evidence of our competence in collection and collation of intelligence and is even a worse specimen of our investigative abilities, though not all the faults lie with our intelligence agencies.

It is equally true that we ought seek all the help that is available, without any strings attached, to enhance our capabilities to address the threats of terrorism that the nation might face in future. And we must seek the best that is available in the form of hardware and software. And cooperation must be sought not only internationally but also regionally. But it is for the government to make clear to the public the arrangements that have to do with the security of the country.

Any arrangement that has the potential of impinging on our sovereignty must be abjured.

The author is Editor, Defence & Strategic Affairs, The Daily Star.

EU on elections

One more voice for sanity

We are heartened by the fact that the visiting EU delegation has come to Bangladesh to look into the question of free and fair elections, and that they have come up with a number of concrete and eminently sensible propositions that it would be hard to argue against.

We are equally heartened to note the response of the government to the arrival of the delegation. The only disappointment is the delegation has not been able to gain an audience with the CEC, perhaps the most important official they would have wanted to speak with on the subject of the upcoming polls, as he has unfortunately fallen sick and was unable to meet with them.

Other than this, though, the trip seems to have been quite fruitful, and this is in large part due to the government's accepting the delegation and its mission with good grace. We have not heard angry accusations that such a visit is an affront to our sovereignty, and it seems to us that the government is showing maturity and statesmanship by treating the visit as one of well-meaning allies intended to help the election process.

The suggestions put forth by the EU delegation are straightforward and uncontroversial. It would be hard to argue against the suggestion that there should be accountability and transparency in the workings of the EC. Similarly, short and long-term election observers is a fine idea.

The notion that the EC should be independent and strong and free from the PMO's authority is one that we have suggested in these pages many times before. Not only us, both others in the media and civil society have also said so, and there is no doubt that such independence is crucial to the EC being able to fulfil its functions properly.

The EU delegation has merely underlined what we already know. Let us now move forward and implement the necessary changes. Without them, the credibility of the next elections will be called into question, and the last thing this country needs is an election with a cloud of suspicion hanging over it.

EC appeal yet to come about

Its credibility still under clouds

WE note that the Election Commission (EC) is not filing an appeal against the January 4 High Court directives on voter list with the kind of promptitude that was expected, given the pressing nature of the issue. Add to this the time that must be taken up by the court in disposing of the appeal.

The rather belated initiation of the appeal process lends itself to all kinds of negative interpretations and speculations. The EC lawyer has pointed out that they are going by the 60-day time frame for filing an appeal, of which three weeks have already gone by. Obviously, one misses the urgency in dealing with this matter of grave importance. On the face of it, the dilatory tactic originally adopted is being accentuated, thereby casting a shadow on a well conducted preparation of the voter list. It gives rise to an uncharitable interpretation of the EC's intention.

As we observe the dilatory nature of the CEC's handling of the whole issue, we cannot help mention a certain other factor which relates to the occasional illness of the CEC in recent times that added to the overall delay. The court directed on January 4 that the CEC hold a meeting of the Commission with his colleagues but unfortunately he fell sick. Then came the appointment of two new commissioners by the government and in the sequel to it the CEC convened the long pending meeting, fully secure in his belief that he has the majority in the EC to have his way, apparently oblivious of the need for democratic consent. As if to continue in the same mode, when the EU delegation was scheduled for a meeting with him, he cancelled the appointment on health grounds.

From all these, the only conclusion that one can draw is that if the credibility of the EC was on the line before, it is now clearly placed in a state of jeopardy. And unless things change for the better, we cannot but view the conduct of the next general elections with undisguised trepidation. Time is running out. The primacy of the agenda for holding free and fair elections must be restored to breed public confidence in the EC, an institution that must remain above all controversy.

The last nail in the coffin of democracy?

Notwithstanding the very explicit ruling of the nation's highest court, given in a very transparent and unambiguous terms, the CEC, still a judge of the appellate division of the supreme court chose to ignore and defy the directives. The CEC, with his newly acquired majority in the EC and its unchallenged indemnity to defy the ruling of the HC, is in the commanding seat to steer through all his ideas and plans, which he alone considers lawful and appropriate for the benefit of the nation's arduous journey through the process of democracy!

MOZAMMEL H. KHAN writes from Toronto

TWO commissioners appointed to give the CEC majority, read the headline of the January 17 issue of The Daily Star. It further reported, "in the wake of an impasse over preparing a fresh voter list, the government in a hasty move yesterday appointed two more election commissioners apparently to win the chief election commissioner (CEC) the majority in the commission." The "clever government move" apparently gave the CEC the much awaited medicine to cure his illness from which he was suffering for thirteen long days since the ruling of a High Court (HC) bench issuing some very common sense directives for the Election Commission (EC) to follow in the preparation of the voter lists. In the wake of the ruling, the CEC was so sick that he was not even able to entertain the telephone calls, a minimum courtesy, from his fellow commissioners who tried unsuccessfully more than once to get through to him! Now through the stroke of a pen of the honourable President of the Republic, who, naturally under the advise of the honourable Prime Minister, has appointed two citizens of the Republic as election commissioners and the CEC, himself an honourable

judge of the highest court of the Republic, has miraculously given himself a clean bill of health to come back to work and hold the much overdue meeting, as directed by HC, of the EC to proceed further with his agenda!

The two newly appointed Election Commissioners, the salient features of whose credentials as appeared in the news media are not any different from those of any other appointees, executive or constitutional, under the current government since its inception to the helm of the state some four years ago. Out of the two, one of them was a highly talked-about 'representative' of the alternate centre of power in the EC, and was dubbed, obviously, by many as a downright adherent of the ruling alliance. His unflinching loyalty to his appointer was scrupulously reflected in his vituperative, if not virulent, comments about two of his senior colleagues (superiors a few minutes ago) when he said, "they [Munsef Ali and Mohammad Ali] know nothing. They are illiterate. They have tarnished the image of the election commission by talking nonsense, which must be stopped right away." The other commissioner, who is a retired judge of the HC, reportedly was an active member of the pro-BNP lawyer forum and was

rewarded with the appointment when BNP was at the helm of the state in 1992. He, too, spared no time to jump at the fray of criticisms, however, not explicitly directed to his colleagues, but to the HC itself, of which he himself was a honourable judge until 2000. His utterances, vis-à-vis the HC directives to EC, such as, "it's not a High Court directive. It's its certain observations. It's absolutely [self] contradictory and beyond its (the court's) jurisdiction", challenge the very jurisdiction of the court.

The newly appointed commissioner further went on, "since the judgement is not lawful, the question of compliance does not arise." Here the retired judge portrayed himself as an arbiter, not advocate, to pronounce the HC judgement of a writ of so much national importance as unlawful. If his words carried any substance, then the HC was not empowered with the authority to give any ruling pertaining to the activities of the CEC or the EC for that matter. If that were so, the HC should not have entertained the writ petition in the first place. This is a serious constitutional matter and the nation's constitutional experts and its highest court should be dealing with it on an urgent basis. If the retired judge, with his newly vested authority has stepped his feet

into a no-no territory, the HC, through its power of suo motu should be dealing with the comments, which by all standards are contemptuous of the highest order, to say the least.

The CEC, since his appointment, in the face of the disapproval of the major opposition political parties, as the principal vanguard to carry forward the most vital process of nation's democratic exercise has been mired with controversial and partisan activities in line with the alleged blue print of 'election engineering' by the ruling alliance. One after another, his indiscreet activities and injudicious declarations, rather than alleviating the suspicions of the opposition, have intensified their apprehensions that the CEC is destined to carry out the agenda of the ruling alliance, the least of which is to hold a fair and impartial election.

Earlier, the CEC was creative enough to discover 120 or so political parties to invite for dialogues and equated AL, the largest political party of the country, with any other. His comments about the AL were so imprudent that even it generated an irked advice from a leader of a component of the ruling alliance during his meeting with him. Even the PM, in her recent effort to stage a dialogue to tackle the national crisis, could not find more than two dozens political parties that would matter. The CEC went out of his way to support the appointment of the BNP cadres as the Upazila election officers by the PSC, believed to be a far fetched evil design of the government to implement its master plan of 'election engineering', as alleged by the opposition.

For long, it has been a national consensus to make the EC independent from the executive branch of the state, especially to make it free from the clutches of the PM's office. The HC has already issued a rule (January 2, 2006) on the government and the EC asking them to explain why the functioning of EC Secretariat under the jurisdiction of Prime Minister's Office will not be declared illegal. The HC ruling went further by asking them to explain in three weeks why government's formulation of rules for the EC will not be declared illegal and unconstitutional as the Constitution and the Representation of the People Order 1972 empower the EC to formulate its rules. Notwithstanding the aforesaid HC ruling, the opinions of a few former revered CECs and the common sense observations of the citizens from all spectrums of the nation about the lack of independence of the EC, the CEC went out of his way once again to declare that he did not find any lack of independence of the EC under its present structure.

The CEC was not at all perturbed by the news report that the ruling alliance cadres have been delegated to make the new voter list, which he, disregarding the stiff opposition from the other two election commissioners, initiated. An observation of the HC, a part of the ruling of January 4, 2006, reiterated, "a fair voter list is the prerequisite of a free and fair election and if any confusion is created in public mind in this regard, the EC will be considered to have failed in discharging its constitutional duties." Notwithstanding the very

explicit ruling of the nation's highest court, given in a very transparent and unambiguous terms, the CEC, still a judge of the appellate division of the supreme court chose to ignore and defy the directives. In the pretext of the so-called illness, he was allegedly working behind the curtain to collude with the government to appoint the two new commissioners to hand him the majority in the commission to carry forward with his agenda.

With a dysfunctional parliament, a partisan President at the helm of the state, a controversial to be chief of the future CTG and the PM's refusal even to discuss the opposition's reform proposals as regard to the EC and the CTG, the democracy in Bangladesh was perhaps already on notice to get ready for its burial. With the appointment of two extremely partisan election commissioners, believed to be in collusion with the CEC, the government seems to have hammered the last nail in the coffin of democracy. The CEC, with his newly acquired majority in the EC and its unchallenged indemnity to defy the ruling of the HC, is in the commanding seat to steer through all his ideas and plans, which he alone considers lawful and appropriate for the benefit of the nation's arduous journey through the process of democracy! At the end, it all boils down to the ordeal of how deviously the citizens of the Republic, in particular, and the international community, at large, could be fooled by the CEC and his patrons.

Dr. Mozammel H. Khan is the Convener of the Canadian Committee for Human Rights and Democracy in Bangladesh.

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

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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.

Preparing voter list

It is necessary to have an accurate voter list for fair election. A list of voters can be prepared either by revising the existing list or by making a new list. In either case correct information on the status of the voters in any area will be required. Correction of the voters may be carried out as follows.

- 1. Voters who do not live now in that area must be deleted.
- 2. Voters who died or are mentally deranged should be eliminated from the list.
- 3. Voters who have reached 18 years of age have to be added.
- 4. Voters who arrived in that area must be included in the list.

In any case, the correction of the list is to be made according to the changed circumstances to

ensure a proper voter list. The only way to ensure the information to collect necessary data from door to door survey of the voters by filling in the form for this purpose. This survey will be essential either to correct the existing list or to make a new list. In fact, a new voter list will be required after necessary correction based on the door to door survey.

So the preparation of the voter list can continue in this way. The process may be computerised as much as possible to avoid error.

Every voter will have sufficient time to correct the list and add to or subtract anything from the list in due course of time. So the apprehension that there may be partisan entry can be eliminated. I think the on-going hue and cry

on preparation of the list is unnecessary.

M. Shiblee
Mohammadpur, Dhaka

Dowry

My reverend grandfather left his village home in the depths of Cornwall and became a Christian minister in the slums of Merseyside in 1884 and I have his diary for his first 18 months in the ministry there. One of the incidents I noted was his first visit back to the farm in the summer of 1885 and the breaking of his engagement with 'Susie'. The break-up was supervised by the minister and the Sunday School leader, presumably, to make sure that all was done properly. All the presents that Joshua and Susie had given to one another had to be returned - even one of a pair

of gloves when the other had been lost!

Such a situation can still be a minefield with false assumptions and unkept promises causing many problems and much distress - like dowry, in fact. Would it be out of the question for local worthy people, maybe enlightened religious leaders, to supervise promises to marry and check that both sides are quite clear what will be done and what will not be done? You see, I have noted that, in this dear culture, saying a firm, "No!" is considered rude and I fear that, when a request for dowry is made, the girl's family respond with "Well - maybe...." and the bridegroom's family go off and mentally spend the money (several times over, probably!) and then, when it is not forthcoming, they are understandably angry.

Could not the arrangements concerning wedding gifts etc be made in front of those who would know what were realistic demands on the families concerned? Could they not, with growing levels of social awareness, put pressure against one-sided demands? Could not a contract be drawn up, promising to make no further demands - then everyone would know what was what? Then, if there were subsequent bad behaviour, it would not be for want of trying.

It is not only in Bangladesh but also in every country; things go wrong when someone, somewhere, does not get the contract straight! Incidentally, my grandfather was engaged within 3 months to my grandmother, one of his Sunday School teachers and there was no

mention of this engagement being supervised, so maybe it was just an English country tradition that had lingered on in distant Cornwall - but it was not a bad one, eh?

Angela MV Robinson (Rev Mrs)
Principal of The British School
in Dhaka

Mobile owner identification

At long last, we see an initiative from the government, as Bangladesh Telecommunication Regulatory Commission has asked cell-phone operators to collect personal details of existing subscribers or snap connections in case of failure. Well, better late than never! We just hope the concerned authorities maintain and continue strict follow-ups in this

regard. I quote verbatim from my letter to the DS on this issue written in July-05: "... cannot help but wonder about the large proportions of indiscriminate issuance of mobile-phone ownership, especially in case of the pre-paid connections, which is really a pressing issue. Even in our neighbouring country, all the Mobile Service Providers follow the system of demanding photo-id (as opposed to photo only), i.e. Driving Licence, Passport, etc. to issue a new SIM. At this stage, our government should compel all the mobile operators of the country to review all such connections by setting up separate teams, if necessary, which these companies can easily afford as they are earning huge revenues. And after that, each mobile phone company should reconfirm the Home

Ministry on such Identification status. At present, when a miscreant makes a threat on a person's mobile the respective Company's enquiry hot-line says they do not maintain the particulars for pre-paid numbers or that, they will only give out such particulars on request from the police! ...". Now, the Mobile Service Providers shouldn't be allowed to shun their responsibilities by saying: "... it is almost impossible to gather personal details of the existing pre-paid customers as the operators do not maintain any contact with them ...". All service providers have to be directed to send letters to the addresses provided on their Application Forms and/or to call each number. They have to straighten things out.

CNR
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