

Fund-raising of political parties



M ABDUL LATIF MONDAL

HERE may not be two opinions that democratic system in a country cannot function without political parties. It is also to be admitted that political parties are like any other organisation that needs funds to function. Political parties need funds mainly for three activities: election campaigns, inter-election maintenance of their organisations and political activities, and support of research and information infrastructure for the parties. In most cases election campaigns are the primary visible activity requiring funds.

In the absence of any law in Bangladesh regulating the fund-raising of the political parties in a transparent way, they are raising funds in a dubious way. Raising of funds for political parties continues to be a secret affair and the political parties are not required to submit to the Election Commission (EC) the audited annual statements of their income and expenses. So, there is lack of transparency in the whole issue.

Let us now look into the legal provisions existing in some countries regarding fund-raising of political parties.

In the UK, the Political Parties, Elections and Referendums Act 2000 (PPERA) introduced a regulatory framework governing the registration and finances of political parties. The salient points relating to financing of a registered political party are as follows:

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BARE FACTS

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receive donation which will include: (a) any gift to the party of money or other property; (b) any sponsorship provided in relation to the party; (c) any subscription or other fee paid for affiliation to, or membership of, the party; (d) any money spent in paying any expenses incurred directly or indirectly by the party; (e) any money lent to the party otherwise than on commercial considerations; and (f) the provision otherwise than on commercial terms of any property, services or facilities for the use or benefit of the party.

—A registered political party shall receive donation from permissible donors that include (a) an individual registered in an electoral register; (b) a company registered under the Companies Act of 1985 within the UK or another member state that carries on business in the UK; (c) a registered party; (d) a trade union entered in the list kept under the Trade Union and Labour Relations (Consolidation) Act, 1992; (e) a building society (within the meaning of the Building Societies Act, 1986); (f) a limited liability partnership registered under the Limited Liability Partnership Act, 2000; (g) a friendly society registered under the Friendly Societies Act, 1974.

Under the Political Parties Order (PPO) 2002 of Pakistan, the sources of a political party's funds include: (a) membership fee and voluntary contribution made by the members of the party towards the

party's funds; (b) contribution made by the supporters of the party.

Under the law, receipt of any contribution from any foreign government, multi-national or domestically incorporated public or private company, firm, trade or professional association stands prohibited. Political parties may accept donations and contributions only from individuals.

Any donation or contribution which is prohibited under the PPO shall be confiscated in favour of the state.

The Political Parties Rules 2002, which have been made to carry out the purposes of the PPO 2002 provide that every political party shall maintain its accounts indicating its income and expenditure, sources of funds, assets and liabilities and shall, within sixty days from the close of each financial year (July-June), submit to the Election Commission a consolidated statement of accounts of the party audited by a chartered accountant, accompanied by a certificate, duly signed by the party leader to the effect that no funds from any source prohibited under the PPO 2000 were received by the party and that the statement contains an accurate financial position of the party.

Traditionally, political parties in India financed themselves through private donations. Company contributions to political parties were legal, subject to certain restrictions,

and had to be declared in the company's accounts. There were limits on election expenditure since the Representation of the People Act (RPA) 1951. Company donations to political parties were banned with effect from 1969.

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Bogus voter list stokes up the heat



MD. ASADULLAH KHAN

WITH the AL-led 14-party opposition combines' refusal to sit with the Jamaat members included in the BNP-led alliance for talks on reforms in the election commission (EC) and caretaker government, the deadlock is likely to generate enough heat in the streets of the cities and towns in Bangladesh already bursting at the seams in this hot summer days. Predictably, this summer has begun with the unremitting grime of politics coinciding with the power and water crisis exacerbated by uncontrollable price hike of essentials and of late added to it the unprecedented garments sector turmoil.

Inevitably, bypassing all these dark scenarios, the national mood is now upbeat with the parliamentary election due in January, 2007 and public attention is focused on EC and the caretaker government. With the High Court now nullifying the controversial voter list should the CEC resign to save EC from further disgrace? Shouldn't he be made liable for draining Tk 60 crore on bogus voter list project?

Soon after his appointment as CEC, Justice M.A. Aziz has attracted controversy for his frenzied attempt at preparing a fresh voter list in contravention of the existing rules that mandate updating the previous list. His conflict with the two past members of the commission and his insensitive utterance at times and inaccessibility to the press have added to the controversy. But surpassing all the phrases doing the rounds usually during elections, such as rigging and booth capturing, a new one has been added ahead of the parliamentary polls: bogus voters' list. It is worth recalling what the CEC told during an interview with the media representatives: the EC just works as a post box and it has no hand in manipulating an election result and it will meet the people's expectation without being partisan. But recent reports carried by the electronic and print media about preparation of bogus voter list even in the capital city

The major parties have been feuding for more than two years on the composition and powers of the caretaker government and Election Commission. How much they have won, people do not know. But people know it for certain that the country has lost a lot and will lose a lot more unless there is any reconciliation. With all the hopes and trusts that the people have invested in the government till now, it can ill-afford to prove unequal to the task.

have proved it otherwise.

Evidently, a list of non-existent 900 bogus voters handed over to the Assistant Registration Officer, Agargaon allegedly at the instance of the EC for inclusion in the draft voters list tarnished its image. Moreover the EC has not yet come out with any explanation about the inclusion of bogus voters in about 20 districts revealed in the preliminary investigation carried out by the media. Astoundingly, another report suggests that against the Char Ashrayan project in Rangpur district although not a single soul lives there, some 2200 names have been put on the draft voter list. Surprisingly, some thousand stranded Pakistanis living in Khulna and even in Mirpur area of Dhaka city have been included in the draft voter list against their will.

It is worth recalling the role Election Commission in India played in the recently held Bihar and West Bengal Assembly elections. After receiving complaints the commission officials visited Bihar and deleted as many as 18 lakh fake names from the electoral rolls and added about four lakh names dropped earlier. While visiting West Bengal on receipt of complaints that bogus voters existed there, the EC, after making a thorough survey and checking, deleted over 13 lakh names of false voters from the electoral rolls and admitted 21 lakh new names in the list. With the opposition, namely the Trinamul-BJP combine and the Congress nurturing high hopes that this level ground to fight, the left Front won the election for the seventh time with a landslide margin. And pleasantly true, the parties losing the election did not have a word of complaint.

One factor that played a crucial role in helping the Left Front to win was its choice of candidates: they did not issue nominations to most of the past senior ministers in consideration of the dismal track record they left behind and secondly they had chosen candidates who were young, energetic and talented. Moreover, the EC played a completely neutral role judiciously deploying state and central security forces, especially in the

trouble-ridden places. Unlike the EC members in our country who keep themselves shut in the capital city all the time even after receiving complaints of malpractice, Election Commissioner K.J. Rao travelled through the state extensively to learn about electoral malpractices and then set about trying to contain them.

Coming back to our case, the first and foremost duty of the commission should be to handle their job in a free and fair manner without any bias to any of the parties contesting the election and the law enforcement machinery should remain completely at the disposal of the Election Commission during the three months of its tenure. With the track record of the present EC during the last few months, it does not even remotely seem that it can fulfil people's expectation. Better the CEC should resign yielding place to a neutral non-partisan CEC to hold the parliamentary election really in a free and fair manner.

The BNP-led alliance government speaks in riddles. On the one hand it says that it will participate in the dialogue. On the other, it says that a free and fair election could be possible with the existing laws and form of the caretaker government and EC. Compounding with the difficulties people experience in this hot summer days for non-availability of water and power, the letter throwing game has stoked up much more heat than they can bear with. Apprehension, despondency and despair hang over the country as people ponder the difficulties and hardship in the days to come because of the crippling state of business, transportation and non-functioning of the development sectors.

Unhappily for the incumbent government or any party taking fancy in that line, the country today appears doomed to endure governments or institutions that lose their way. When crises require leaders to show political will and flexibility, all they produce is the petty politics of compromise brokered after huge blood letting, clashes, conflicts and orgy of destruction.

During the last few years, peo-

ple in the driving seat have squandered a unique opportunity of salvaging the politics and economy of the country. There are ample evidences that masses were ready, even eager to hear some of the hard facts that intimate a yearning for change. But for a change to take roots, the country needs leadership with bold and persistent experimentation. And the best way a populist government can do it is to treat people's mandate as a tool for governing rather than as an asset to be hoarded for all time.

But with the election just seven months away the leadership must be able to produce the kind of jolt that will cause people even in the remote tea-shops, to talk once again about the future with hope, not fear.

The major parties have been feuding for more than two years on the composition and powers of the caretaker government and Election Commission. How much they have won, people do not know. But people know it for certain that the country has lost a lot and will lose a lot more unless there is any reconciliation. With all the hopes and trusts that the people have invested in the government till now, it can ill-afford to prove unequal to the task. Those in the administration must be knowing it better that the country's economy is heading towards an inexorable decline. It may deal a further blow to multiparty democracy extinguishing the halo and glimmer of hope. With all that has happened in the past and the problems that have gripped the country now, the ruling party should consider it an awesome obligation to make people believe that they are masters of their destiny. The country now needs leaders armed with more will than anything else to stimulate the economy that is sinking.

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Is oil and gas exploration in the Bay turning into a geopolitical issue?

DR. AFTAB ALAM KHAN

BANGLADESH entered in oil and gas exploration in the Bay of Bengal in the year 1974 under Bangladesh Petroleum Act 1974. Six international oil companies such as ARCO, Union Oil, Ashland, CSO, Inanaftapl, and BODC began their offshore exploration activities under production sharing contract with Bangladesh. The offshore exploration coverage was demarcated between latitudes 20°N-22°N and longitudes 89°E-92.5°E. Total seismic data coverage by all the six international companies was a little over 31000 line-kms. Quite a good number of prospective structures were found. Several structures were drilled and most of them encountered very high formation pressure most likely due to the presence of gas.

Kutubdia well drilled by Union Oil confirmed the presence of gas. For some reasons, all these companies wound up their exploration activities by the end of 1977. The discovery of Sangu gas field offshore recently once again raised demands for fresh oil and gas exploration venture in the offshore region of Bangladesh. New 20 offshore blocks, excluding already existing 23 blocks, have been proposed for third round bidding. The new offshore blocks cover an area of about 106,500 sq.miles within 200 nautical miles of exclusive economic zone (EEZ) of Bangladesh.

Oil and natural gas exploration on the seabed also led many nations to look beyond their territorial waters. The gas discovery in the Krishna-Godavari offshore and Mahanadi offshore of India indicates oil and gas prospect in the western part of the Bay of Bengal, while same applies to the eastern part of the Bay of Bengal due to gas discovery in the Arakan coast of Myanmar. Meanwhile, India and Myanmar have also entered for oil and gas exploration in their respective EEZ zones. Controversy and dispute have recently cropped-up when both India and Myanmar have assigned their EEZ limit partly overlapping with the EEZ of Bangladesh. In order to resolve this dispute, India, and Myanmar should honor the UN Convention on the Law of the Sea (UNCLOS).

According to the UN convention, the control of the oceans is regulated by the 1982 Law of the Sea Convention that went into effect on November 16, 1994. This law defines oceanic jurisdiction for all nations. It establishes the principle of a 200-nautical-mile limit (370 km) on a nation's exclusive economic zone (EEZ) whereby a nation controls the undersea resources, primarily fishing and seabed mining,

The question is where from at the shore / baseline the 200 nautical miles would be measured. On the other hand, a baseline is not the coastline rather the baseline is the reference line within the shore zone covering spatial zones of both backshore and foreshore upto the shore face. In terms of international agreements, water areas with a depth less than 70 fathoms are marked as the shores from which economic zone of 200 nautical miles are measured. This excludes 12 nautical miles of territorial waters.

for a distance of 200 nautical miles from its shore / baseline. The convention includes provisions for establishing the various maritime zones of a coastal state such as the Territorial Sea up to a distance of 12 nautical miles from the baseline, the Contiguous Zone of 24 nautical miles, and the Outer Limits of the Continental Shelf beyond 200 nautical miles. UNCLOS states that except where otherwise provided in the Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State (Article 5, Section 2).

It further states that in localities where the coastline is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured. Where, because of the presence of a delta and other natural conditions, the coastline is highly unstable, the appropriate points may be selected along the furthest seaward extent of the low-water line and, notwithstanding subsequent regression of the low-water line, the straight baseline shall remain effective until changed by the coastal State in accordance with the Convention (Article 7, Section 2).

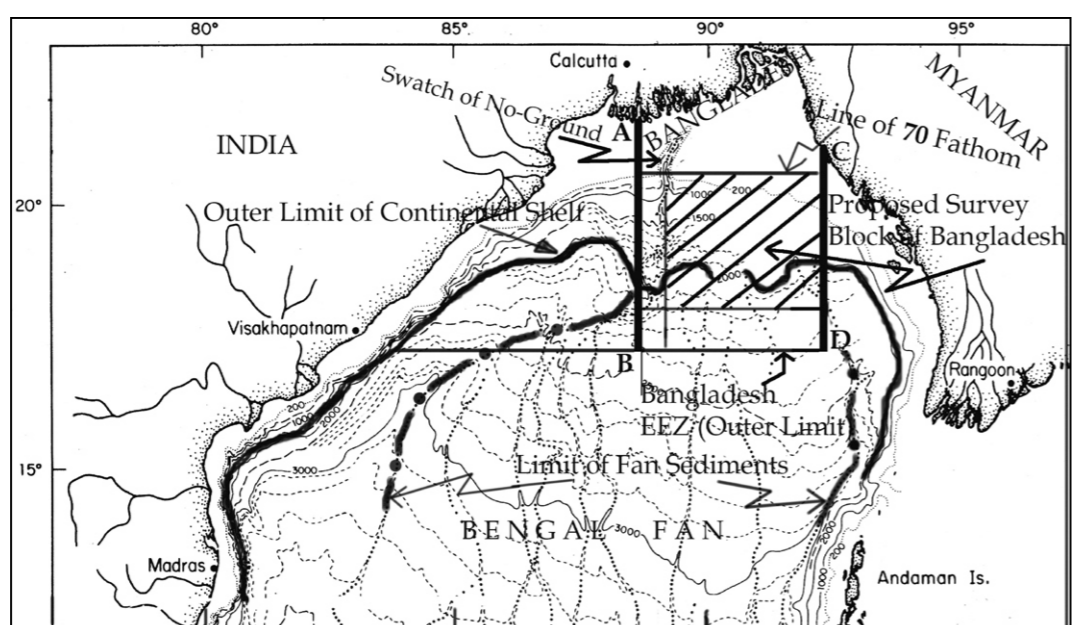
While the Territorial Sea, Contiguous Zone and EEZ follow essentially from the baseline, the outer limits of the Continental Shelf have to be established by physical surveys in accordance with the guidelines contained in the Convention.

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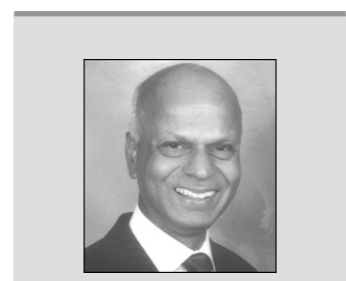
Based on the above convention and the physiographic conditions of the coastal region of Bangladesh, it is opined that Bangladesh claim

its jurisdiction of the sea covering an area demarcated as ABCD of the enclosed map. The claim of Bangladesh is also geo-scientifically justified because both India and Myanmar does not have the continental shelf that develops with the kind of accretion that takes place along the Bangladesh part. The continental shelf of Bangladesh is much greater than that of India and Myanmar. The line of 70 fathom of Bangladesh shelf is also much greater seaward. The deep-sea canyon, known as "Swatch of No-ground", which is the principal avenue for transportation of Bengal Fan Sediments, also occurs inside the Bangladesh Territorial Water. It is further envisaged that the proposed offshore survey blocks of Bangladesh is well inside the demarcated jurisdiction offshore area. If it is true that both India and Myanmar has set its offshore survey area overlapping partly with the proposed survey area of Bangladesh then it needs to be considered as defying the UN Convention.

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Alliance of civilisations and Ibn Khaldun



CHAKLADER MAHBOOB-UL ALAM writes from Madrid

IT requires a great deal of courage and conviction to propose an alliance of civilisations today when a virulent strain of religious intolerance in general and an obscene form of fundamentalism in particular seem to have infected much of the world, even though it is a noble cause. But Mr. Rodriguez Zapatero, the current Spanish prime minister is a man who is never afraid to take bold initiatives.

Speaking before the UN General Assembly in 2004, Mr. Zapatero proposed the creation of an alliance of civilisations between the West and the Muslim world with the fundamental objective of deepening political, cultural and educational relations between their representatives. Later, Mr. Recep Erdogan, the Turkish prime minister joined in. As a result, the initiative has now got two co-sponsors. In launching the initiative, Mr. Kofi Annan, the UN secretary general said, "Events of recent years have heightened the sense of a widening gap and lack of mutual understanding between Islamic and Western societies. The objective of the initiative is to bridge divides and

LETTER FROM EUROPE

We hope that this initiative for an Alliance of Civilisations does not meet the same tragic fate as the one sponsored by the Iranian President Mohammad Khatami in 1998, which also called for a dialogue between civilisations. Still, for those of us who do not believe in the inevitability of a clash of civilisations, there is no other way but to keep trying to build bridges between cultures and civilisations even though it is a very slow and pains-taking task.

overcome prejudice, misconceptions, misperceptions and polarization which potentially threaten world peace". Because of European colonialism over the last three hundred years, which created a false sense of superiority in Europe about Western civilisation, there exist great misconceptions in Europe and elsewhere about Muslim contribution to knowledge and civilisation. Actually, I have often been struck by the level of ignorance and the lack of curiosity among the ordinary people in the West about other cultures and civilisations.

As part of this initiative for Alliance of Civilisations, an exhibition on the life and works of a fourteenth century Hispano-Muslim thinker called Ibn Khaldun was inaugurated by the King Juan Carlos of Spain, last week in the southern city of Seville. Ibn Khaldun fits in perfectly in this initiative. Although he was born in Tunis, his family came from Seville, where he later lived and worked as the ambassador of the then Muslim king of Granada. He is widely considered as one of the greatest thinkers the world has ever

produced. He was a sociologist and an historian, whose research depended on empirical analysis, logic and deduction. Arnold Toynbee, the famous twentieth century English historian described Ibn Khaldun's work in this field as "a philosophy of history which is undoubtedly the greatest work of its kind that has ever yet been created by any mind in any time or place". He is recognised in many academic circles as the father of economics. He classified human needs into different categories such as necessities and luxuries. Long before Adam Smith wrote The Wealth of Nations, Ibn Khaldun had written extensively on economic growth, factors of production, division of labour and effects of supply and demand on prices. Long before Laffer Curve became fashionable in the United States, he had expounded the theory that reduced taxes encouraged production and raised revenues. He was against monopolies and nationalised economic enterprises. The 1989 World Bank report on Privatization acknowledged Ibn Khaldun as the first economist who thought that privatisation boosted economic

growth. It is worth mentioning here that Adam Smith's theories on monopolies and the role of competition in economic activities are very similar to the ones elaborated by Ibn Khaldun. Under his guidance, one of his students named al-Maqrizi studied and analysed inflation and its pernicious effects on the society.

We hope that this initiative for an Alliance of Civilisations does not meet the same tragic fate as the one sponsored by the Iranian President Mohammad Khatami in 1998, which also called for a dialogue between civilisations. Still, for those of us who do not believe in the inevitability of a clash of civilisations, there is no other way but to keep trying to build bridges between cultures and civilisations even though it is a very slow and pains-taking task. If the Seville exhibition on the life and works of so universal a man as Ibn Khaldun is successful in removing some of the misunderstandings and misconceptions about Islam and the Muslims, it will have served its purpose.

The writer is a columnist of the Daily Star