

Giving Human Rights a Real Meaning

In terms of struggling for freedom, defeating alien rulers, throwing out dictatorial regimes and fighting against undemocratic measures, Bangladesh and its people have an enviable record. Where, however, we have failed — and miserably so — is in terms of translating the gains of our successful political movements into effective and durable gains for our people. Take the fundamental of all rights — democracy. Starting with the experience in Pakistan, repeated interventions by the military frustrated our efforts to establish a democratic society. After the birth of Bangladesh, a severe blow was dealt to democracy by the establishment of one-party rule. Subsequently, with the killing and removal from office of Bangabandhu Sheikh Mujib's government began a series of interventions of the military in our politics, which lasted for more than the better part of our independent existence. That unfortunate trend was effectively put an end to, with the anti-autocracy movement and the fall of Ershad government. Even now our democratic society is perverted by the existence of such anti-democratic laws as the Special Powers Act and the Anti-Terrorism Act, which severely go against individual civil rights.

It was back in the fifties that we fought for, and gained national status for our mother tongue — Bangla. And yet today, after nearly four decades of that victory, we have slightly more than 30 per cent literacy rate, and far less percentage of people who have completed any meaningful level of education, like six years of primary schooling. What meaningful cultural or educational rights can we talk about when 70 per cent of our people cannot read or write? Similar is the case with other fundamental rights like health, shelter and employment. As Prof Yunus of Grameen Bank fame recently said in a speech on the need for reforms of the World Bank, "poverty is the denial of all human rights." This statement is most true for Bangladesh. With more than sixty per cent of the people below the absolute poverty line, we cannot, and should not, talk about human rights in any other sense than that of development. We believe that for us, at this stage of economic growth, the most important definition of human rights should, and must, be in terms of how much development touches the people, and the elite class. We must abolish poverty and mass deprivation to give a true meaning to human rights.

Therefore, while we are conscious of the need to establish human rights in Bangladesh in all its aspects, we must keep in mind that it is only through economic and social development that we can give human rights a real meaning. For this to happen there must be a single-minded devotion to all issues that touch upon people's welfare. There is not, and cannot be, any other priority for us, except overall growth — a growth that touches the masses.

While we observe the Human Rights Day, and hopefully we will take its universal principles to heart, we must remember that in Bangladesh the supreme and urgent task is overall economic and social growth.

Polythene Deserves no Concession

Only recently did we congratulate the government for its courageous and pragmatic decision to ban the manufacturing and marketing of polythene bags from next year. Now Food Minister Mir Shawkat Ali appears to be contemplating a dialogue on the government's ban order. In fact the minister assured the manufacturers of holding such a dialogue at a seminar organised by the Dhaka Chamber of Commerce and Industry (DCCI). The question of retracting by the government does not arise and the minister was no less categorical that polythene goods would have to be banned any way and the proposed negotiation may only be held for agreeing on a date for total ban, giving perhaps an extension, for the time being, to the present deadline.

Nothing wrong with the minister's willingness to grant a little concession to the manufacturers, many of whom went into production only a short while ago. This does not worry us, because the minister has not promised anything out of the way. What we find unacceptable is the arguments now being put forward in favour of continuing the production of polythene bags and similar items. The 200 or so factories producing polythene bags accuse the government of granting them approval for production first and now of forcing their premature closure. If the government is at fault by granting permission for setting up polythene factories, they argue, it cannot take such a hasty decision as a result of which the industry with an investment amounting about Tk 200 crore will leave various adverse financial impacts on all those involved with it.

Well, the manufacturers are right, but only upto a point. The government and manufacturers are not the only parties here. There are the people of the country who should be at the centre of all efforts and arguments. If a supposedly life-saving drug is suddenly found to be harmful after a test hitherto not known, should the government allow the item's production and marketing simply because it is the permitting authority? Environment after all is a relatively new issue and the government is liable to err on such issues at times. But why insist on producing and using a substance that, in the absence of safe disposal, can jeopardise the physical health of this small country? Even on the immediate count the rejected polythene shopping bags are the single big cause for congestion in the sewerage and drainage system of Dhaka, other cities and towns. Imperishable these bags have the potential to reduce the fertility of soil to zero level if they gather over the years at a place.

Even if 10 lakh people rely on the industry for their livelihood — as the DCCI president claims — this cannot be a strong reason for allowing the production of polythene materials at the cost of the nation's future. A ban on polythene will help boost the use of jute, benefiting many times more people. The long-term effect of indiscriminate and unsafe disposal of the shopping bags then is bound to be disastrous. The manufacturers may demand for government help in their effort for alternative production or even compensation. There is no point, putting at serious risk the country's environmental health. The people involved with polythene manufacture will be as much loser as anybody else, if the present trend of polythene abuse continues.

Yeltsin Yearns for All Power to the Centre

Zhores Medvedev writes from Moscow

Russians are set to go to the polls December 12 to adopt a new constitution and elect a new parliament. More than 1,700 candidates from 13 parties are contesting. One key aspect of the proposed constitution is the elimination of the sovereignty which Russia's autonomous regions had acquired in 1991. Some resource-rich regions are unwilling to share their profits with Moscow. President Boris Yeltsin wants to curb the power of the autonomous regions.

Yeltsin found this sovereignty, which extended to the right to full independence, a useful weapon in his struggle against Mikhail Gorbachev.

After the dissolution of the Soviet Union the sovereignty of Tatarstan, Bashkortostan, Chechnya and other republics within the Russian Federation and their right to conduct their own economic policy began to hinder the reform programme.

Moreover, Russian regions rich in resources, food or industrial base (for example, North Caucasus, Eastern Siberia, the Urals), not wishing to share their profits equally with the poor central and northwestern regions through the central budget, also began to create autonomous economic zones.

Moscow, a huge 10-million strong bureaucratic metropolis, could not survive without

collecting tribute from all the regions.

The new constitution would therefore strengthen the centre as well as the president's powers. Russia would become a single unitary country economically and politically. For this reason the national minorities — about 16 per cent of the Russian population — might boycott the referendum or even reject the constitution. If the rich regions and the newly declared Ural Republic also adopt this tactic, the referendum may fail.

The most important thing about the parliamentary elections is the emergence of political parties. The parliament will serve only two years. Under the new constitution, it could be quickly and legally dissolved, reducing its importance.

What counts more in the political power struggle is that

in the lower house, the State Duma, half the 450 seats will be filled on the basis of party lists rather than by constituency elections. Holders of important government posts can now become deputies, unlike in the last parliament.

Because of this new rule, the government and the presidential apparatus, until October staffed by non-party professionals (in most cases people who had left the Communist Party after the August 1991 coup), quickly formed two parties which immediately became ruling parties.

The committees of these parties and of the electoral blocs formed consist of deputy prime ministers, well known ministers, chairmen of state committees, presidential assistants and advisers, governors and heads of provincial, regional and town administrations.

The main party, which formed a "ministerial-administrative" bloc, called Russia's Choice, was set up in mid-October under Yegor Gaidar. Apart from another first deputy prime minister, Vladimir Shumeiko, it includes many ministers and people from the presidential apparatus: for example, Anatoly Chubais, Andrei Kozyrev, Mikhail Potoranin and Boris Fedorov.

The second party, Russian Unity and Accord, is led by two deputy prime ministers, Sergei Shakhrai, and Aleksandr Shokhin. It aims to unite the highest provincial and national republican officials.

The two parties formed electoral alliances with other parties and movements which support the President. Between them they hope to win at least half the Federal Assembly seats.

A crucial factor now is the position of the bureaucracy. In the Soviet Union this vast force of a million apparatchiks — in the office of the president, the corridors of the Supreme Soviet, 80 ministries or state committees, and organisations in 80 regions — was part of the Communist Party infrastructure.

The end of the Soviet Union and the party left them without a political base. Now, with Russia's Choice and Accord, they have rediscovered a home in the ruling parties and blocs.

The rapid union between the bureaucracy and the ruling political parties provoked a split in the government. Prime Minister Viktor Chernomyrdin joined neither party. Moreover, he objected to the combination of senior government posts with membership of parliament.

The government divided into the "Gaidar party", con-

sisting of people heading the "political" ministries and committees (for example, foreign affairs, press and information, social security, privatisation, finance, nationality policy etc.) and the "Chernomyrdin party", comprising ministers responsible for other parts of the government.

The appearance of government parties made many pro-market and pro-democracy centrist parties move over to the opposition, to share the fate of the socialist and communist groups. As a result the Central Electoral Commission set up by Yeltsin used all possible means to reduce the number of parties and blocs admitted to put forward election candidates.

Of the 35 parties and blocs which began the campaign on October 20 when the final electoral rules became clear, only 13 were allowed to confirm their lists on November 8. The disqualification of many parties, often on technical grounds, has reduced the opposition's chances. It also probably increased the number of people boycotting the election.

The new constitution changes the right to "guaranteed" work to the right to be defended from unemployment. In other words, the state guarantees to pay unemployment benefit. In November the process began of making miners redundant and closing unprofitable mines. As a result miners, the highly paid section of the working class, may also reject the constitution.

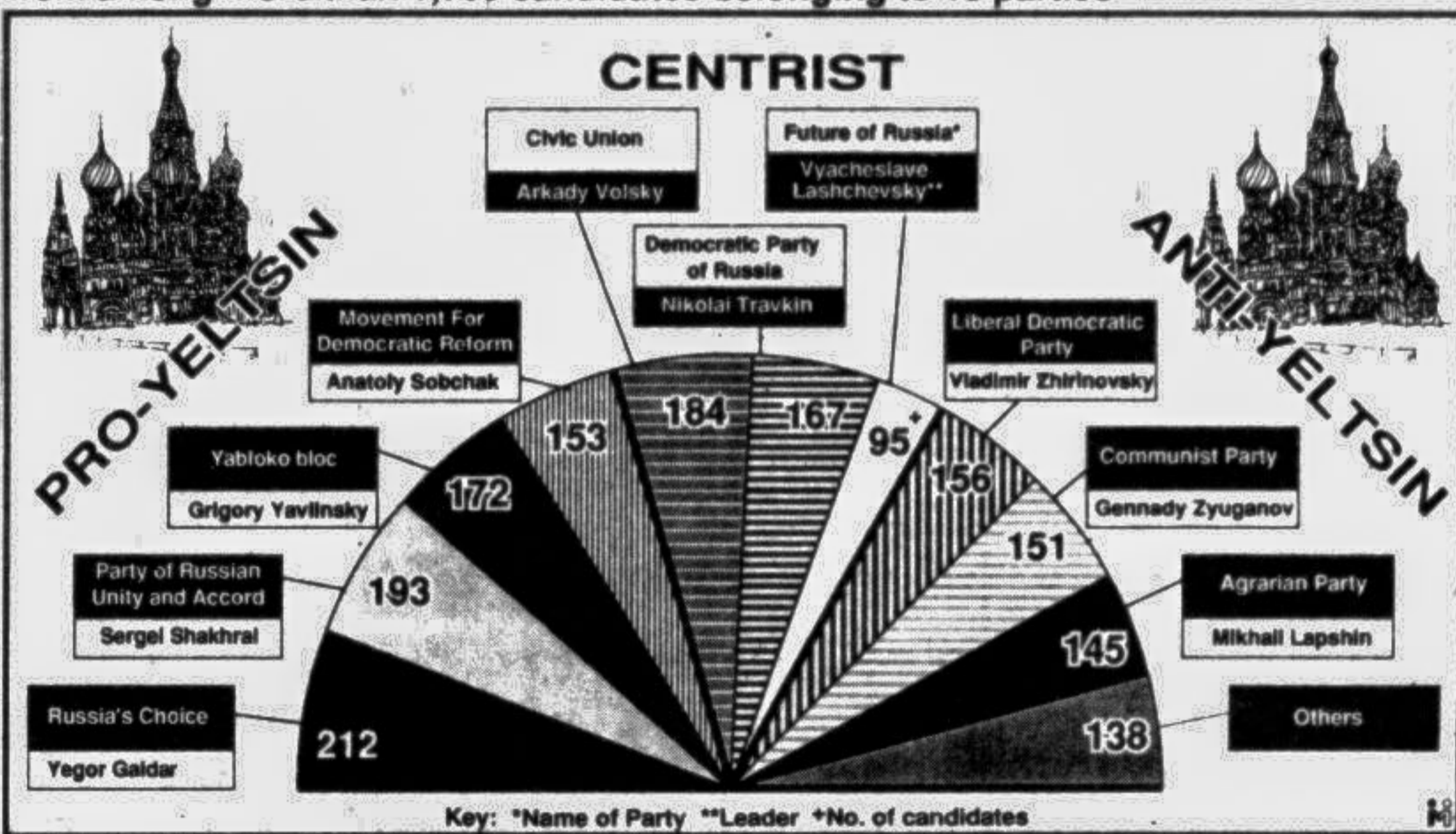
Since newspapers and magazines are now so expensive radio and television have become the main sources of information and propaganda. A complex document like the constitution cannot be widely and objectively discussed and many Russians scarcely realise the old constitution no longer exists.

Those who do understand may decide it is better to have Yeltsin's constitution than none at all. — GEMINI NEWS

ZHORES MEDVEDEV is a scientist, political commentator and author, regularly travelling in his native Russia to report on major developments.

Party time in Russia

107 million Russians will elect half the members of the lower house of parliament from among more than 1,700 candidates belonging to 13 parties



THE twoday meeting of the 13th session of the SAARC Council of Ministers was held in Dhaka on 4-5 December. The Foreign Ministers of the member countries termed the meeting as 'satisfactory'.

Indian External Affairs Minister Dinesh Singh is reported to have said on Farakka issue that Indian Prime Minister P V Narasimha Rao had said that India would not starve Bangladesh of water. He said "We will make every effort for solution of the problem" (The Daily Star Dec 6).

The Indian Prime Minister during the last SAARC meeting, said that he would soon sit with his Bangladesh counterpart Begum Khaleda Zia with concrete proposals for short and long term solution to the Ganges sharing problem. (The Daily Star, April 12, 1993).

The Prime Minister of India assured that every possible effort will be made to avoid undue hardship to Bangladesh by sharing the flows of Ganges at Farakka on an equitable basis. (India-Bangladesh joint communique, 28th May, 1993).

Mr Oli Ahmed, Communication Minister of Bangladesh

during his talks with Mr V C Shukla, Indian Water Resource Minister, in New Delhi in May 1993 categorically said that the Indian proposal of link canal for augmenting the flow of the Ganges was not feasible for Bangladesh.

Mr Oli Ahmed further said that Technical and Secretary level talks and exchange of data had been there for the last 22 years, but without any fruitful result. If this trend continued, another 20 years would not produce any result. So he suggested that the problem be settled at the highest political level without causing any irritation and direct or indirect damage to any country. (BSS, the Bangladesh Observer, May 5, 1993).

Mr Majidul Haq told the Parliament on May 11, 1993 that Bangladesh is now anxiously waiting to receive the formula from the Indian Prime Minister before going for any alternative steps to realise the country's due share of the Ganges water

(the Bangladesh Observer, May 12, 1993).

The Irrigation Minister told the House that the flow of the Ganges came down to its record low in Bangladesh due to withdrawal of water by India at Farakka Barrage. On March 30, this year flow of the Ganges at the Harding Bridge was only 9218 cusec — the ever lowest flow. (The Bangladesh Observer, May 12, 1993).

During the NAM meeting in Jakarta, Indonesia in September 1993, Prime Minister Khaleda Zia raised the water sharing issue with her Indian counterpart PV Narasimha Rao. Prime Minister Khaleda Zia said that short term arrangement would create a psychological climate for moving towards the long term water sharing problem. (The Daily Star, Sept 3, 1993).

The Farakka and sharing of Ganges waters was discussed in Bangladesh parliament on June 3, 1993 where there was unan-

imous opinion that Farakka is a national issue and Bangladesh must get her due share. (The Ittefaq, June 10, 1993).

Prime Minister Khaleda Zia in her speech to the 48th session of the United Nations General Assembly on October 1, said, "Our economic structure is faced with a disaster as a consequence of the Farakka Barrage. The unilateral withdrawal of the Ganges water by India had created unimaginable adverse effects on the economy and environment of Bangladesh." (The Daily Star, Oct 3, 1993).

An international seminar was held at the Columbia University in New York on Oct 10, 1993, arranged by Bangladesh American Public Affairs Front (BAPAF), unanimously called upon the leaders of the countries concerned to work out an immediate solution to the problem arising out of the Farakka Barrage and the unilateral withdrawal of water from the Ganges by India. (BSS, The

Water Sharing: No More Promises

by Amjad Hossain Khan

Imspite of these developments, assurances and promises by Indian, the Indian Foreign Minister, on arrival at Dhaka to attend the SAARC meeting in December '93, said that further technical discussions are needed to resolve the issue. He could not say when the Indian Prime Minister is expected to come to Dhaka for substantial talks on the water sharing issue.

There was enough exchange of data and information between Bangladesh and India on the issue for the last 42 years. All discussions are recorded and available. Nothing new will come unless India want to stall the discussion further.

We don't want to hear promises any more. We want pragmatic approach with a view to solving the problem. This needs political leadership, goodwill and vision for co-operative development of the region for benefit of millions of people.

The author is a former Chairman, Bangladesh Water Development Board and is the Managing Director, Approtech Consultants Ltd.

To the Editor...

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.

Who will compensate?

Sir, Thanks to Ms Alena Aziz of BSEHR (Bangladesh Society for the Enforcement of Human Rights) for filing the bail petition; at last Falu Miah, a poor day-labourer, has been released after languishing 21 years in jail.

Who is responsible for the great injustice? Who is responsible for the last years in the life of Falu Miah? Who will compensate?

Due to negligence of duty of some government officials and also because justice delayed, is justice denied, hundreds of people are suffering in our country.

Once an ever-smiling young man with sturdy physique, Falu Miah has now turned into a lean and thin man with hollow eyes and his walk accentuates that of the age of an octogenarian. Outside the Dhaka Central Jail Gate he stared vacantly, looked crestfallen and was perhaps thinking "What am I to do with freedom?" He does not know where to go and where to meet his near and dear ones.

We demand justice; proper rehabilitation and adequate compensation for Falu Miah from the government. We also demand a routine periodical checking and scrutiny of cases

of all the prisoners in the jails and expeditious disposal of all the pending cases in civil courts, high court and supreme court in our country for the sake of dispensation of justice, rule of law and democracy.

O H Kabir
Dhaka-1203

Recasting of service rules

Sir, I like to suggest the following for kind notice of the organizations working for human rights as well as the authorities concerned to work for recasting the service rules with a view to minimizing the violation of human rights in cases of public servants.

Everybody has the right to live. Since the monthly salary is the only source of income of an honest public servant, it must not be stopped without any proven legal basis including adequate prior notice.

No charge sheet explanation letter may be served to a public servant before paying him all the arrears pay and allowances till the day such letters are served unless suspended at a prior date. Subsistence allowance of full pay as the case may be must

continue during enquiry period also.

A public servant must act as public servant and not as a private servant. It is not only the right but also the duty of a public servant to point out any irregular (contrary to service rules), illegal (contrary to law) and corruption cases to the authority including those might have been done by the authority itself. No authority can issue any illegal order and as such no public servant can obey any illegal order, unless overruled with due explanations after bringing to the attention of the authority.

All commitments must be fulfilled. Any appeal for justice by a public servant must be answered duly within a reasonable time. Unreasonable matters which have already been answered must not, however, be submitted.

Colonial system of Confidential Reports should not be given importance of more than just the routine opinion of the controlling officer.

Everybody has the right to love his country. He has the right to express and explain how best he may be utilised.

Unless declared essential (in case of emergency) by the government a public servant has the right to resign and opt for the job he wants to do.

Enquiry concerning any charge against any public servant must be neutral: If a public servant opines that the authority 'A' is wilfully victimising him, the whole enquiry should be done by an appropriate authority beyond the juris-

diction of 'A' and not by 'C' working under 'A'.

Any authority must obey the lawful decisions and orders of its higher authority.

If the authority takes unreasonably long time in giving decisions against an appeal for justice by a public servant victimised by the authority, the affected public servant should get the chance to file a suit in the court of law and the government must bear all the expenses thereof.

Nazmul Huda,
Siddheswari Road, Dhaka

Kashmiris' plight

Sir, India boasting herself to be a big democratic country in the world has failed to live up to her principles, as her intolerant act towards the Kashmiri people has exposed her malice and indifference towards unarmed civilians who tried to demonstrate against the alleged Indian atrocities. Gunning down unarmed Kashmiris is an absolute act of musclemannery which for the sake of humanity should be deplored by every conscious people of the world.

The guns should be aimed at the armed people, not towards innocent civilians and exactly India has been doing the reverse in trying to subdue Kashmiris' struggle for freedom — where the human rights violation by Indian troops is reportedly too conspicuous to be disguised under the veil of Indian democracy.

Md Jalaluddin Iqbal
Mohammedpur, Dhaka

OPINION

Waste Not, Want Not

Shahabuddin Mahtab

Ms Suraiya Jahan in the 'opinion' column (DS Nov 4th) has done us good by pointing out a few of the areas where there is wasteful public expenditure. But examples can be given ad infinitum. That the Finance Ministry (IRD) organised and sponsored a seminar on austerity is indicative of government's desire for austerity at all levels of its activity. If the government remains firm in its commitment to austerity, it will have a multiplier effect. The government can set up a model of thrift, savings, simplicity and investment for the nation to follow.

The government has been able to keep the VAT by remaining firm, but unfortunately succumbed to the pressure of the labour front and yielded to a series of wage hikes which are not linked to actual productivity.

The Finance Ministry had taken a series of initiatives which, on the face of it, may be considered as harsh, but in the long run it will be beneficial to the country. The rate of inflation has been contained to a little over one per cent, which is an all time record. On the other side of the picture is the fact that the whole of our economy is stagnant. We have however to take into account the fact that we have not been able to create an entrepreneur culture, where loans are taken for setting up genuine industries and not for siphoning it to overseas bank accounts, and wasteful expenditures. No economy can survive, where all loans are all losses. The government has to remain

firm in its action against the defaulting loanees. With further streamlining of the tax administration, this is bound to bring further revenues.

But all the actions as stated above would be set and naught, unless drastic action is taken by the Finance Ministry for stopping each and every wasteful expenditure. So far there has been no visible decrease in wasteful public expenditure.

The pomp and grandeur goes on as before. Rigid and firm steps are required of the government to control its expenditure, and free a substantial part of the revenue for competitive investment, so that we are able to meet half the cost of all development expenditure from our own internal resources. But the vigilance of the government had to be carried on to all development expenditures, meaning the projects. There are a lot of 'fat' in our project profiles; this has to go. Furthermore, no cost over run, or time over run, be allowed, barring exceptional cases. In all the countries which are known as the 'Asian Tigers', they maintain a strict time schedule. The actual expenditure in the case of the Zia Fertilizer Factory at Ashuganj finally shot to three times of the original estimates. In other words, in one single project alone the country lost more than Tk seven hundred crore.

The problems that we face today cannot however, be solved by the Ministry of Finance alone but by all of us together, with the parliament as the Supreme body giving the right signals to the nation.