

No Balm Breeze yet

The desert location on the border between Jordan and Israel echoed with nice words for the first time in nearly half a century. The flower has not bloomed as yet, only the bud has sprouted. A peace treaty has been signed by two sworn enemies in presence of US President Bill Clinton.

The peace accord looks as comprehensive as it could be between two warring nations with points of historical discord to take care of. For instance, territorial readjustments between Amman and Tel Aviv have been envisaged to remove a major irritant dating back to the 1967 Middle East War in particular. Israel had then occupied some Arab lands. Jordan's natural right to Yarmuk river water has been respected and both the countries have agreed to participate in water management projects including dams on the Yarmuk and Jordan rivers. The treaty then acquires a regional import through two other specific clauses: one, Jordan is not to enter into any alliance against Israel nor let its territory be used as a staging area for attack by a third party; and two, Amman is to be consulted by Tel Aviv when the latter finally negotiates with PLO over the fate of Palestinian refugees, many of whom live in Jordan.

The most important — and also controversial — element of the agreement relates to the custodianship of the Muslim holy places in Jerusalem which now goes to the Hashemite Kingdom. The Hashemite kings of Jordan have, by tradition, been a claimant to the guardianship of the holy sites. The Palestinians contest this thinking they have a right to it as part of their legitimacy over the Israeli-occupied areas. This is one major reason why the PLO has been so critical of the Jordan-Israel rapprochement. Secondly, PLO Chief Yasser Arafat may have felt marginalised in the peace-making process which was launched with him as the central figure. Now the Jordanian monarch has apparently emerged as a major player and negotiator vis-a-vis the Israelis, with the blessings of the USA. However, US President Bill Clinton and Egyptian President Hosni Mubarak had made it a point to meet the PLO Chief in Cairo before going to the Araba border for the signing ceremony. Seemingly it was intended as a sop. Yasser Arafat is in a bad patch after the Hamas-inflicted bus massacre in Tel Aviv — to be only mindful of the challenge he faces from Islamic militants. The peace accord between Jordan and Israel may have brought the radicals and the moderates among the Palestinians rather close as they share a common revulsion to it.

The Middle East peace process has two major weaknesses. First, it shows something of a tilt towards West Asia rather than Arab Middle East. Concern with Iran and Iraq is working at the back of the mind of the architect of peace. Secondly, Syria, a major factor for peace in the region, is yet to be won over. Syrian President Hafez Al-Assad will not budge an inch from his take-it-or-leave-it stance: 'Land for peace'. He wants Israeli-occupied Golan Heights to be fully and unconditionally returned to Syria before making peace with Tel Aviv.

Israel has so far scored two major victories in its bid to gain acceptance as a Jewish state in the Arab world — the present peace accord with Amman and the other one with Egypt made in 1979. As she tries to be more widely accepted, it may not be easy for her to get over the obsession she has developed over a long time — precisely since 1948 — with the question of her security. If Israel can bring herself to return the strategic Golan Heights to Syria it will be a sure indicator of a change of heart on her part. And, without Damascus there cannot be any comprehensive peace in the Middle East.

When improved bilateral relations will breed a sum total of collective political will for co-existence in the region that we can expect durable peace in that part of the world.

Promoting Tissue Bank

Most people by now have reconciled with the idea of blood banks and even eye banks. The same cannot be said about the tissue banks. But this is an area of medical treatment with enough potential for bringing in a qualitative change. The concept of tissue banking may still fail to attract the common people but they are hardly to blame. It is not easy to overcome social taboos and other restrictions but the question is: have the medical professionals and people with open minds ever tried to sell the idea to them? At least there is no problem making people convinced of the benefits of tissue grafting for the accident and burn victims.

The speakers at a seminar on tissue banking have rightly observed that the system of storing tissues for future use can add a new dimension to our medical treatment facilities. The seminar focuses on the need for developing tissue banks in the country. Evidently, the idea is mostly confined within the circle of the physicians directly involved in the process of tissue grafting. But in a country where road and other types of accident along with accidental fire take a heavy toll, the promotion of the idea should be expedited by means of all kinds of available apparatus.

Now that the people are volunteering to donate their eyes and even other organs, including their bones, quite a large number of people — if not all — will be found willing to donate their tissues after death. The problem ought not to be from the donors' side; rather the whole process may run into trouble at the point of collection. The collection of tissues, like various other organs should take place within a few hours for their effective use. On this count, it is the system of collection and storing of the tissues that have to be very efficient. The process of preparing the collected tissues for the end use is somewhat lengthy and involves sophisticated equipment. But on the final count, the treatment of most of the cases proves comparatively very cheap.

So there is need for putting in place a well-devised plan for the purpose. Both government and private initiatives have to be combined for maximum result. The development of a network of tissue banks is very much possible. If the experts in the area put their heads together to work out a plan for this, the task will be much easier. By the time the bank goes into full-swing operation, more people will volunteer to donate their tissues. This is how this comparatively new medical facility may take root in this country and benefit patients otherwise doomed to lead a deformed or crippled existence.

THE current crisis of Parliament, marked by a continuous boycott by the Opposition members of Parliament for over five months has brought into national focus the need for basic improvement in the framework for free and fair elections. While the principal opposition political party raised this issue in the wake of the Magura by-election, the concern about strengthening the legal and institutional framework for holding free and fair elections is something that is vital concern widely shared by all citizens and should be of equal concern to all political parties committed to democracy. Thus, for conscious citizens, the Government-Opposition dialogue is viewed not as an adversarial combat between two contending sides, but as a serious national effort to establish an improved framework for free and fair elections. A positive outcome which will give the nation such an improved framework will represent a victory for the people. This is why there is overwhelming public opinion in favour of a positive outcome of the dialogue. A negative outcome would mean that it is the nation which has lost. Those participating in the dialogue must realise that what is at the stake is the consolidation of democracy, what is needed is a meaningful dialogue, which will identify the weaknesses in the electoral framework, which has led to grievances being expressed by political parties and by conscious citizens, and result in agreement on significant improvements.

There is need to look objectively at the types of abuses and malpractices which deny the voter his right to vote, the right which a distinguished constitutional lawyer, Ivor Jennings described as 'the fundamental of all fundamental rights'. The demand for the caretaker government arises from the experience of past elections, the worst of such experiences being the election held in 1986 under the authoritarian regime of General Ershad where the neutrality of the administration, police and media, which he had pledged to ensure were totally negated resulting in the destruction of the electoral process.

Therefore, the demand for a caretaker government today must be understood as relating to the fundamental objective of ensuring the neutrality of the administration, police and security forces and the media, during the period of elections. There is no single form or definition of a 'caretaker government'. It must be understood to mean a mode of conducting the business of government during this period of election so as to ensure the neutrality of the administration, security forces and the police and the media, and to avoid any abuse of public power in favour of any particular party or group. In

particular the ruling party. There are different examples of such arrangements, ranging from the Transitional Executive Council established by statute in South Africa to the type of caretaker government established in Bangladesh in 1991. What would be appropriate in Bangladesh in 1995 is what must be the subject matter of serious discussion between political parties in the dialogue and is a matter to which conscious citizens and professional organisations must give serious thought and put forward constructive suggestions. This is why the proposals and counter-proposals being put forward in the dialogue must be made public so that there may be an opportunity for public participation in the task of strengthening the electoral framework.

The caretaker government issue, however, addresses only one major element in the framework for holding a free and fair election. There are a number of other important elements which experience of past elections indicate need to be seriously addressed. It is hoped that a meaningful dialogue would aim to ensure a truly improved framework for free and fair elections and would grapple with these issues sincerely and constructively so that it can produce a consensus framework which will contribute towards strengthening of the electoral process and be an invaluable step towards the consolidation of democracy in Bangladesh. The types of problems which have been identified through the negative experience of past elections and the improvements which could effectively deal with these problems are discussed below:

Problem of false voting and impersonation

The problem of false voting and impersonation amounts to the denial of right to vote of the voters who are impersonated. Equally an eligible voter whose name is excluded from the voters' list is also denied his right to vote. Complaints have been registered in earlier elections of exclusion by Government party intervention of substantial blocs of voters who are likely to vote against them.

Proposed improvements: (a) Issuance of identity cards, a process which could start immediately. (b) Voter registration to be started early and extensive publicity and voter education to invite voters to register or apply for correction of entries in the voters' list. Political parties and citizens' organisations could be encouraged to take an active role in ensuring that registration is carried fairly and effectively. This could start immediately. (c) The process of preparation of voters' list should be computerised so that corrections could be made promptly, effectively and periodically.

Problem of violence and deployment of 'mastans' (musclemen)

Elections have been marred by the deployment of musclemen by the contending parties, which creates an atmosphere of intimidation and reduces an election to a contest between powerful formations where ordinary voters are objects to be manipulated, intimidated, or induced by various forms of threats either to vote for a particular candidate or refrain from voting in the elections.

Proposed improvements: (a) Agreement by the parties to abide by a Code of Conduct prohibiting the use of black money and musclemen could be a useful measure. A useful model with appropriate adaptations could be the South African Electoral Code of Conduct. It might be useful when adopting that Code to refer to the Indian Code of Conduct and to one which has been drawn by the Bangladesh Election Commission. It is important to underline that the South African Code of Conduct is a legally binding code which forms an integral part of the electoral law, and is thus, more effective than non-binding codes, such as the Indian or Bangladesh codes. (b) Immediate compliance with the electoral Code of Conduct should be urged of those provisions in the Code which envisage renunciation of violence and prohibit maintaining of armed squads or armed students by political parties or candidates. Immediately upon the adoption of the Code of Conduct the maintaining of such squads by any political party should be recognised as illegal and as disqualifying that party or its candidates for contesting in any elections. Every party should take steps to initiate and complete disarmament of such squads within a stipulated period. (c) The compliance with an electoral Code of Conduct and, specially, provisions referred to in (b) above should start immediately long before the announcement of the next elections. This could be monitored by a new division of the Election Commission designated as the 'Monitoring Division' and be the subject matter of prosecution initiated by it with adjudication to be carried out by another division of the Election Commission, to be known as the Adjudication Division. There is a separate Monitoring Directorate and Adjudication Directorate which form part of the Independent Electoral Commission of South Africa, and provide useful models. (d) The monitoring and adjudication of the electoral Code of Conduct with immediate effect is important since the environment has been vitiated by the violence committed by proteges of political parties and their student

Proposed improvements: (a) The Code of Conduct could expressly prohibit such practices and a provision could be made in the electoral law which would require disclosure of any contribution by a candidate to a party or party functionary, and the candidate should be required to file a sworn declaration with his nomination paper stating the total amount he has paid to the party and/or party functionaries during a period of six months preceding his nomination. If the statement is proved to be false, he would incur both a penalty and disqualification and the party or party functionary would also be criminally liable. Active campaigns among citizens to exercise vigilance in

Problem of undermining the electoral process by deployment of 'black' money

This is the legacy of the authoritarian past which bred corruption on an unprecedented scale. A new breed of candidates with no political experience or standing buy nominations by making large payments to the parties or highly-placed party functionaries for obtaining a party ticket, and are then 'para-dropped' into constituencies where they spend millions to have themselves elected, violating provisions of the electoral law which sets limits on election expenses, and resort to bribery of voters and election officials. The 'black' money breed of candidates view election to Parliament as an investment for access to patronage and the means of earning more 'black' money. Thus, they resort to deployment of armed squads for obtaining votes and for resorting to bribery of voters, election officials and polling agents and for procuring votes through unscrupulous middlemen.

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Role of Voters and Society: Voters' Education

BANGLADESH can well benefit from the experience of other countries, in particular of South Africa, where voters' education played a critical role in involving the voters and conscious citizens and in nurturing an environment of tolerance and respect for democratic values as well as in promoting scrupulous observance of the ground rules of a free and fair election e.g. abstaining from carrying arms to a public meeting, and renouncing political violence. A massive voters' education programme can and should be launched under an independent non-partisan body or bodies as a matter of the highest priority. Such education could also ensure a much higher turnout than the 55% recorded in the last elections

this regard and to create opinion against those who indulge in these practices could also make a useful contribution. (b) Restrictions on maintaining election 'camps', and on the number, size and quality of posters, erection of arches etc. could also contribute to keeping down expenses. (c) The Monitoring Division should receive complaints of any breach of these provisions and enquire into them and if such complaint is proved to be true to forward the matter for adjudication. Appropriate penalties should be prescribed for the delinquent candidate and for a party and party functionaries who violate these provisions.

Problem of the Election Commissioner not being able to discharge its functions effectively due to lack of power or insufficient independence

(1) Effective independence of the Election Commission is impaired by the fact that it does not have the power to recruit and control its own staff. Its staff is under the administrative control of the Establishment Division of the Prime Minister's Secretariat. (2) Its independence is also impaired by its not having any direct budgetary resources voted to it by Parliament, thus being dependent on funds made available by the Ministry of Finance. (3) Such dependence on the Government for finance and for personnel tends to erode the constitutional independence which is conferred on the Election Commission. (4) The Election Commission is seen to adopt an 'I see no evil, I hear no evil, I speak no evil' posture even with regard to palpable facts of which a court would take judicial notice. An example is the refusal to infer irregularity from reports of 98% voter turnout at certain polling stations where the average turnout is 50% or less. The Election Commission tends to reduce itself to a post office, when

after receiving the results it simply delivers them to the Government press for publication in the Gazette without any conscientious evaluation of those results in the face of specific complaints, backed by substantial evidence, of large-scale irregularities.

Proposed improvements: (a) The Election Commission could be significantly strengthened by ensuring appointment of its members after consultation with leaders of the opposition and the Chief Justice. (b) Its independence could also be made more effective by giving it powers to recruit its own personnel and to exercise administrative control over its staff and by Parliament directing voting funds for it. (c) The Election Commission should also have express powers to monitor violations of the Code of Conduct and provisions of the electoral law and to institute prosecutions against the offenders at any time even before the elections. Such powers of monitoring and adjudication are vested in independent Electoral Commission of South Africa, which provides a good model to be followed. (d) The Election Commission should have the power to cancel or hold fresh elections where palpable facts are brought to its notice on the basis of credible evidence that the elections have been vitiated by force or fraud.

Problem of abuse of media by the incumbent Government so that it gives undue advantage to the ruling party and denies equal access to the opposition parties

Proposed improvements: (a) The Code of Conduct should assure equal access to media and other Government amenities. (b) A special law could be enacted such as the Independent Media Commission Act/Independent Broadcasting Authority Act of South Africa to ensure equal access.

Priestly Peace-maker Prepares for Another Round

T R KINI writes from London

The world was amazed to see video footage of Myanmar's military rulers meeting and smiling with the country's jailed democracy leader Aung San Suu Kyi. Gemini News Service profiles the man credited with bringing about the astonishing meeting.



Gen. Khin Nyunt Myanmar's military strongman

Kyi told Time magazine. The television pictures and an invitation from the country's rulers for Dhamma to make a return visit in November, have renewed hopes that a deal can be reached between the army and its toughest critic — Nobel peace prize winner Suu Kyi, landslide winner of the 1990 democratic election. Dhamma is not alone in

wishing to see Myanmar come out of its political isolation. He was sought out by the peace-brokers who work behind the scenes at the United Nations, including US State Department officials.

Dhamma has run a spiritual centre in Britain for the last 20 years, but knew the recently-deceased President of Burma, Dr Maung Maung, was a friend of, and knew Suu Kyi since she was 11 years old, when her mother was the Burmese ambassador in India. He met Suu Kyi again at Oxford University in 1976.

But Dhamma's selection as a go-between was more than just a case of knowing the right people. He is non-partisan and has no ambition for high political office. An academic with a doctorate from the Benares Hindu University in Varanasi in India, he is an author and editor of many books and Buddhist texts in Hindi, Pall and English.

He also has experience of international diplomacy. He was an envoy for then Indian Prime Minister Indira

Gandhi in peace talks with China in 1974, and spoke at the UN in 1989, 1990 and 1991. As leader of the International Buddhist Peace Mission he visited Cambodia in 1989 and Sri Lanka in 1990.

Dhamma did not have to wait in the corridors of power to see the leaders of Myanmar's military junta. Rather, they came to him.

The first visitor was General Nyunt, chief of intelligence and a member of the ruling State Law and Order Restoration Council (SLORC). Dhamma quickly established a consensus with the General on what was good for Myanmar.

They agreed that their wish was to see the country prosper economically and educationally within a Buddhist framework, says Dhamma. And they agreed, he adds, that the teaching and practice of Buddhism must become the heart of daily life in the country instead of being largely relegated to a cultural calendar of rituals.

These religious values are essential guidelines for the conduct of political life of the

country, and leaders are responsible for applying the religion's tenets of loving kindness and compassion, Dhamma told Nyunt.

There is naturally some cynicism about the likelihood of the introduction of 'loving kindness and compassion' in a country where the most popular person has been under house arrest for more than five years, free elections have been disregarded by the military rulers and human rights abuses are widely reported.

Dhamma says Myanmar's isolation is born of misconceptions and even unawareness of the evolution of the ideals of democracy in the rest of the world. He says there is a notion that if populist democracy replaced the 'father-knows-best' paternalism of military rulers, anarchy and chaos would ensue.

In subsequent meetings with the ruling officers, Dhamma says, they acknowledged their respect for Suu Kyi and for her father, independence leader Aung San, founder of the Burmese army. They promised to meet her,

and the world watched when they did so.

Dhamma also spent three hours with Suu Kyi in the home in which she has been locked in since 1989. He said Suu Kyi showed little concern for herself but was worried for the safety and well-being of political prisoners.

It is unclear whether Suu Kyi will be allowed to return to politics, Dhamma says she spoke of Nelson Mandela's cohabitation with the white South African establishment which had practised apartheid so mercilessly not so long ago, and considered it a possible example for her, her party and the military.

Although the South African model may be very distant for Myanmar, Rewata Dhamma is intent on closing the gap a little bit more on his next diplomatic mission.

T R KINI is London correspondent of the 'National Herald' of New Delhi.

CORRIGENDUM

In the article 'The World Body Needs a Major Reform' published in this page on October 24, the fifth line of the third para under sub-head 'Basic Reforms' should be read '... including two permanent members from Asia' instead of 'including two from Asia'.

To the Editor...

Outgoing passengers at ZIA

Sir, Recently, at the Zia International Airport the Immigration officials told the outgoing passengers having the required visa and return air ticket that they should endorse minimum US\$ 1,000 against each passport as per a recent Bangladesh Bank circular.

Passengers, unaware of this circular and so having less than US\$1,000 endorsed, were asked to wait. At this, passengers left with no other option desperately tried to please the Immigration officer. On return, one of the pas-

sengers checked with several local banks and found no circular to this effect. Will the authorities concerned kindly check why the outgoing passengers have to face such odds at the Zia International Airport?

Nurul Qader 30/1 Purana Pallan, Dhaka

Biman's domestic flight

Sir, Most of Bangladesh Biman's domestic flights are centred in Dhaka i.e., Dhaka-Chittagong, Dhaka-Sylhet, Dhaka-Jessore, Dhaka-Rajshahi, Dhaka-Saidpur, Dhaka-Cox's Bazar and one, however, Chi-

ttagong-Cox's Bazar. This is quite inadequate and insufficient to meet the requirement of our people as well as foreign tourists.

Very often many people are required to travel from south to north, south to east, east to west and so forth in connection with various duties, responsibilities, business trip and tourism but due to manifold communication problems they are constantly facing innumerable difficulties and also wasting their valuable time, money and energy.

We strongly feel that Bangladesh Biman may kindly open new routes and start operating direct flights from

Chittagong to Sylhet, Rajshahi and Jessore and also from Sylhet to Rajshahi, Jessore etc as early as possible for the convenience of the people.

We hope this would not only help Biman earn more revenue but would also raise the image of our national airlines high. Would the Ministry of Civil Aviation and Bangladesh Biman kindly consider and execute the proposal?

O H Kabir Dhaka-1203

Golden goose survives

Sir, 100-member strong Bangladeshi troupe the 12th Asiad represented love for

sports the nation has had since the time history forgot.

Quality and quantity in sports? Sports-crazy Bangladesh knows how to stick to both (as yet to be tested positive).

Medal or no medal, nothing is wrong with competing in such an international meet when there is nothing to lose (not counting the getaways).

Everybody knows the medals don't make the world whole lot different, relationship does. That's what a congregation of this kind is all about.

This principal purpose of promoting universal understanding has always been underscored within the civilized

values of sportsmanship.

Fortunately, an honorary gold medal for outstanding contribution to the Asian aquatic discipline, together with a silver won, has further enriched her record of English Channel swimming followed by an Olympic time-out at the better pool.

With any galactic reason imaginable, this sporting nation ought to look on the brighter side of the sportsworld, without neglecting all other events, and start shaping up to the next World Cup Yo-Yo.

M Rahman Zila School Road, Mymensingh 2200