

# FOCUS

## Refugees: Acknowledging the Perils of Exiled Women

**T**HE last decade has brought about outbreaks of dormant political and racial conflicts transmitting violent upheavals throughout the world. In Rwanda, in nearly four months, more than half of its inhabitants were either killed in conflicts, died from diseases or fled (UNHCR).

mothers. Although statistics show that women are more likely to send money back home after migrating, they nevertheless, become captive of their low standing both as migrants and as women. Their lack of education when competing with men further limit their scopes. They usually find themselves enduring

Once in exile, women and girls are still exposed to sexual violence, by their camp officials or other refugees. Some countries immediately put children, men and women (who enter without visas), regardless of their sex or age, in jail or detention centres along with delinquents. The capacity for violation in these circumstances is evident. Women are often coerced to have sex in order to safeguard their papers, rations and even their children. In 1993 occurrences of rape was reported as frightfully high at camps for Somali refugees in Kenya, beset by robbers and the Somali armed force. Hundreds of women refugees were raped in night raids.

Until very recently, studies had not been conducted on women migrant refugees. Yet it seems that now, we have finally acknowledged the special needs of women versus migration. Recent studies have shown that women do not migrate solely in order to follow their husbands or partners, but primarily because they want to find work. Yet, altogether, the immigration procedure remain biased towards men, confining women's accessions to assistance or support services. Moreover, until now, there has been insignificant measures of intervention to safeguard refugee women; to deter unlawful traffic in women, and prostitution that is increasingly rampant in the cities of the developing world. Women

refugees were, in fact, barely noticed. Only very recently have guidelines been composed on how to thwart and retaliate against the sexual violence confronted by women. These are based on suggestions by those experienced with the rape and piracy attacks on Vietnamese boat-people, rapes of Somali

women in Kenya, and the ethnic cleansing rapes in Bosnia.

This August-September, brings about the World's Fourth World Conference on Women, where more than 36,000 women have registered to attend. Amongst the critical areas of concern on the agenda are violence

against women, and the lack of awareness and commitment to women's human rights.

Harborage and protection are at the crux of the obligations and responsibilities that the world carries towards refugees. Refugee women call for steps to protect themselves against sexual violence and exploitation, and have distinct exigencies in terms of shelter, supplies and health care. Let us hope that this conference will grant the wishes of all those who, far away from their homes, in an alien and sometimes hostile environment, seek to live normal lives.

by Anita Aparna Muyeed

From Myanmar, Chechnya, Somalia, Guatemala, Rwanda, Afghanistan, Bosnia, to cite a few regions, migrants have been sprawling and are still on the increase.

The UNHCR estimates that worldwide, 23 million refugees and 26 million internally displaced people have been forced to leave their homes because of conflict, massive human rights abuse, or the direct effects of conflict, such as famine and lawlessness. It is of interest to note that the greatest bulk of refugees have found asylum not in North America or Europe as we would expect, but in Asia, Africa and Latin America. Certain nations, which are the poorest in the world, have taken in the most refugees. Their munificence frequently eclipses that of the developed nations.

As surprising as it may sound, nearly 75 per cent of migrant refugees are women and their children. Those who are most affected by displacement are young girls, older widows and single

marginal tasks distinguished by meager pay and low security. Furthermore, language barriers make them increasingly vulnerable. They are unable to protest against infringements on management and labor laws. More so, employers perceive migrant women as economical, submissive and dispensable.

Women, particularly refugee women, are most exposed to rape and further forms of sexual abuse and violence. Rape is used as a weapon to persecute, to terrorize or for "ethnic cleansing". It drives refugee families from their homes, and civilians become the targeted victims of armed conflict. Subsequently, the passage towards a safer haven is itself smeared with perils of sexual violence and exploitation.

Their malefactors may range from anywhere between bandits, smugglers, border guards, police, military, or even civilians taking advantage of unprotected and defenseless refugees.

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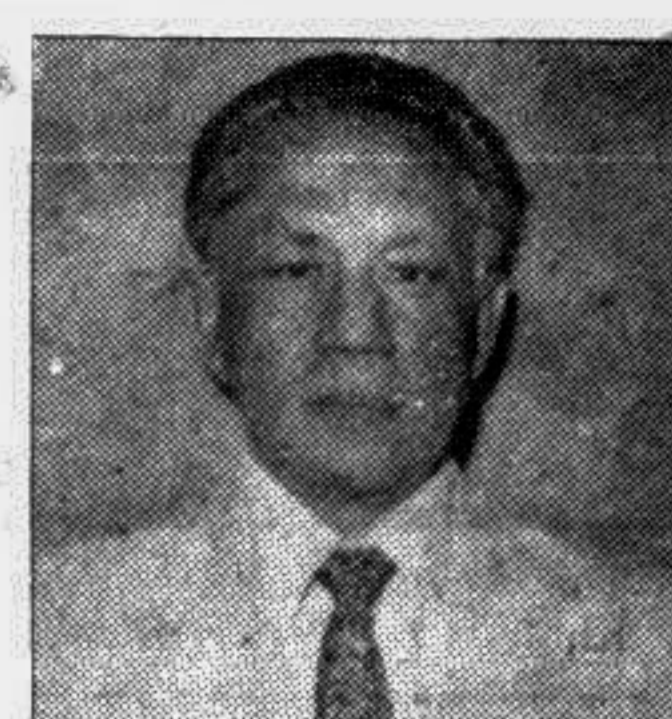


## CONSTITUTIONAL CRISIS

### In Search of a Way Out 'To Ensure Free and Fair Election, a Caretaker Govt has No Alternative

An Interview with Awami League Central Leader Advocate Sudhansu Shekhar Halder by Chapal Bashar.

**A**DVOCATE Sudhansu Shekhar Halder, a prominent lawyer and parliamentarian, feels that the existing political crisis, created over the question of holding elections under a caretaker government, can only be solved through changing constitutional provisions in a proper way. He, however, stressed that consensus of all the political parties is a prerequisite for this.



In an interview with The Daily Star, Halder, also a central leader of the Awami League, expressed his views on the persisting political and constitutional crisis.

Halder, who was elected member of Jatiya Sangsad twice — in 1979 and 1991, suggested that the ruling party should spell out a specific formula in the Parliament to end the political deadlock as demanded by all the opposition parties. "The formula should contain such solution as will be acceptable to all the parties concerned," he said emphasizing that it is the government who should take initiative and come forward to solve the crisis.

"The ball lies in the ruling party's court from the very beginning — the consequences will be disastrous if the crisis persisted further", he added.

Elaborating his contention about changing constitutional provision, Advocate Halder said, "The proposal or theme of an election under a neutral caretaker government for any term requires amendment of the present constitution."

The AL leader, however, did not agree with the idea of post-facto ratification of any amendment to the constitution by the next Parliament as suggested by different quarters, since, according to him, it will create more problems.

He believes that any thinking of post-facto ratification of constitutional amendment does not tantamount to the legality of any provision of the constitution.

"Such thinking cannot have any sanctity or legality of any constitutional provision and on that basis nothing could be done for future ratification", he asserted.

Halder also pointed out that under Article 93 of the constitution, the President has no power to change constitutional provision through Ordinance. "Only the Parliament, with support of two-third of the total members, can amend the constitution."

He maintained that any

proposed amendment, even if made through consensus of all the parties outside the Parliament, cannot have any legality to hold a Parliament election and subsequently the said election cannot be ratified post-facto in the next Parliament.

Advocate Halder referred to ratification of Martial Law in the previous Parliaments and said, "Election of those Parliaments were held under Martial Law. All the Martial Law proclamations or coup-de-tat had the sanction of the court all through as supra-constitutional law and those had functioned accordingly. The proclamations and regulations were ratified by the Parliament subsequently."

Opposing post-facto ratification formula, Halder further argued that unanimous decision of political parties and the people as a whole cannot be termed to be an act of Parliament or provision of the constitution. "No action could be taken on that basis unless a legislation is made to that effect, including the changing or altering or repealing of any provision of the constitution", he said adding, "as a whole, people's opinion vis-a-vis Martial Law proclamation do not stand on the same footing — proclamation stands over constitution but people's opinion stands within the constitution."

When asked how the crisis created over caretaker government issue can be solved within the constitutional framework avoiding a post-facto ratification, Halder said, "If all the parties hold a unanimous opinion for caretaker government, then nothing stumbles the process of being the said idea from making a part of the constitution."

For ensuring a free and fair election, Halder said that the caretaker government has no alternative.

"Caretaker government for at least three terms in this country is essential to make the votes bold enough to cast their voters freely, to 'debar the domain of miscreants in the election booths', he concluded.

## The Changing Landscape of Dhaka

**T**HE landscape of Dhaka is changing. It is being transformed into uniform features. These days you will not find many (I wonder if any) varieties in Dhaka's landscape. Gone are

the days when you would find a vast green field here, a glittering lake there, or a thicket of some trees round the corner.

Dhaka has gone through a fast, radical and, unfortu-

by M Iftikhar Uddin

nately, devastating period of change. Today there are only blocks of concrete, patches of bitumen and heaps of

garbage. The few good things that still remain are being removed at horrendous speed. The people of Dhaka have comprehensively deleated their East European counterparts in removing the relics of the past.

Although I have not carried out any comprehensive survey to present a complete picture, the changes I have witnessed right from my door step are convincing enough to draw some conclusions.

Fifteen years ago the area just in front of our Mirpur residence was an open plain. This area, about one square kilometre in size, bore a striking resemblance to the Rar lands of Bihar and W. Bengal. With only a tin-shed colony of government employees and a handful of scattered establishments dotting the plain, our eyes could reach where the trees of the Botanical Garden had turned flimsy and grey. And there were numerous palm trees.

Often as a bunch of kids, we would start counting these trees and in no time we would be staring at a tree, scratching our heads, wondering whether we had already counted it or not. Anyone who has ever tried to count stars will realize our helplessness.

I can still vividly recall those days of Chaitra when the red soil of the field lay naked. With its grass carpeting removed by the dry spell of winter and the continuous pounding of men and animals, the formidable expanse of red was never barren. The soil was dry and hard but even as a kid we could feel its beauty. It was open and pure.

But gone are those good old days. Numerous buildings have sprouted all over the place. The palm trees once numerous are now only a handful. And the few that remain are hard to find amongst a forest of highrises. Several hundred multi-storied garment factories, shopping malls and business centres now dot the place. Our gaze abruptly bumps into the

multi storied buildings that stand just in front of our house. Since we experienced the first earthquake, some seven years ago, I have often wished (let the owner and the occupants of these buildings not read this) that one morning I will wake up and see all these ugly structures have been reduced to rubble. I don't mind development. After all, all these garments have provided a better life for hundreds of poor folks. But had the owners left a patch of open space for us to breathe freely, the development would have been more humane.

I would personally like to thank our football clubs — (although they have badly mauled the aspirations of the nation everytime they got the chance!) they do save a few islands of green in an ever expanding ocean of gray. And Green Peace, Friends of Earth, and all other green groups, should immediately congratulate the armed cadets of Dhaka University. Because it's on account of these hoodlums, that no godforsaken developer will ever dream of building a highrise apartment or a shopping mall on the green field in front of the Register Building.



## Whispers and Shouts Force a Change of Tactic

Abby Tan writes from Manila

Western human rights campaigners and Southeast Asian leaders who prefer to focus on trade and investment are both claiming credit for the release of Burma's Aung San Suu Kyi. But the full significance of her freedom is not yet clear.

**T**HE unconditional release of Myanmar's star dissident, Aung San Suu Kyi, does not resolve the controversy over which is more effective: the West's noisy demands on human rights issues, or Southeast Asia's preference for diplomatic whispers.

Western governments are claiming that demands for an improvement in the ruling military junta's handling of its pro-democracy critics led to the ending of Suu Kyi's six years' house arrest.

They say foreign pressure in the wake of the suppression of the 1990 election results — in which the 50-year-old Nobel Peace Prize winner's National League for Democracy won 392 of 485 parliamentary seats — made Myanmar, the name for Burma adopted by the generals, an international pariah.

Pressure included a virtual halt to Western investment and aid from the World Bank and Asian Development Bank. But by keeping Suu Kyi for the maximum of six years allowed under the law, the xenophobic junta showed it will not be bludgeoned by the West, which held her up as their cause celebre.



Aung San Suu Kyi  
The controversy is unresolved

ing to the military government about easing up on repression while pumping in investments to support the authoritarian regime.

The group's most prosperous members — Singapore, Thailand and Malaysia — have been investing heavily, and the organisation is enticing Myanmar to join a greater ASEAN. The bloc sees itself expanding inevitably from the current six members to 10 in order to consolidate regional security; they appear to have in mind a policy of checking any thoughts of territorial expansion by China.

Vietnam is hurriedly being taken in as a member, and Cambodia is joining Laos in having observer status.

Myanmar is interested in becoming the tenth member but only at its own pace, being ever paranoid over foreign interference in its affairs.

Last December, Lt Gen Khin Nyunt, intelligence chief of the ruling State Law and Order Restoration Council (SLORC), said, not surprisingly, that he preferred the ASEAN approach and wished the West would adopt it.

As an incentive, SLORC offered business opportunities to ASEAN in exchange for the group's refusal to take a confrontational attitude over democracy and human rights.

The West was aware of the lost opportunities, and Suu Kyi's release may lead to a resumption of deal-making.

But there is caution all around in assessing the release. She herself talked of dialogue and reconciliation in her first press conference and was careful not to upset SLORC.

In addition, several diplomats in the region privately warn that Western democracy activists should not shout too loudly about the slow march of democracy lest it backfires.

"It's a fragile move to a freer Burma," one diplomat

was quoted as saying. "Involvement of third parties could upset this movement."

SLORC must feel confident about its ability to control the situation. Gross domestic product has grown six per cent per year in the last two years; China and Thailand have poured consumer goods in through a thriving border trade; a new entrepreneurial class has emerged; Rangoon is seeing a growth in shops, restaurants and jobs; the government has forged peace pacts with many ethnic insurgent groups, though has still not done so with Karens on the Thai border.

Meanwhile, the junta is writing a new constitution, which will preserve a role for the armed forces. The next president or leader has to be a military officer, which rules out Suu Kyi.

She has said she will consult opposition leaders about her political role. Although intelligence chief Khin Nyunt acknowledged before Suu Kyi's release that she held the key to the long-term solution to Myanmar's international isolation, SLORC wants her to play a positive role but not necessarily a pivotal one.

— GEMINI NEWS

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## Movie Mania

Farah Ghuznavi



special treat a visit to the cinema was viewed as.

When a tremendous thunderstorm broke out in the middle of the film, a lady who had accompanied my friend to the movie announced that she had to go home to look in on her children, who were there alone. Despite all attempts at persuasion, she insisted on going. My friend was amazed to realise, about half an hour later, that the same lady was sitting next to her again. Upon questioning, she informed her that she been home, fed her children, and raced back through the

pouring rain to catch the second half of the film! She came to the cinema too infrequently to miss this chance.

The choice of English films being shown in Dhaka cinema halls has always been so restricted that one has often had little choice in selecting which movie to go to. For example, a few years ago I went to see a film called "The Horror of Spider Man" at the Ovishar cinema hall with a whole bunch of friends, which turned out to be a black and white film, a remnant of the late sixties or

early seventies, and quite honestly, the most horrifying thing about it was the appalling quality of the special effects. While most of the audience screamed in terror at the half man/half spider creature which went about devouring the women trapped on a lonely island, the six of us holed with laughter in the rear seats!

Bangla films can be equally entertaining at times, especially in the right company. When an American friend was visiting Dhaka a few years ago, we decided to take him to see a Bangla film, "Jiner Badshah". The trailers of the film had promised all kinds of new delights, and this was one time when those promises were kept!

It had already been decided that we would have to leave the hall in the middle of the film, as we had to be somewhere else by mid-afternoon. When the time came to leave, we found that Phil wanted to stay on until the end of the film, to find out "what happens". As someone who had never even seen a Hindi film until then, he found the whole thing deeply engrossing, particularly an ingeniously pictured dance sequence, where all the boys from the village put on some hideous make-up and went through a dance sequence based on Michael Jackson's 1983 hit, "Thriller". We had to assure him that what happened would simply be that the hero would win out over seemingly insurmountable odds to win the heroine, the wicked zamindar and his cohorts would get their just desserts and the hero would return in triumph to his village by the end of the film, before he finally agreed to leave with us.