

## Let Them Give Their Verdict

Pabna-2 constituency goes to poll today under the watchful eye of the nation. Had it not been for some convulsive circumstances of the past few weeks created around that by-election we would have felt relaxed about the microcosmic electoral activity with no need to appeal for calm. The by-poll was blown out of proportion in a chain of excited campaign over-kills leaving a heated atmosphere to cool doubly as fast as it had been built up. The beauty of the whole process has been somewhat lost through an overestimation of the stake as 'the end of the world' sort of thing, but all will be well if it ends well.

Since the actual voting has now begun, the contesting political parties must rest their oars allowing the small-size electorate complete freedom to choose their representative for parliament. Yes, there is a code of conduct, and yes also that the enforcers of it will be physically around; even so it should not be lost on the political parties that the basic responsibility lies with them to avoid the temptations of being in a race with each other to arbitrarily influence voter choice in 'improbable areas', or indulge in their zealous followers doing the same by hook or by crook.

In all modesty, our advice to them would be: You have no strategy to play out now after the campaign is over and that the only strategy you can have now is that of an open-minded waiting for the verdict to come. Let the EC perform its job and the voter express his or her mind on the contestants absolutely free from any form of intimidation by any quarter whatsoever.

No jumping to the conclusion, no vicious creation of conditions to make an issue out of electoral defeat but just holding the breath for the result and being respectful of whatever it turns out to be — that, in fact, should be line of thinking on both sides of the divide now.

We urge the participating political parties not to lose their calm and composure easily and maintain a dignified vigil of their own to let the voting take place without any incident. They must be prepared to accept the verdict of the voters, even if it be in the negative.

## From Ideal to Reality

Born of the cataclysmic events of Second World War and a deep, instinctive understanding of the need for fundamental ties to bind peoples across the globe, the Universal Declaration of Human Rights stands as a monument to human dignity. Over the past half a century, the messengers of human rights have carried the word of the *universal declaration* to every UN member-nation. Indeed our struggle to establish human rights has a long history. Much has been accomplished, but the rest is awaiting achievement, and if it's re-written now, many more clauses would have to be added to the Declaration to make it compatible with present-day realities.

Since the Day gives us a chance to assess our own national situation, there are questions to be asked: where are we now and will we be fifty years from now? Will we still carry the weight of prejudice, in-terence and injustice of the past on our backs?

The re-establishment of democracy, the coming of a representative government without anxiety for military dictatorship, free and fair electoral process, and creation of a sovereign parliament are on the plus side. But is the right to information and freedom of expression which are central to the creation of an environment congenial to protection of human rights ensured? Free press and autonomous electronic media are vital safeguards for civic rights, an area where we have some distance to travel insofar as the audio-visual media is concerned.

Fulfilment of political rights is no guarantee that fundamental rights of the people would be automatically served. In fact, without a certain level of aggregative improvement in the socio-economic conditions of the people those rights would still be denied, what with a liberal political system. But this logic has been sometimes perversely exploited by military adventurists to step in pretending as the socio-economic messiah, and thereby driving human rights further away from the civilian grip.

Today, we should rededicate ourselves to the Universal Declaration of Human Rights by grasping all the implications of our commitment to it.

## Rokeya Remembered

The crusader for the emancipation of the backward Indian women, specially Muslims, Begum Rokeya Sakhawat Hossain is remembered practically twice in a year on her birth and death anniversaries. Born in 1880 in Rangpur, she established herself as the pioneer of women's renaissance in Bengal. She was a gritty and determined lady dedicated to the emancipation of the hapless and backward Muslim women. She was the first to have asked for equal rights for women in the Bengalee Muslim society. And she fought her battles relentlessly against all odds to liberalise the environment for women. Little wonder she is remembered for her tremendous contributions to educating the Muslim women.

In 1911 she established a high school for girls at Calcutta named Sakhawat Memorial Girls' High School, after her husband who had been a constant source of inspiration for her. Begum Rokeya realised that without education no fruitful movement was possible that could place the Muslim women on an equal footing with their male counterparts in the society. In order to organise the Muslim women in their efforts to establish their rights, she organised an association named Anjuman-E-Khawat-E-Islam in 1916. Begum Rokeya lived a short life of 52 years but she left an indelible impression on the society and established herself as the torch-bearer of women's lib in the sub-continent.

In our complex environment today, we would like to have hundreds of Begum Rokeyas to take our women on to the path of education, equality and emancipation.

**A**BDULLAH Ocalan is providing the leadership of the war that is going on in the South East of Turkey for nearly 15 years. The Turkish authorities have branded him a terrorist and he is the most wanted man on their list. Thanks to his taking refuge in Italy, the smooth and friendly relations between Italy and Turkey is under strain.

For many years, Ocalan operated from Syria, with whom Turkey has a fairly long border. Lebanon was a handy spot for training of guerrillas. Guerrillas would infiltrate through the Turkish borders and also through Northern Iraq. Recently, Turkey had enough of Syrian backing of Ocalan. Turkey made some menacing statements and backed it up by moving troops within striking distance of Syria. Turkey wanted an end of the stay of Ocalan in Syria.

Sensing that Turkey was serious in her threats, Ocalan was reported to have moved to Russia. Turkey has excellent bilateral relations with Russia, unlike Syria, and economic relations have truly blossomed. Turkish contractors are busy in virtual reconstruction of Russia and giant Turkish companies have established powerful foothold in Russia. Russia was not willing to sacrifice such profitable economic relations for the sake of Ocalan.

It is thus Abdullah Ocalan has found himself in Italy. Acrimonious debate has stared between Turkey and Italy for tradition of Ocalan.

Italy has taken the stand that they cannot extradite Ocalan to Turkey, where capital punishment exists, which is not the case in Italy. Given the feelings of revision through-out Turkey against Ocalan, it

**Turkey's Ocalan Concern**

*There is no doubt that Turkey has largely mastered the problem. Economic life in the southeast is pulsating and this will determine the shape of things to come. Some years ago the forces of Ocalan had virtually paralysed life in the region. Today it is a very different picture.*



## The Horizon This Week

Arshad-uz Zaman

can be confidently predicted that he would be sent to the gallows. As an initial reaction, Turkey had recalled her Ambassador from Rome but has since sent him back to his post.

The fate of Ocalan is intimately linked with the murderous war that has been going on in the southeast of Turkey. The war has cost 30,000 lives in a war that has lasted nearly 15 years. Thus in Turkey the media is full of stories of atrocities carried out by guerrillas operated under the order of Ocalan and Turkish TV carries gory pictures of such massacres. Also visible are pictures of Kurdish guerrillas, their bodies lying prostrate. Turkish public opinion has not become numb by these daily incidents.

Ocalan's attempts to subvert public opinion in the Kurdish area of south eastern Turkey has totally failed. Against heavy odds the population has remained loyal to the Turkish

Turkish authorities for several years now have been trying to change the fate of the population of the region. This is going on side by side with the war effort. Thus the giant Ataturk Barrage has been commissioned turning the arid countryside into green. Money is continuously pumped to change the economic pictures. Educational institutions, which were the particular target of the guerrillas are coming back to life and education is fast spreading, in a region, which has remained remarkably backward. It can be safely as-

serted that guerrilla activity has been greatly contained in the southeast.

Turkish forces have been following the policy of hot pursuit of the guerrillas in northern Iraq. It is well known that since the debacle of Saddam Hussein, when northern Iraq was virtually separated from Iraqi territory, the area became a virtual no man's land. Attempts have been made by Washington to set up a Kurdish entity by bringing the two warring Kurdish leaders Barzani and Talabani on the same platform.

Setting up a Kurdish state is viewed with extreme suspicion by all states, within whose borders sizeable Kurdish popula-

tion reside. The largest number is in Turkey followed by Iraq, Syria and Iran. None of them has any desire to see the birth of Kurdish state. Turkey carries out mop up operations including use of warplanes in northern Iraq and nobody seems to object.

And when tensions between Italy and Turkey had risen to a dangerous level that a very important football match was due to be played in Istanbul. The famous team Juventus of Italy was pitted against the ace team of Turkey Galatasaray. The craze for football in both Italy and Turkey is something to be seen to be believed. Turkey was at the top of the table, whereas Italy

was a lowly fourth. Because of the tension in the air the match was postponed by a week.

Turkey put up a massive security net to hold the match a week later. It ended in a draw leaving the fans specially in Turkey in a festive mood. One journalist commented that it was the most correct "diplomatic" result.

Abdullah Ocalan has declared unilateral cease-fire some time ago. There have been occasional violations of the cease-fire. Turkish authorities are no doubt weighing the pros and cons of the proposal. The fact, however, remains that Turkey considers the group operating in the southeast as a terrorist group and, therefore, the question of sitting at a negotiating table does not arise.

Those who have taken up arms against Turkish state will have

been reduced to the status of a fugitive. The fuse is getting shorter by the day. What option Ocalan has often is an honourable surrender?

the southeast is pulsating and this will determine the shape of things to come. Some years ago the forces of Ocalan had virtually paralysed life in the region. Today it is a very different picture.

The Kurdish question was advertised throughout the world and particularly Europe. Germany became a big centre of Kurdish propaganda. Since Turkey is successfully meeting the challenge at home, it is having its repercussions abroad. After all there are numerous Kurds holding very important positions within the Turkish administration. As education spreads and the economic activity continues to pick up in the region, the Kurdish question is bound to recede in the background.

Since Turkey mounted successful pressure against Syria and managed to get Abdullah Ocalan out of that safe haven, he has been on the run. From a guerrilla leader carrying on a successful campaign, he has been reduced to the status of a fugitive. The fuse is getting shorter by the day. What option Ocalan has often is an honourable surrender?

## Pinochet: One Man's Mass Murderer is Another Man's Saviour

by Barrister Harun ur Rashid

*While the Chileans are reported to be split in their opinions over Pinochet's detention, many of them perceive that Chilean sovereignty will be impinged if he is tried in a foreign land. A strong view prevails that he should be tried in his own country in Chile and not in Spain and this view is not to defend Pinochet but to establish a workable principle of international law.*

### 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.**

#### "Poor Doctors!"

Sir, After my innumerable 'encounters' with 'poor doctors' (on which I could write a book), I thought I had acquired some immunity, but I almost developed wild rashes after reading the "opinion" of Dr Sabrina Q. Rashid. (In defense of Doctors, DS 4 Dec '98), which I presume, was written in "defense" of birds of the same feather. I'm not sure whether one should admire the writer's modesty or question and criticize her "knowledge and experience" while in the same breath she says, "our patient's general knowledge and knowledge about health and human body is so meager.....etc". If that is so, then the writer should not be writing in *The Daily Star* (or for the readers fall in that category too!) Also her tone of defense is more in tune with that used to calm a whimpering child, rather than backed by logic and facts. I believe that if she had read the cover story of the *Star Weekend Magazine* — "Breaking Vows Most Sacred", published on the same date, the writer would not have chosen to write.

I'm amazed to read: "At times they are also too tired to get into long discussions" — while presumably, they are not too tired to examine a long line of patients! (Perhaps considering it a receiptless/tax-free fee!) Also I'm not sure, that when she suggests, that to get into long discussions, patients should go to doctors who are less busy, is she suggesting going to the doctors' chamber or the local tea stalls! I resent her reference to DS readers as 'lay men'. I wonder also why, after a long line of contradictory comments, she felt that the reference to India was necessary?

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and there. The noise from the car horns at daytime at the time of dismissal of schools and the queue of the bridegrooms and guests at night in various community centres have made the life miserable of the people living here. Concerts and carnivals are being arranged every month.

The gig from the loudspeakers are perturbing the normal life of the people living at these areas — especially in December. Our country lacks civic sense. The people arranging concerts do not care whether the areas is being polluted with noise or not. During the eve before exams cannot study with concentration due to this barbaric culture. Especially the people arranging these do not care as they play music at the top of the volume without any consideration. They don't care if there is someone ailing or studying for exams. Let alone the traffic jam, the gig from these concerts have made the Dhammoldites lives miserable.

Sania Tasneem  
Dhammoldi, Dhaka

#### Helping Iraq

Sir, Following the invasion of Kuwait by Iraq and liberation of Kuwait by the multi-national forces led by the US, the poor Iraq has been razed to the dust. For over eight years UN economic sanctions are imposed on Iraq. Export and import from and to Iraq are totally banned. Iraq is totally cut off from the rest of the world. The socio-economic condition of the people of Iraq have been shattered and devastated. Thousands of children suffer from malnutrition and are deprived of medical care. Millions of Iraqis are languishing due to want, hunger and disease and their sufferings know no bounds.

Despite the appalling and heart-breaking situation in Iraq the western countries especially the USA and the UK insist on continuation of UN economic sanctions against Iraq for an indefinite period. Their only allegation and doubt is that Iraq is hiding nuclear and biological weapons, despite the fact that UNSCOM arms inspectors and the experts from Geneva based International Atomic Energy Agency (IAEA) have searched every nook and corner of Iraq including the controversial presidential palaces for the last eight years but have not found any trace of nuclear weapons.

I would like to correct this misinformation. High School education in the US is completed at grade 12, which is equivalent to HSC in Bangladesh. Furthermore, in the UK, students enter universities upon completion of both 'O' and 'A' Levels. So, I would encourage this young person to continue on and complete the 'A' Levels and I am sure all doors of higher learning, be it medicine or otherwise shall be open for her (her).

Towhid Islam  
Ann Arbor, Michigan, USA

#### Noise pollution in Dhammoldi

Sir, Dhammoldi, a prime location of Dhaka city, has been regarded a residential area for quite a long time. It was mainly a residential area and a quiet locality with some grocery and necessity shops situated beside the main roads some years ago.

Nowadays it has become a chaotic place as hundreds of schools and community centres have mushroomed here

I N my previous article on the subject (DS: 25th October 1998), I argued that General Augusto Pinochet (83) could not claim diplomatic immunity simply because he travelled on diplomatic passport to Britain. The Law Lords (the highest court in Britain) recently ruled against the General's immunity from prosecution and the court has resolved the first issue was resolved and the second one is yet to be determined. The discretion under Extradition Act is usually an administrative decision and in the instant case the discretion rests with the British Home Secretary.

I would argue that there are two separate questions involved in Pinochet's case. First whether he has diplomatic immunity and second whether he can be extradited in Spain by the British government. The first issue was resolved and the second one is yet to be determined. The discretion under Extradition Act is usually an administrative decision and in the instant case the discretion rests with the British Home Secretary.

It could be argued that there are two separate questions involved in Pinochet's case. First whether he has diplomatic immunity and second whether he can be extradited in Spain by the British government. The first issue was resolved and the second one is yet to be determined. The discretion under Extradition Act is usually an administrative decision and in the instant case the discretion rests with the British Home Secretary.

It could be argued that the prosecution of a person charged with genocide defies national boundaries and is an obligation by the state parties to the Genocide Convention of 1948. It has entered into force in 1951.

Spain is a party to the Convention since 1968 and so also Britain since 1970. Article 1 of the Convention states that the contracting parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Further genocide shall not be considered as "political crimes" for the purpose of extradition (Article 6 of the Convention).

In international law, convention is an agreement between states and the accession by Spain and Britain is a positive statement to other nations that they intend to fulfil their obligations under that convention.

There is a prima facie case exists for the extradition of Pinochet to Spain for his alleged crime of genocide and he deserves to be tried in Spain.

**Case for Non-extradition**

Several arguments are also advanced against Pinochet's extradition. One view is that if the charge of genocide is extended to the policy of a State in its domestic or external matters, then no head of a State or Government appears to be safe from "frivolous" charges of genocide or murder" of the nationals or authorities of another State.

This line of argument was one of the reasons for which the US did not sign the Statute of the Permanent International Criminal Court in Rome last July.

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Further, the policy of the US and Britain is to be applied to the rest of the world.

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can argue that if there is any criminal record in Britain against the passport holder, then it is entitled to initiate legal proceedings against the passport holder under the laws. It could be argued that no criminal record exists against Pinochet in Britain.

One could further argue that Pinochet's actions should be seen in the light of the Cold War in 1970s. Thousands of persons and villages were destroyed by the US in Vietnam to contain communism in South-east Asia. No criminal proceedings appeared to have taken place after the Vietnam war. Nor is there any agitation by the Human Rights Organisations to punish the perpetrators. It is well established that the rule of law is to be seen to be fair and should be applicable to the weak and the strong equally.

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