

Trial of Mondol's killers

It should act as a deterrent

THE trial of the killers of Advocate Habibur Rahman Mondol has again proved that unnecessary delay in disposal of criminal cases can be avoided if the courts are designed to achieve that goal.

The speedy trial tribunals have been constituted with a view to accelerating the pace of meting out justice, which will help restore people's confidence in the efficacy of the law. Some crimes may not fall in the general category for a host of reasons. The murder of Advocate Mondol was certainly one of the rare instances of a lawyer being eliminated only because he was extending legal aid to a litigant. When such outrageous acts of violence take place, the law itself is undermined. And things worsen further if the killers are not brought to justice with due haste.

The relatives of the victims have expressed their satisfaction with the court verdict. Of course they had the right to seek justice and they feel that finally it has come their way. The court has very rightly observed that the verdict will act as a deterrent against attacks on lawyers. Obviously, no legal system can work smoothly if legal practitioners become the targets of criminals and society fails to protect them.

It is a harsh truth that criminals, particularly those having the blessing of influential quarters, have been showing little regard for the law. Many of them could not even be arrested despite the much-vaunted anti-crime drives being launched from time to time. Apart from being a threat to citizens, these criminals exert a destabilising influence on society. Regrettably, many of them are still operating freely. However, if the noose of the law is tightened through speedy trial of known criminals it will be easier to contain crime.

The idea of setting up speedy trial tribunals has begun to pay dividends. One thing is pretty clear that we cannot any more afford to allow cases to be dragged on for years, particularly when they have a direct bearing on the law and order situation.

Since it is possible to organise speedy trial, the idea should be extended as far as possible to other courts also.

Amnesty after the 'war on terror'

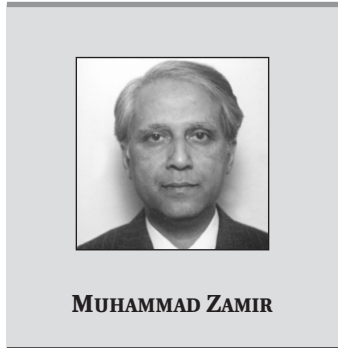
Discrimination in the name of 'security' not acceptable

THE annual report by Amnesty International most legitimately points out the plights and dilemmas many of us had been going through ever since the US-led 'war on terror' ensued. We have always deplored terrorism for the simple reason that it only increases sufferings of common innocent people. They are the ones who end up as the worst victims of such cowardly acts by armed groups. But the strategy taken by the western world to curb these groups cannot be accepted either. We can't agree more with Amnesty in saying that 'war on terror has made the world a more dangerous place and created divisions.'

Take for instance the post Iraq-invasion scenario around the world. We have already witnessed several suicide bombers' attacks that killed many innocent people and seriously injured even more. In Iraq itself, law and order has been in its worst ever situation. Iraqis have been living without basic necessity like water and electricity for days, weeks and months. And there is no sign of improvement either. As Amnesty said in its report, millions of Afghans are still facing an uncertain future even 18 months after the war had ended. Similar fate seems awaiting for the Iraqis as well. Unless the human rights problems are addressed in these areas, 'war on terror' will bring little success.

Amnesty also rightfully exposed the double standards of the western world. The observation by Irene Khan, secretary general of the organisation that 'what would have been unacceptable before September 10, 2001, is now becoming almost the norm' should provide enough thoughts for evaluating the world politics. Why should torture, detention without charge and trial, repression be accepted as normal for some citizens of some countries? Why should some people face discrimination while others would enjoy the luxury of 'security and protection'? Billions are being spent in the name of strengthening national security in the west, but millions of people around the world continue to suffer from poverty, malnutrition, corruption etc for lack of fund. We earnestly hope that rights groups around the world would not get subdued by this overt emphasis on 'national security' and 'war on terror.'

Two-state solution of the Palestinian problem



MUHAMMAD ZAMIR

THE end of April has seen the publication of a 'performance based and goal-driven roadmap', with somewhat 'clear phrases, timelines, target dates and benchmarks'. These factors have been built in apparently to ensure progress 'through reciprocal steps' by the two parties in the ongoing conflict Palestine and Israel.

Several factors have been intertwined keeping in mind the sensitivities of the problem related to the political, security, economic, humanitarian and institution-building fields. As reported in the press, the 'road-map' was formulated under the auspices of the Quartet constituted of the United States, the European Union, United Nations and Russia.

This plan has been publicised as being consistent with what President Bush had earlier mentioned in his speech of 24 June. It may be recalled that at a time a 'final destination' and a 'comprehensive settlement' of the issue were earmarked to be completed by 2005. Subsequent Quartet Ministerial statements of 16 July and 17 September had, it may be mentioned, welcomed the proposal.

The settlement proposal has several favourable elements built into it. The question is whether the steps can be or will be completed, as required, by both parties.

It has been pointed out in the 'road-map' for a two-state solution that an end to the conflict can only be achieved through an end to violence and terrorism. Emphasis has been placed on the Palestinian people and their leadership acting decisively against terror and being willing and able to build a practicing democracy based on tolerance and liberty.

However, something more important appears to have been said in the press statement issued by the office of the Spokesman of the State Department on 30 April. Their comment indicates that such Palestinian action should also, as a parallel track, include 'Israel's readiness to do what is necessary for a democratic Palestinian State to be established'. There lies the first crunch.

Similarly, both parties have

been urged to make 'a clear, unambiguous acceptance... of the goal of a negotiated settlement'. This is also important. It is understood that the Quartet will assist and facilitate the implementation of the plan, starting from Phase I, including direct discussions between the parties as required. It is this area that will ultimately lead to success or failure of this 'roadmap'.

As a performance based plan, progress will 'require and depend upon the good faith efforts' of both

ment'. It is also mentioned that 'this initiative is a vital element of international efforts to promote a comprehensive peace on all tracks, including the Syrian-Israeli and Lebanese-Israeli tracks'.

It is the boldness and the comprehensive nature of the plan that creates hesitation in one's mind as to whether it will be allowed to succeed. With the Jewish lobby so strongly entrenched in Western echelons and bastions of Western power and their media, it will indeed be most surprising if this

back from these sectors if we don't have a guarantee that terrorist organisations will not take control and organise anti-Israeli attacks which would sabotage any chance of implementing the 'road map'. Well, this will be a test of Quartet's will, and they should not be found wanting.

Today, the contemporary post-war Middle East has given an edge to the Palestinian people and brought sympathy for their cause. In the international psyche, the war in Iraq has drawn attention

The first phase calls for 'ending terror and violence, normalising Palestinian life and building Palestinian institutions'. Deep down within the Palestinian ethos, there exists great frustration and anger. Inaction on the part of some countries in particular, is responsible for this. Dispossessed of their freedom of movement, of legal revenues, of employment opportunities and of several other normal fundamental rights, their younger generation quite naturally feel that they have nothing to lose and do not hesitate therefore to take most unfortu-

freezing all settlement activity, consistent with the Mitchell Report can help. The US Middle East envoy William Burns' statement after his recent meeting in Ramallah with the new Palestinian Prime Minister Mahmud Abbas was special. He has asked Israel to "alleviate the suffering of Palestinians in reoccupied areas" and freezing construction of Jewish settlements in Palestinian territories. Added to this will be the onus under the plan to remove more than 60 illegal Israeli outposts. If Israel does so, they would have seized the real opportunity that exists today.

Practical steps need to be taken by Israel, and the general Palestinian population have to see for themselves dividends of peace, of having an enlarged, diversified Palestinian Administration. Only then will a stake emerge whereby alleged terrorist acts will lose support. This is the fundamental equation.

The Quartet also needs to understand that peace and success in the Palestinian track can and may be impeded if neighbouring Syria feels left out. It is in this context that one feels worried when the Syrian offer, conveyed by Maher Assad, involving mutual confidence-building steps along with a renewal of negotiations with Israel is rejected straight away by Israel. A concerted international peace cannot be brokered on the basis of selected objectives. The US Administration, at least their State Department understands this. Now they should try to convince Israel.

Security and feeling secure are both mental and physical. However, ignoring basic human rights and international humanitarian law will be a fatal flaw. Israel and Palestine have both come a long way since the dark, unfortunate events of Deir Yassin that took place on April 9, 1948. Long and protracted negotiations will not necessarily yield positive results. Support by some countries for Israel's high military profile will also not help them to gain credibility for their efforts being undertaken within other parts of the Muslim world. Time has also similarly come for the leadership of that area to assess future strategy on the basis of the new dynamics.

The people who inhabit the region are monotheistic and share their Prophets. In these troubled times, let their people come together and share peace, prosperity and freedom. Both sides must understand that this is not about public relations but one that proposes hard progress forward out of a contentious predicament.

Muhammad Zamir is a former Secretary and Ambassador.

POST BREAKFAST

Security and feeling secure are both mental and physical. However, ignoring basic human rights and international humanitarian law will be a fatal flaw. Israel and Palestine have both come a long way since the dark, unfortunate events of Deir Yassin that took place on April 9, 1948. Long and protracted negotiations will not necessarily yield positive results.

parties -- not just Palestine. Ascertaining their compliance with each of the obligations will also presuppose complete neutrality of the Quartet. In fact, in cricket terms, representatives of the Quartet will not only have to provide the umpiring, but will also have to be strict referees.

It is the Quartet which can ensure strict compliance with terms and conditions and also consistency as required under international law. This is significant because if the parties perform their obligations rapidly, progress within and through the phases can come sooner than outlined in the 'road map'. However, non-compliance of obligations, already agreed to at the beginning will impede progress.

One feels worried as to whether the powerful Israeli lobby will agree to all that exists within the 'road map' by implication.

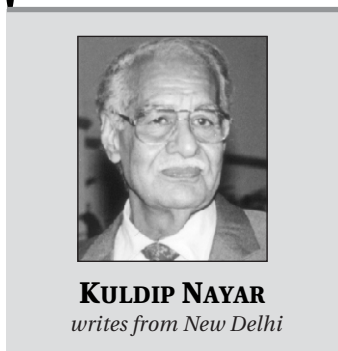
The US State Department has indicated that a settlement, negotiated between the parties, will result in the emergence of an independent, democratic and viable Palestinian State living side by side in peace and security with Israel and its other neighbours. The settlement will resolve the Israeli-Palestinian conflict, and end the occupation that began in 1967, based on the foundations of the Madrid Conference, the principle of land for peace, UN Security Council Resolutions 242, 338 and 1397, agreements previously reached by the parties and the initiative of Saudi Crown Prince Abdullah -- endorsed by the Beirut Arab League Summit -- calling for acceptance of Israel as a neighbour living in peace and security, in the context of a comprehensive settle-

ment. It will in fact require great skill on the part of the Arab world in general and Palestine in particular, but they should try to ensure that this approach succeeds. Israel, through various ways might create provocations and try to distract the peace process and derail this initiative. Palestine, particularly its radical elements, should avoid these baits however difficult it might be. They must understand that the last thing that Israeli extremist elements want is an independent Palestine State and they will resort to all means to thwart such an end. Israeli officials have already stated that Israeli forces will not be withdrawn from reoccupied Palestinian self-rule areas. Their plea -- 'we cannot pull

even more to the Middle East and the need for finding a solution to his long-lasting question. The image of the Coalition countries remain tarnished because no weapons of mass destruction could be found and justifying events in Iraq has become that much more complex. The accusation that the war was after all about oil continues to ring everywhere. At this juncture, resolving the Palestinian question would definitely bring back the lustre for those who went to Iraq. This will also enable these countries to improve their interactive relationship with those of Old Europe. Now is the time. The Palestinians will be able to enjoy the advantage of reflected interest and sympathy. They need to seize it.



Road to Shimla went through Murree



KULDIP NAYAR
writes from New Delhi

ROADMAP' is the latest neologism added to the political jargon of conciliation efforts. Therefore, it may be worthwhile to recount how India and Pakistan went about reaching the Shimla agreement in June 1972. It may help the two countries to hold negotiations. After 30 years of embargo, the records are now available to tell what transpired between DP Dhar,

India's representative, and Pakistan's Aziz Ahmed, before the meeting between Indira Gandhi and Zulfikar Ali Bhutto. The modalities were worked out by the Swiss Embassy which was looking after the affairs of both countries following the snapping of diplomatic ties. How they went about their business is relevant as efforts are afoot to fix the talks between Prime Minister Atal Behari Vajpayee and President Pervez Musharraf.

The first two-day session between DP and Aziz was as calm as the climate in hilly Murree where they met. The discussions were in English -- though Dhar wanted to switch over to Urdu to make them more informal. Aziz frankly admitted that even though Urdu was the official language of Pakistan, he for one found it difficult to use it, especially in talking to

Dhar who, like other Kashmiri pandits, spoke chaste Urdu. Both of them had different briefs. A durable settlement was on top of the tentative agenda that Dhar carried from New Delhi. But he was specifically directed to include Kashmir in the items for discussion at the summit meeting. From the Pakistan side, Aziz had been told to give top priority to the 90,000 Pakistani POWs and the territory which came under India after the Bangladesh war in December 1971.

In the opening speech itself Aziz

wanted was a "protective umbrella" for the summit meeting while Pakistan was seeking "guidelines for subsequent developments." Dhar said India was willing to prove its bona fides about seeking a permanent peace with Pakistan by decreasing its defence expenditure. His government would agree to consider a proposal of joint inspection or any other to satisfy Pakistan on this point.

It was Aziz who first gave Dhar a draft agenda: a) Elimination of the consequences of war -- return to

peace: 1 Renunciation of conflict and confrontation and adoption of a policy of ensuring peace, friendship and cooperation, 2 Non-interference in the internal affairs of each other, 3 Settlement of disputes by peaceful means, 4 Non-use of force against the territorial integrity or political independence of each other, 5 Reaffirmation of the obligation arising out of the UN Charter, 6 Inviolability of the frontiers and boundary between India and Pakistan, 7 Prevention of the formation of private armies aimed at subversion

Dhar listed them -- the priorities were different. No progress seemed possible. DP told Aziz that he would send for the plane and return to India. When Bhutto heard this, he invited DP for a meeting. Bhutto agreed that a peace settlement should have priority over the POWs and other problems. He thought that a step-by-step approach was the "best one." He concurred with DP's proposal to have a durable peace as the number one item. When the two came to discuss Kashmir they did not talk about any particular formula.

BETWEEN THE LINES

Kashmir as such was never discussed between the two sides. However, Dhar wrote a letter to Aziz saying that he hoped that Kashmir and the settlement of firm borders between India and Pakistan would be discussed at the summit meeting. The Shimla agreement listed steps to normalise relations between the two countries on the lines of documents exchanged at Murree. "A final settlement on Jammu and Kashmir" was included in a clause relating to the "establishment of durable peace and normalisation of relations."

talked about the need for a step-by-step approach and also referred to reports in some Delhi newspapers that DP would "demand" recognition of the ceasefire line in Kashmir as the international border. In reply, Dhar said that the past history of Indo-Pakistan relations should itself indicate that the step-by-step approach had not succeeded and that they could turn over a new leaf by having straightaway a durable peace. He contradicted press reports that he had come to dictate anything. Aziz said Pakistan's proposals were essentially India's own case in a 'capsule form.' Dhar said the point to note was whether it kept in view the "total concept." Raza Ali, who was Aziz's aide, said that what India

peace: 1 Repatriation of POWs and civilians, 2 Withdrawal of forces; b) Normalisation of relations: 1 Resumption of diplomatic relations, 2 Cessation of hostile propaganda, 3 Restoration of post and telegraph services, 4 Restoration of air and sea links, including overflights, 5 Opening of border posts; c) Improvement of relations: 1 Resumption of trade, 2 Cultural exchanges; d) Long-term measures: 1 Ways to solve disputes, 2 Economic cooperation wherever possible, 3 Cooperation as far as possible in international organisations.

Dhar said that the draft had some good points but was lopsided in its priorities. He gave his own draft: a) Elements of a durable

of the legally constituted authority of the two countries; b) Withdrawal of forces and repatriation of prisoners; c) Normalisation of relations: 1 Resumption of diplomatic relations, 2 Settlement of properties seized by either party during the conflicts of 1965 and 1971, 3 Resumption of air and sea traffic, including over flights, 4 Resumption of postal and telegraph facilities, 5 Opening of border posts, 6 Adequate travelling facilities, 7 Prohibition of hostile propaganda, 8 Promotion of trade and commerce and cooperation in economic matters, and 9 Exchange in fields of science, culture and sports.

Even though there were some common points in the two drafts --

Bhutto only said that the solution should be such as would be acceptable to the people of Kashmir. He promised that he would have detailed talks on Kashmir with Mrs Gandhi at the summit meeting.

Bhutto told DP what Nehru had said to him in November 1961 in London: "Zulfi, I know that we must find a solution for Kashmir. But we have got caught in a situation which we cannot get out of without causing damage to the systems and structures of our respective societies." DP assured Bhutto that India was anxious to hold negotiations with Pakistan without any loss of time because it had a stake in 'the continuance' of Bhutto, an elected leader, in office and in the integrity of Pakistan.

"We do not want you to fail and get another Yahya Khan (martial law chief during the Bangladesh war) or any other military man," added Dhar. He also said that India honestly believed that a weak Pakistan would be a danger to India's security, but added that first things must come first.

The document the two signed to facilitate a meeting between Mrs Gandhi and Bhutto enunciated 10 principles which would govern the talks. They were: 1 Need to normalise relations, 2 Willingness to think afresh, casting aside the shackles of past policies, 3 Recognition of the underlying desire of peoples in both countries for peace and harmony in the subcontinent, 4 Need for establishment of durable peace, 5 Need for ending military conflict, and starting a new chapter of good neighbourliness, 6 Desirability of diverting resources towards development, 7 Necessity that the summit should not fail, 8 Cooperation in other agreed fields, 9 Desirability of adequate travel facilities to both sides, 10 Cessation of hostile propaganda.

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Kuldip Nayar is an eminent Indian columnist.

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR

How do our judges feel?

There have been numerous reports in your daily that judgements or orders given by the High Court are either ignored or delayed in execution by the government. This attitude by the government is an insult to judiciary and I wonder how our judges feel when their judgements are ignored or delayed in execution. One has to appreciate the patience of our judges.

Under normal circumstances a person would have been either very furious or resigned if his decisions or orders were ignored.

Ziauddin Ahmed
Dhaka

"Bombings in Saudi Arabia, Casablanca..."

S Khan in his original letter criticised the silence towards the Saudi bomb blasts. I pointed out that those killed were part of military infrastructure. During World War II the German city of Dresden was 'carpet bombed' by the allies because it had military industries. A pharmaceutical factory in Sudan was bombed by USA a few years ago in retaliation of Kenya/Tanzania US embassy attacks. This pharmaceutical factory was supposed to be supplying the Al-Qaeda war machine. I could go on about similar incidents.

So it seems its okay for one side

in a war to fight in a certain way but not the other side. The supporters of capitalism/democracy never seem to look at their hypocritical double standards because that is the nature of those who follow evil and falsehood.

Abu
UK

Inept governance

What would be the consequence, if we let a blind to lead a group of school children to cross a road or a traffic inter section? If we let a deaf to be the judge of a recitation competition? If we let an insensitive to be elected supposed to take action against people responsible for 'heart failure' of persons in the

custody of law enforcing agency? If we elect people to high positions to lie, find all excuses not to execute their election pledges, remain busy in castigating the opponents and above all only offer nothing more than an inept governance?

The answer to all these questions is it would be simply disastrous.

Syed Waliullah
Mohammadpur, Dhaka

"George W. Bush is a man of vision"

Mr. Abu expressed his dismay about Mahmood Elahi never replying to his comments about Mr. Elahi's views (May 29). I am not

sure if Mr. Abu realises that Mr. Elahi never replies to anyone's comments about his views he preaches in his letters. I suspect he never reads *The Daily Star* at all. I have read the same letters by this gentleman in at least five or six American and two Pakistani newspapers. I have been reading his letters for the past three years and he never seems to show any concern or bother to reply to the comments on his views.

Irfan Ahmed
Callbrook

"Passport fees"

This is in response to the letter by Shuja Khondokhar (May 28).

I share your sympathy and kindness towards our poor country and its unlucky citizens. But I don't think our country's pathetic economy will improve simply by charging a few penny more to those expatriates. The problem with our country is completely different and a lot deeper than just 'shortage of resource'. If tomorrow Bangladesh gets the equivalent of all the oil in both Saudi and Iraq, guess what? Our poverty will still NOT go away. In fact, the number of beggars, poverty, crimes and corruption will increase even more! It is not about resource and money, but it is about "who" is using our resources and for "what" purpose. Constructing a new building by spending millions and by damaging a national heri-

tage (Parliament) is NOT more important than feeding the hungry people of our country!

Saudi has been selling oil for decades, but their economy is still weak. Unemployment, crime and poverty are all on the rise. When a developed country sells something to us, they have to invest a lot of money to manufacture it. Then they sell it to us and make some money. Remember, they had to pay for the materials they use to produce that item e.g. car, washing machine. With oil however, you don't need to spend a single penny to make it (apart from refinement, drilling and other cost which are balanced out by Research and Development cost of the other products). Oil comes for free. That

is also the reason why our planet is currently being dissected under the banner of 'democracy'. Oil is the most profitable product on this planet. Yet our Arab "brothers" (despite having the most profitable product under their feet) have still not managed to sort out their economy. Every week they sell billions of barrels of oil, but what happens to all the money? Building palaces for zebras and kangaroos? So you see the problem now?

I believe the words you are looking for are "effectiveness" and "efficiency".

Azad Miah
Oldham, UK