

Children dying from injury A preventable curse

A Unicef report has revealed that in Bangladesh at least 30,000 children died in 2002 from injuries caused by accidents of various kinds. The number itself suggests that despite the success achieved in preventing some life-threatening afflictions, children are still badly exposed to potential sources of death like drowning, burns, falls, road accidents and animal bites. Social awareness in this respect appears to be abysmally low and poverty coupled with lack of quick medical attention in case of emergency is taking a heavy toll of budding lives.

Clearly, enough is not being done to prevent premature deaths. To tell the truth, the Unicef report has brought into light a much neglected area. Governments or even social organisations have never really done anything to prevent deaths of children from injuries. The situation has been aggravated by the fact that an unusually high number of road accidents take place in this country. Furthermore, street children in the cities and towns are an uncared for lot and highly vulnerable to accidents.

What is missing is concern or a bit of compassion for the children. Roads in the city have uncovered manholes in many places and snapped electric wires are not an uncommon sight. Children become the worst sufferers when little attention is paid to such hazards.

The report should awaken our society to the presence of an ever growing menace. Unicef has suggested that the government spend more to prevent injuries as it did to combat some fatal diseases. Obviously, the task here is more complicated as there is no clear target to aim at. But generally speaking, matters will improve if we can reduce the number of road accidents, launch disasters, fires and all such mishaps. However, what is needed urgently is a sympathetic understanding of the problems that children are facing. A greater sensitivity must be shown to their cause. A fatalistic acceptance of what is going on is the last thing that we expect from the decision makers.

We cannot let children die in circumstances about which we have a great deal to do.

Prime land monopoly

Fair system the crying need

THE recent allotments made by Rajuk of fifty plots in Uttara and fifty plots in Banani have an unmistakable ruling alliance slant. Of the one hundred plots, 84 have been allocated to ruling alliance ministers, members of parliament, party leaders, their relatives and party supporters. If this is not brazen political self-dealing, then what is?

Let us look at the numbers. In 2004, Rajuk initially announced that it would allocate fifty of the plots. It received a total of 535 applications, eighty of which came from ruling alliance politicians or their relatives. Upon receiving more applications from those connected to the ruling alliance than it had plots to allocate, Rajuk decided to then allocate a further fifty plots. In the end, a lion's share of the 100 plots ended up being allotted to people either in or closely linked to the government.

It is obvious that Rajuk decided to give priority to those with political connections. Every single politically important or connected applicant was allotted a plot. Only two went to opposition politicians.

This means that the hundreds of ordinary applicants got nothing. Are we to believe that all the politicians were more deserving of plots than the non-politicians? No one can believe such an absurd proposition. This is not even to get into the questions of how many of the politically connected applicants already have land in Dhaka which should disqualify them from receiving a new allotment.

What are the guidelines that govern the allocation of land? Rajuk under the guidance of the Works Ministry must put in place, make public, and implement a procedure to ensure that land is fairly allotted. And, in view of controversies raging over prime land allotment issue from time to time, it is highly imperative that a fair system of plot distribution were adopted if we are to have the impression imprinted in the public mind that elected representatives are there to serve people rather than themselves.

M. ABDUL LATIF MONDAL

PEOPLE'S right of access to information actually amounts to their right of access to knowledge. Knowledge and information are interlinked. It is said that information is the brick out of which the structure of knowledge is made. Freedom of information is linked with core notions of democratic governance that presupposes people's participation in the decision-making process and choosing appropriate policy for their own welfare. People's participation can be effective and meaningful only when they are allowed access to information about the government's day-to-day activities affecting the important aspects of public life.

Recognising the importance of freedom of information at individual, organisational, national and international levels, the United Nations has declared "freedom of information as a fundamental human right." The Universal Declaration of Human Rights adopted by the General Assembly of the United Nations on December 10, 1948 states, inter alia, that everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinion without interference and seek, receive and impart information and ideas through any media and regardless of frontiers. The Unesco Media Declaration was adopted on November 22, 1978 at the general session of Unesco. Article 11(2) of the UNESCO Media Declaration states: "Access by the public to information should be guaranteed, journalists must have the freedom to report and the fullest possible facilities of access to information. The mass media should be responsive to the problems and concern of peoples and individuals."

Although the aforementioned Universal Declaration of Human Rights and the Unesco Media Declaration assert that "freedom of information is a fundamental human right and access by the public to information should be guaranteed," yet in most democratic countries, freedom of information has not been explicitly embedded in their constitutions.

However, a number of democratic countries which did not explicitly recognise the freedom of information in their constitutions, have subsequently adopted freedom of

information regime by amending existing secrecy laws or enacting separate laws. These laws are contributing in evolving norms on freedom of expression. Examples may be found in the Official Secrets Act, 1989 in the United Kingdom, the US Freedom of Information (FOI) Act, 1966 (amended in 1996), the Canadian Access to Information Act, 1982 (amended in 1999). Australia has also adopted a new FOI Act. In countries where constitutions enshrine the only guarantee of free expression and which do not have laws on freedom of information, national courts are increasingly

man is an officer of the parliament whose duty is to ensure that civil servants carry out their administrative duties according to law and to institute proceedings if they fail to do so. Report of the Task Forces on Bangladesh Development Strategies for the 1990s (vol. 2) states: "Every day members of the Swedish press call at the Ombudsman's office to examine the complaints and decisions of the previous day. The files are laid on the table ready for the inspection by the press. The pressmen select those cases which are of general interest and they have the right to criticize the

any person voluntarily receives any secret information knowing or having reasonable ground to believe that such information is communicated in contravention of the Act.

Sections 123 and 124 of the Evidence Act, 1872, protect from the disclosure of documents and communications which are considered to be privileged. According to section 123, no one is permitted to give evidence derived from unpublished official records relating to "Affairs of State," except with the permission of the departmental head who may either give or withhold the permis-

powerful check on the potential or actual misuses and abuse of its power. Again, it may be a catalyst of political equality by making congruence between policies and the public's expressed desires."

Keeping the above situation in view, the PARC in its report submitted to the government suggested enactment of Freedom of Information Act in order to provide freedom to every person to secure access to information under the control of public authorities. The salient features of the draft bill proposed by the PARC are:

1. Every public authority shall be

Ensuring people's right of access to information will help improve transparency, accountability, check and balance and people's participation in the decision-making process, which are sine qua non for good governance. While talking to some journalists recently, the minister for law, justice and parliamentary affairs disclosed that the government was considering enactment of the freedom of information law.

interpreting these provisions to also include the right to receive information.

In a few countries like South Africa, New Zealand, Nepal, Sweden, etc. the freedom of information has been recognised in their constitutional framework.

Article 32(1) (2) of the Constitution of South Africa states:

1. Everyone has the right of access to:

- any information held by the state; and
- any information that is held by another person and that is required for the exercise or protection of any rights.

2. National legislation must be enacted to give effect to this right, and may provide reasonable measures to alleviate the administrative and financial burden on the state.

Article 2.7(1) of the New Zealand Constitution provides: "The government has a responsibility to keep the public informed about important issues of the day. Ways in which this is done include the use of print, visual or sound media, or appearances at conferences and other gatherings to explain and discuss government policies and plans." New Zealand has also adopted a new FOI Act.

In Sweden, the freedom of information has been recognised in the constitutional framework, particularly through the incorporation of the institution of Ombudsman in the Constitution of 1809. The Ombuds-

man's handling of a case."

Let me now discuss the issue in reference to Bangladesh. There is the absence of a direct reference in the Constitution of Bangladesh to freedom of information or right of access to government-held documents. Article 39 of the Constitution ensures freedom of expression as one of the fundamental rights. On the one hand, the Constitution is silent about the freedom of information and no FOI Act has yet been enacted, and on the other hand, there are many laws prohibiting the disclosure of official document and information.

Among these, the Official Secrets Act, 1923, Evidence Act, 1872, Rules of Business, 1996, The Government Servants (Conduct) Rules, 1979, stand as significant barriers in the free flow of information.

The Official Secrets Act makes all disclosure and use of official information a criminal offence. Section 5 of the Act lays down that if any person possessing any document or information which has been entrusted to him in confidence by any government official, or which he has obtained as an official, (a) willfully communicate it to any unauthorised person, (b) uses it for the benefit of foreign power, (c) retains it in breach of duty, (d) fails to take reasonable care so as to endanger its safety, he shall be guilty of an offence. Clause (2) of Section 5 of the Act also provides that it will be punishable offence if

Rule 28(1) of the Rules of Business, 1996, prohibits government servants to communicate information, acquired directly or indirectly from official documents or relating to official matter, to the press, to non-officials or even officials belonging to other government offices.

Section 19 of the Government Servants (Conduct) Rules, 1979, provides that a government servant shall not, unless generally or specially empowered by the government in this behalf, disclose directly or indirectly to government servants belonging to other ministries, divisions or departments, or to non-official persons or to the press, the contents of any official document or communicate any information which has come to his possession in the course of his official duties, or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise.

It appears from the above that Bangladesh has no dearth of laws to deny the public and the press their right of access to information.

It may be stated that the freedom of information is linked with core notions of democratic governance like transparency, accountability, check and balance, etc. The Public Administration Reform Commission (PARC) in its report (vol.1) of 2000 observes: "Information may be an instrument of popular control as only informed people are able to criticise the government's policy by exerting

under a duty to maintain all its record as per its operational requirements, duly catalogued and indexed and grant access to information to any person requesting such access.

2. Each public authority shall publish periodically and keep updated information indicating particulars of its organisation, functions and responsibilities; classes of records under its control; and the facilities provided for access to information.

3. It shall be the duty of the concerned officers of a public authority to give reasons for decisions - whether administrative or adjudicative - to those affected and to disclose the relevant facts and analyses when major policies or decisions are announced.

4. Upon a request being made to him, the concerned officer shall provide access to the information within a fixed period that shall not exceed 45 days.

5. Where the officer decides to refuse access, such decisions shall also be taken within 15 days of the receipt of the request and it shall be communicated to the requester in writing, setting out the precise grounds and the relevant provisions of the Act.

6. Information covered by any of the following categories would be exempted from disclosure: (i) information, the disclosure of which would prejudicially affect the sovereignty and integrity of Bangladesh, security of the State

BNP's dilemma

SAIFUL ALAM

THE BNP seems to be back on its old path of wooing the hearts of fundamentalist forces. This is apparent when the Prime Minister, in her wrap-up speech of recently prorogued 15th session of parliament on March 15, vehemently denied the existence of any Islamic militancy or religious extremism in the country. Barely three weeks ago, on February 23, the same government, in a welcome move had banned the two Islamist outfits Jangra Muslim Janata Bangladesh (JMJB) and Jama'atul Mujahideen Bangladesh (JMB) and arrested some of their leaders, accusing them of a series of bomb attacks and murder with a view to creating anarchy.

The Prime Minister's speech regarding the existence of Islamic militants in the country has failed the entire nation as it was an echo of the remarks of her party's coalition partner Jamaat-e-Islami (Jamaat) and Islami Oikya Jote (IOJ) leaders in and outside the House. In her speech in the Jatiya Sangsad, the PM denied the existence of Taliban and al-Qaeda elements in Bangladesh. She termed the reports about their activities nothing but opposition propaganda against the government, aimed at causing a rift within the four-party alliance. The Prime Minister held the main opposition Awami League (AL) responsible for launching such propaganda.

Jamaat chief Matiur Rahman Nizami made similar comments in parliament in his speech on the thanksgiving motion on the Presi-

dent's address. Naming the AL, Mr. Nizami said that the party wants to create a rift within the four-party alliance through discovering the existence of so-called Islamic militancy, because, the AL knows that it would not be possible to win the next elections if the alliance exists. Chairman of a faction of IOJ lawmaker Fazlul Haq Amini reportedly said in public meetings and statements that "an evil force" --

nation, because it is open secret that the Jamaat and IOJ are using state mechanism to accelerate their brand of political Islam across the country.

Considering the PM's repetition of the alliance partners' arguments in the parliament, it appears that, firstly, BNP might have dragged its feet in acknowledging the existence of Islamic militants spiraling across the country out of fear of hurting the

ance from split. As coalition leader, BNP must have passed through a crucial time in the aftermath of the crackdown, as the party high-ups reportedly faced tremendous pressures from a particular alliance partner to stop the drive against the militants. The pressure further intensified as a section in the BNP itself (which included some cabinet members) reportedly sided with the anti-clampdown group.

partners, BNP did not seem to have any other alternative but to retreat from its earlier stand.

Last but not the least was perhaps the worry caused by the defection on March 8 of a top leader of Bangladesh Jatiya Party (a component of the ruling coalition) Mr. Firoz Rashid and his joining Ershad-led Jatiya Party, because BNP's main concern is AL and formation of a separate alliance of rightwing

madrasa of arrested Asadullah Al Galib, chief of Ahale Hadith Bangladesh, in Rajshahi, law enforcers have not taken any significant initiative to conduct further raids based on reported clues given by Galib. The law enforcers have only arrested some lower tier activists of JMJB and JMB, a move that many have dubbed mere "eyewash."

BNP should stop playing the game of "eyewash" forthwith, because to quote Abraham Lincoln - you can fool some of the people all of the time, and all of the people some of the time, but you cannot fool all of the people all of the time. Lincoln's saying appeared to ring true when the newly appointed US Secretary of State Condoleezza Rice during her trip to South Asia reportedly said that Bangladesh is becoming "quite troubling."

After Dr. Rice's remark, BNP now seems to be in a dilemma over the strategy to tackle the Islamic militancy issue. Whether the government continues with the crackdown to gain confidence of the international community or stops it to avoid a possible rift in the coalition is anybody's guess. But what is discernible is that if BNP continues with the drive it will hurt its coalition partners which it had used as a vote bank to win the last elections, and if BNP stops the drive the donor agencies and western countries, particularly the US, may go for sterner measures, for which the whole nation may have to pay a heavy price in course of time.

The author is a freelance contributor to The Daily Star.

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purportedly meaning AL -- has launched the propaganda about Islamic militants to create distance between alliance partners.

What could be the reasons for BNP's volte-face, within a very short span of time about a matter of great importance that for long time has been a vital issue of discussion both at home and abroad, is a matter to ponder. There is no denying the fact that Jamaat and IOJ were very much concerned by the unilateral decision of drive of the government against Islamic militants. It is apparent when, taken aback by the surprise crackdown, the two parties started blasting the decision. The Jamaat and IOJ might have feared that the drive in the long run would open the Pandora's Box which would expose their real face to the

electoral balance in the next polls. Given the prevailing political equation in the country, BNP badly needs the support of the fundamentalist forces to win the next elections. But BNP should know that the same strategy does not work at all times. If it worked in the last elections it was mainly due to the fact that BNP was then in the opposition and people perhaps expected a change. The same people may want a change in the next elections too.

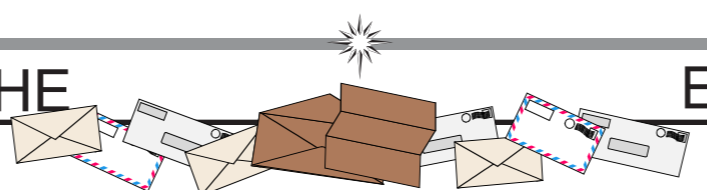
Secondly, the sudden but necessary move by the government to clamp down on the Islamic militants created strain, as the mission was kept secret from alliance partners within the ruling four-party coalition, to the extent that afterwards Khaleda had to join the chorus with Nizami and Amini to save the alli-

Another coalition partner IOJ publicly severely criticised the government for raiding Kawmi Madrasas and harassment of its activists across the country. How aggrieved the IOJ leaders had been was indicated when, putting aside their differences, leaders of both faction of IOJ headed by Fazlul Haq Amini and Allama Azizul Haq in a joint statement on February 27 protested the move and demanded that prior consultation among the coalition partners should have taken place before any such move was undertaken. IOJ leaders also threatened that if the government does not stop harassing its leaders and activists, their party is likely to take a strong stand against crackdown and may even desert the coalition. So, to placate the wrath of coalition

parties. Keeping these two things in mind, BNP's aim is to keep AL isolated from other parties and prevent formation of another alliance of rightwing parties. As BNP seems to be very suspicious about Ershad, so perhaps it must not try to antagonise its present alliance partners by acknowledging the existence of militancy in the country.

After BNP's open denial of the existence of fundamentalist force in the country, meanwhile, questions have arisen among the public regarding the halt in the government's crackdown on the Islamic militants, given the fact that Siddiqul Islam (alias Bangla Bhai), the operational commander of JMJB, as well as its spiritual leader Abdur Rahman, continue to elude arrest. Apart from raiding the house and

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



Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

SOFTEC-2005

I have been awarded the second prize at the international software competition SOFTEC-2005 held in Pakistan. Now I am going to Multan for delivering my speech on robotics at Zakaria University.

By the way, my robot can identify individual human beings and many other things.
Arif Reza Anwary
On e-mail

Thirty-three years of independence

We are now passing through the 21st century and our nation is already 33 years old! We had governments in the past and also at present pursuing ideologies like Nationalism, Socialism, Secularism, Democracy, and lately moderate Islam.

No matter whatever ideology is

being pursued by the elected representative government, it has to be accounted that neither the resident director of the World Bank (WB) nor the resident representative of the International Monetary Fund (IMF) are in the capacity to guide us to attain our cherished goals of independence!

Golam Ashraf
DOHS Baridhara, Dhaka

Mixing politics with religion

I read the letter to the editor regarding fundamentalism written by Cantara Wali Ruhi. She is mixing politics with religion. Whatever President Bush believes he carries out in his own way and he does whatever he thinks is best for his country. He does not mix his religion with his country's politics and affairs. In the US, followers of all

religions live in harmony. Nobody attacks religions followed by others. Here Muslims, no matter what sect they belong to, pray in their mosques without fear. There is freedom of speech and religion. There is no Fatwa and no banning of any religious group or publication.

I hope Ms. Ruhi will understand the difference between religious freedom and extremism.
Laeeq Ahmad
New York

Traffic jam

Dhaka is a big city. About twelve million people live here. Day by day the number is increasing and Old Dhaka is badly affected by the population growth. Once upon a time Dhaka was regarded as a city of mosques but it has long lost its glory. Today Dhaka is a filthy place.

A few days ago a daily newspaper published a picture of the first day of

S.S.C. examinations. A girl with her guardian were late to arrive at the exam hall due to traffic jam. Both of them were very anxious because the girl might have missed the exam.

About seven lakh rickshaws ply the city roads, but only 75 thousand have legal numbers. This gigantic number of rickshaws is creating traffic jam. From time to time attempts are made to reduce the number, but the initiative usually produces no results. The number of rickshaw pullers is huge. So they have to be rehabilitated in the agriculture sector once rickshaws are pulled out of city roads. Traffic jam and Old Dhaka are almost synonymous. There is no road or street or lane free from traffic jam. Nayabazar, Najimuddin Road, Chawkabazar, Imamganj, Moulvibazar, Bangshal, Najirabazar, Nawabpur, North-South Road, English Road, French Road, Kaji Alauddin Road, Allubazar are places

where traffic jams are a common sight.

Traffic jam is obstructing trade and commerce. Illegal parking is another reason for traffic jam. Cars, trucks and other vehicles are parked almost everywhere.

Drivers do not go by traffic rules. And there are bus terminals not authorised by the traffic department. The traffic managers have failed to do anything about this problem and the situation is going from bad to worse day by day. It is expected that the authorities concerned will look into the matter in right earnest and ease the traffic situation in Old Dhaka.
Mohammad Sultan
On e-mail

Congo tragedy

The nine Bangladesh soldiers who died in an ambush in Congo deserve gallantry award. According

to the Director of the ISPR Lt. Col. Nazrul Islam they fought to the last and did not try to escape (source Internet version of the Jai Jai Din 21 Volume). These soldiers went to Congo for the People's Republic of Bangladesh and they remained loyal to their oath.

So I request the Ministry of Defence to grant *Bir Pratik* to these brave soldiers. They were not bearing the blue UN Flag but also the Bangladesh flag. May Allah grant peace to their departed souls.
Sabir Abdus Samee Sumit
Falun, Sweden

Why this demand?

The whims of the Awami League are exasperating us, from time to time they are placing demands of one sort or the other, most of which are unreasonable. They are abstaining from the JS and resorting to hartal frequently which is very inconve-

nient to the people and harmful to the country.

Now they are demanding reform in the caretaker government, it is really ridiculous because the formation of caretaker government was Awami League's idea and they were happy with it, then why it has become necessary to make changes? Is it because they lost the last general election?

Everyone knows that the election had been free and fair, the caretaker government had conducted it efficiently, people were pleased and thankful to those who were in charge.

But the Awami League was not happy, it started saying that there had been massive rigging and at first refused to accept the results; the oath taking ceremony had to be re-scheduled a few times because Sheikh Hasina was not cooperating.

So, we want to ask, does the caretaker government's credibility depend on which party wins the election? If the Awami League wins, it is free and fair!

Nur Jahan
Chittoagong

Indo-Pak ODI series

Newspaper reports indicate that the Pakistanis have started the one-day series as favourites. But I beg to disagree. Indians have a terrific batting line-up which should make the difference. And we know that in ODIs, it is the batting prowess which counts more than anything else.

So in my opinion, Indians have a better chance of winning the series.
A cricket fan
Dhaka