

Rid us of sardine-packed traffic

High-rise buildings must have parking lots

WHILE attempts are being made to improve the city's traffic management, a major cause behind vehicular jams remains unattended to. Most of the high-rise buildings in the city's busy commercial areas have neither any parking facility nor does anything they have deserve to be called adequate. The result is occupation of road spaces by vehicles. So traffic congestion becomes unavoidable, particularly during the peak hours.

The city has roads on only eight percent of its total area, which is far below the desired level. And the number of vehicles is increasing very rapidly. The situation becomes critical when the width of a road is reduced by parked vehicles in a busy area.

The Building Construction Rules, 1996 clearly stipulates the standard size of the parking area that a high rise building must have. But the rules are being honoured more in the breach than in observance. A survey conducted in Gulshan area has revealed that many of the existing and under-construction high-rise buildings have not at all bothered to comply with the rules. A large number of people visit these buildings every day and park their vehicles encroaching on the roads. The problem has been compounded by the fact that no open space is available in the vicinity of these buildings. Parts of roads are being used as parking lots, and it seems there is nobody to prevent such invasion of public thoroughfares.

The traffic managers have themselves admitted that spending millions on improving things like traffic signals, intersections and roads will not have any impact unless the main cause behind traffic jams i.e. lack of parking space is addressed. Worse still, they believe that the situation will deteriorate rapidly in the days ahead.

The decision-makers should take stock of the situation and firmly arrange to enforce the rules in order to untangle the traffic mess. Obviously, only lack of supervision and monitoring could permit construction of high-rise buildings in blatant violation of rules. The attempts to improve traffic management in the city without setting things right in the area where correction is direly needed can only draw a blank.

Enough is enough; the decision-makers should make sure that a high-rise building has a parking space without fail, as required under the law.

Restoring democracy in Nepal

Three years too long to wait

THE statement by the Nepali finance minister that the King intends to restore democracy fully within the next three years was moderately encouraging, but not nearly enough. The announcement came close on the heels of the lifting of the state of emergency which nevertheless has left hundreds of dissidents still behind bars and the King governing without benefit of an elected parliament. Both the lifting of the emergency and the finance minister's statement are better than nothing, but neither is sufficient to alleviate concern over the state of affairs in Nepal.

There can be no doubt that Nepal faces daunting problems. The Maoist insurgency remains strong, and on top of continuing violence, only last week a prominent religious leader was killed by unknown assailants, underlining the lack of security in the country. Nevertheless, we feel strongly that curtailing democracy and coming down hard on dissenters is not the answer.

The people caught in the middle of all of this are the long-suffering Nepali people. Our full sympathy resides with the Nepali citizenry who seem to be at the receiving end of a raw deal.

The monarchical and militaristic approach that has been adopted by the King, is, we feel, bound to prove counter-productive. The only real hope for Nepal, as for all countries, lies in the people being free to exercise their own judgement and to decide their own political future.

Democracy in Nepal, since its introduction in the early nineties, has always stood on shaky grounds, and does not seem to have taken firm root. It has been an on-again off-again affair that has not been given a real chance due both to the impatience of the monarchy and the limitations under which the political leaders have had to work.

But regardless of its roller-coaster ride, democracy is the only way forward for Nepal that will solve its problems. We feel that by reverting to autocracy, the country is moving in the wrong direction, and that this will only exacerbate Nepal's problems rather than solve them. Despite its limitations, the democratic political process must be allowed to run its course.

Inaction lends itself to uncharitable speculation



IT is now more than a year that truckloads of arms were seized in Chittagong, nine months since the attack on Sheikh Hasina and more than three months since Mr. Kibria met his tragic end at the hands of an assassin, not to speak of the bombings at the Udichi function, the attacks on Pohela Boishak function, the CPB meeting, and many more such attacks. Regrettably, very little has been done by way of unearthing the perpetrators of these horrendous acts.

There is little doubt as to who are the beneficiaries of the government's inability in unearthing or even pursuing the incidents of the bomb attacks and killings of political leaders in the last three years.

Let us take a stock of the recent incidents.

The latest incident is that of the killing of the AL leader and ex-finance minister Mr. Kibria. Between January 27 and now the government has arrested several persons including a local leader of the BNP. Several persons have

been charge-sheeted, awaiting prosecution. But the important issues remain outside the domain of public knowledge. For example, there are reports that the principal accused has international links and is involved in money laundering. Does the authority know his actual area of operation? It is also for the government to find out what was the type of bomb that killed Mr. Kibria and whether it bears resemblance to those that were seized in

believe that the lone boatman would solve the mystery of an issue that involved a very complex operation and millions of dollars? The secretary level inquiry, which was completed in haste, gives rise to more questions than it answers. The most significant question is that of the resolve and ability of the government in getting to the bottom of the matter.

Comments by senior government officials following the arms

three trucks that apparently went missing? What is the place of origin of these weapons? It is comprehensible that such a huge and complex operation, involving such a huge amount of money, could have been undertaken without collusion from within the country. These are some of the questions whose answer the nation is eagerly waiting to hear.

The most serious of the incidents was the attack on the AL rally

ulation that our territory is being used for transit of illegal weapons and drugs. However, if that be the case, we are not aware of any effort on the part of the government to make this trade more difficult, if not block it totally. The border forces remain thin on the ground and we are not aware of any definite actions that have been taken to interdict the likely routes that are being used for the illegal trafficking. Our coastline needs to be

detailed investigation of the substance of the reports. We have no information that investigations into reports related to existence of radicals on our soil have been conducted at all.

The government, one feels, must do more in these matters otherwise its sincerity in resolving the matter may be called into question. And when the government is seen to lack sincerity in following up cases that have great long-term security implications for the state, when it remains constantly in a denial mode and considers comments, national and international, as attempts to harm its image, all sorts of speculation are engendered.

There are so many leads that the government could have taken. And since one is not aware of any follow-up action in the matter, a safe bet is that either the government has all the answers to the questions which it prefers to keep out of public purview, or it has not thought it necessary to follow the leads.

One feels that the findings must be made public. It is the people's right to know since it is their security and safety that are at stake.

And, if the government has not thought it necessary to follow the leads, the obvious question is, why not?

The author is Editor, Defence and Strategic Affairs, The Daily Star.

The government, one feels, must do more in these matters otherwise its sincerity in resolving the matter may be called into question. And when the government is seen to lack sincerity in following up cases that have great long-term security implications for the state, when it remains constantly in a denial mode and considers comments, national and international, as attempts to harm its image, all sorts of speculation are engendered.

Chittagong last year. It has also not been determined definitively whether the killing is the result of local political feud or something more. Furthermore, how did the principal accused come by the grenades?

The biggest arms haul in the history of the country remains a mystery. The size of the shipment was highly significant. The government has remained satisfied with an inquiry report, and, from the comments following the completion of the Home Secretary's inquiry, it seems that the government had pegged all hopes of unraveling the mystery on the missing operator of the trawler that was used to ship in the huge consignment into a government jetty. Does the government really

haul in April 2004 confounded the matter initially. The government continues to be oblivious of the fact, or at least that is how it appears to us, that the size of the shipment was big enough to impact very severely on the country's security, let alone of its potential to bring down the government of the day. The money involved in the deal is a stupendous amount, and to our knowledge there is no group in Bangladesh that has that kind of money or has the capability to absorb the type or the quantity of the weapons that were seized. Or is there? So who was behind the deal, who would be the likely beneficiaries and, if it were meant for a third country, what was its final destination? What is the status of the investigation related to the

on August 21, 2004. We can hardly conjure in our mind its likely political and security ramifications had the other senior leaders of the party been killed. It is assumed that the findings of the commission of enquiry has revealed nothing since we have not noticed any tangible follow-up action on the part of the government in the matter. The commission had many inherent shortcomings, primary of which was lack of appropriate technical and investigative expertise. After all, a judge is not a sleuth. He had to depend on the assumptions or analysis of certain "experts" whose knowledge on the matter was also circumscribed by many inherent shortcomings.

In the absence of public explanation, how can one prevent spec-

more effectively patrolled by making the Coast Guard more mobile and flexible.

None of investigations into the bomb attacks, particularly against the VIPs, has made headway. There seems to be a sense of inertia in the government in pursuing the cases.

The US State Department "Country Reports on Terrorism" for 2004 suggests the presence in Bangladesh of Islamic extremist with international links, something that had been talked about for many months in our media. And yet the government has seen it fit to explain away the report as nothing more than an attempt to vilify the country. The foreign minister's remonstrations would have been credible had it been backed by

Appointing the Chief Election Commissioner

M. ABDUL LATIF MONDAL

THE demands that have been made by the opposition political parties including the main opposition Awami League (AL) to overcome the present political impasse include, *inter alia*, (1) reforming the non-party caretaker system of government introduced through the Constitution (Thirteenth Amendment) Act, 1996, (2) appointing the Chief Election Commissioner (CEC) through consensus of all the political parties, (3) strengthening the Election Commission, and (4) reforming the electoral system. But detailed proposals for reforms are yet to come. It is reported in the newspapers that the AL will come up with the detailed proposals on the above issues in the middle of May.

The BNP high command has already ruled out the possibility of any reform in the existing non-party caretaker system of government. The BNP has also ruled out the possibility of any dialogue with the opposition on the issue of appointment of the next CEC. The tenure of appointment of the incumbent CEC Mohammad Abu Syed expires on May 22. The first encounter between the government and the opposition will thus take place this month over the appointment of the new CEC. The discussion in this article has, therefore, been limited to the appointment of the CEC.

Let us first look into the constitutional provision regarding appointment of the CEC. The constitution of Bangladesh provides that there shall be an Election Commission for Bangladesh consisting of a Chief Election Commissioner (CEC) and such number of other Election Commissioners (ECs), if

any, as the President may from time to time direct, and the appointment of the CEC and other ECs shall, subject to any law made in that behalf, be made by the President. When the Election Commission consists of more than one person, the CEC acts as the chairman thereof. The term of office of the CEC and the ECs is five years from the date of entry into office. An EC is eligible for appointment as the CEC. A CEC or EC can not be removed from office except in like

cils, etc. The above functions amply show that as the head of the Election Commission, the CEC shoulders great responsibilities.

To discharge the aforesaid functions successfully, the need for an efficient, neutral, and honest person as the CEC can hardly be over-emphasised. But one may reasonably ask whether it is possible to get a person who is acceptable to all the political parties. In the absence of any law requiring compulsory registration of political

President shall not appoint a person to be CEC unless he is, or has been a Judge of the Supreme Court, or is, or has been, a Judge of a High Court and is qualified to be appointed a Judge of the Supreme Court. The two ECs are appointed by the President from amongst the High Court Judges in consultation with the Chief Justice of the High Court concerned and with the CEC.

The 1990 constitution of Nepal is a product of the people's struggle

tions. The Electoral Commission consists of (a) a Chairman who is, or is qualified to be a Judge; and (b) four other members. The Chairman is appointed by the President, acting in his or her own judgement. The other members are appointed by the President on the advice of the Prime Minister following consultation by the Prime Minister with the Leader of the Opposition.

It appears from the above discussion that the constitutions of some of our neighbouring coun-

to act in accordance with the advice of the Prime Minister.

In the absence of any consultation with the opposition, particularly with the Leader of the Opposition, for appointment of the CEC, it is not unlikely that a person sympathetic to the ruling party will be the choice of the government for the position of the next CEC. It is a fact that no government including the AL government in the past did consult the opposition, in particular the Leader of the Opposition, for making appointment to the posts of the CEC and the ECs. But we have seen above that such consultation with the Leader of the Opposition takes place in some of our neighbouring countries.

Why can't we have a constitutional provision for consultation with the Leader of the Opposition for making appointment to the position of CEC? The opposition parties should realise that it is next to impossible to find a person as the CEC who is acceptable to all the political parties. They should trust the Leader of the Opposition. The number of ECs should not exceed two, and the CEC shall be consulted for appointing EC(s). The main opposition AL will have to convince the opposition parties to agree to such amendment(s). The AL may bring a bill accordingly in the ensuing budget session. The BNP should not resist the bill. Rather, it should extend full support for its passage. After all, there are no last words in politics. Who knows that the BNP will not be benefited from such amendment(s) in future. The government should not proceed with the appointment of the new CEC before the passage of the bill.

M. Abdul Latif Mondal is a former Secretary to the GOB.

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manner and on the like grounds as a Judge of the Supreme Court.

It appears from the above that appointment of other Election Commissioners is not mandatory and the Election Commission may consist of the CEC only. It may be mentioned that the constitution of Sri Lanka provides for a Commissioner of Elections who is appointed by the President and holds office during good behaviour.

According to the constitution and the laws made thereunder, the functions of the Election Commission are: (a) holding elections to the office of the President of Bangladesh; (b) holding elections of members of Parliament; (c) delimiting the constituencies for the purpose of elections to Parliament; (d) preparing electoral rolls for the purpose of elections to Parliament; and (e) conducting elections to different local bodies such as Union Parishads, Upazila Parishads, City Corporations, Pourashavas, Hill District Coun-

parties, it is difficult to say how many political parties we have at the moment. More importantly, there is no provision in the Constitution, which requires consultation even with the Leader of the Opposition in the House for appointing the CEC or ECs.

Under these circumstances, we may have a look into the constitutional provision regarding appointment of the CEC or ECs in some of our neighbouring countries.

According to the constitution of India, Chief Election Commissioner (CEC) and other Election Commissioners (ECs), if any, are appointed by the President. There is no provision in the constitution which binds the government to discuss with the opposition parties for appointing the CEC or the ECs.

The constitution of Pakistan does not contain any provision for consultation with the opposition parties for making appointment of the CEC and two ECs. But the constitution provides that the

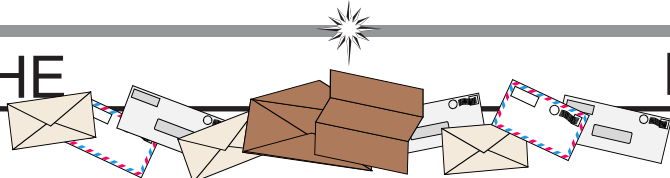
for democracy and fundamental rights. The Constitution of Nepal provides for an Election Commission consisting of a Chief Election Commissioner and such number of Election Commissioners as may be required. On the recommendation of a Constitutional Council, His Majesty appoints the CEC and other ECs. Article 117 provides for a Constitutional Council for making recommendations in accordance with the Constitution for appointment of officials to Constitutional Bodies. The Constitutional Council is headed by the Prime Minister and the Chief Justice, the Speaker of the House of Representatives, the Chairman of the National Assembly, the Leader of the Opposition in the House of Representatives are its members.

The constitution of Fiji provides for an Electoral Commission which is responsible for the registration of the voters for election of members of the House of Representatives and for the conduct of those elections.

tries contain provision to involve the Leader of the opposition in the appointment of the CEC and the other ECs.

A cursory look into our constitution will reveal that the framers of our constitution heavily depended upon the constitution of India. Even the Rules of Procedure of the Lok Sabha have greatly influenced the framing of the Rules of Procedure of our Parliament, which were adopted on July 22, 1974. We ought to remember that although the constitution of India provides for a parliamentary system of government, yet the executive power of the union has been vested in the President. The President is a part of the legislature. But in Bangladesh, the executive power of the Republic is vested in the Prime Minister who happens to be the chairperson of a political party. The President is also not a part of Parliament. In the exercise of all his functions, save only that of appointing the Prime Minister and the Chief Justice, the President has

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.

Hopes and beliefs

A massive construction collapse is nothing new anywhere in the world but a lack of proper investigation is what is heartbreaking for the sufferers in Bangladesh... a beautiful green spot in this huge world.

A third-world country but with proven desires to get rid of that title, Bangladesh is constantly suffering from unbearable corruption. I have seen so many good changes in that country in the past 20 years: population control, continuous participation in world peace and security programmes, improvements in roads and highways, development in business sectors, effective innovation of micro-credit systems, massive education drives, tremendous improvement in customer service areas, and in so many more areas that I find it difficult to believe how only a small group of people are easily able to hold the country back from bursting into international fame and shrugging off

the 'third-world' title.

The recent collapse of the Spectrum Garments building in Savar reminded me of my first experience of a collapse of a similar garments building back in 1989 in Bangladesh. Similar scenario with fewer deaths (I think around 19 people during that time) was what was reported then.

Accidents will happen and ultimately it will be accepted by all but the sheer lack of accountability is what is unacceptable. The collapse of an overpass killing a businessman sitting in his car near Dhanmondi highlighted in most of the national dailies was heart breaking at one time but shocking was the fact that the same construction company, under a different name, got back into business and is working in other public areas. Earlier today I told my sobbing wife, "if not today, one of these days, you will get justice in your beloved country" and trust me

when I say that I still hope and believe in that. Do you?

John S Ahmed
On e-mail

Virtue of quietness!

Sound is a system of life. The existence of life is felt and perceived through the presence of sound. Yet enough, sound is no longer a symphony (like music etc). It is always felt in the form of noise, shrills and other cacophonies. The drivers of vehicles on the roads keep honking indiscriminately as if the traffic was going to settle down if they honked. Then even in the colleges, schools and hospitals sound is present. It is now considered dangerous. It seems like the pleasant quietness of our life has totally vanished. Even during religious festivals (like Shab-e-barat, Dewali) crackers are burst savagely, producing deafening noise.

I think the police should take up the matter and a public opinion must be created through the newspapers.

Everyone must cultivate the virtue of quietness in domestic as well as public life.

Mohammed Fahim Hara
Eskaton Road, Dhaka

Be constructive

I have read the news on bribery in Bangladesh. Instead of covering bad news only, can't you educate people regarding the moral aspects of life?

My suggestion is: Be constructive, rather than being destructive.

Monira Begum
On e-mail

Holiday issue

Referring to the "Holiday issue" by MZ Islam, I and other forward thinking people totally disagree with you. If you and Mr. Azad Miah think that the world goes around the whims and wishes of Bangladesh's Friday holiday, you are sadly mistaken!

Bangladesh has Thursday half and Friday full weekend. Do that math and find out that we are cut off from the rest of the world for HALF

THE WEEK!!!

FAX, Internet, SMS, SATCOM and Video Conferencing, communication and connectivity can certainly make it easier but do not solve the big problem. One must also remember that the Middle East countries that we try to emulate so much have oil; so they can afford to keep their countries closed any day they wish to, we cannot.

Friday holiday does not make a person religious, Faith does!!

Adnan Siddiky
Ottawa, Ontario, Canada

For better democracy...

We have crossed 34 years of our independence! Democracy is maturing and slowly gaining ground in our country. At present, people at large want peace, security and development. The human qualities like patience and tolerance must be cultivated and nurtured by our political, economic, social and religious lead-

ers for the overall progress and prosperity of our nation. No matter whether the JS remains in session or prorogued, in general the countrymen desire completion of the five-year term of the government.

We would see 'better democracy' in the days ahead when all the major political parties would field honest and qualified candidates in the general elections for the legislative branch of the government.

The responsible role of any qualified administration would call for independence of the judicial branch of the government and consequently the executive branch, comprising the civil and military officials (usually intelligence and law enforcement departments), could perform its duties as per the hopes and aspirations of the citizens.

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Dr Samuel

Kobia's visit

My attention has been drawn to the

letter of John Peter Biswas under the title "Dr Kobia's message" published in this column on April 8, 2005. The letter of Mr. Biswas did not reflect the true picture of the visit of Rev. Dr Samuel Kobia, Secretary General, World Council of Churches (WCC) and Dr Matthews George Chunakara, Asia Secretary, WCC.

Dr Kobia did not come to Bangladesh to hold any Sunrise Service. The purpose of his short visit was to inaugurate the newly built training centre of the Christian Commission for Development in Bangladesh (CCDB) at Baroipara, near Savar. His visit simply coincided with the Easter Sunday.

This year interdenominational Sunrise Services were organised at five different places in view of the call of HARTAL on the Easter Sunday. There was no certainty that hartal would be shifted to another date in response to an appeal from the Christian community. The services were organised at five different places to allow various Church members to join the services according to their

convenience.

Dr Kobia chose the venue for the service at Mirpur because it is close to CCDB office. It would be unfortunate to view the matter negatively. The service at Mirpur was attended by more than a thousand devotees of Protestant (Anglican, Methodist, Salvation Army, Baptist, SDA) and Catholic Churches. The Easter message of Dr Kobia was: Do not be afraid of any evils.

During his visit he addressed a big ecumenical gathering at NCCB to share his opinion on "Ecumenism in 21st Century". He conveyed the message of peace, harmony and unity of the ecumenical family to face the challenges of the present turbulent world.

Thomas Bikash Baroi

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