

Fighting graft is our urgent task

CA's call must entail institutional reforms

CHIEF Adviser Fakhruddin Ahmed's emphasis on the creation of a graft-free society is, we believe, a clarion call to the country. The whole nation is in agreement with him on the question of a crusade against corruption. The efforts that the caretaker administration has so far expended in tackling crime and corruption have been laudable and the media in particular have remained supportive of the government in this regard. It is because of such reasons that we think the CA's address at the Bangla Academy only complements and reinforces the principled stand he and his government have adopted about tackling head-on the problems which have kept the country in their vise-like grip.

Lest the CA's words be construed as a mere mousing of platitudes, it becomes important to bear in mind the difficult job the caretaker government has before itself. We do understand that the caretakers are not angels who can fix things through using magic wands. Even so, the business of building a corruption free society depends on how and to what extent the caretaker administration can bring about some very necessary institutional reforms in the areas that matter. Obviously, a significant priority concerns the expenditure sector. The fact is that in Bangladesh the government remains the biggest spender, which therefore implies that all the spending going on in its name must be made fully accountable as well as transparent. It is a job the caretaker government can do through empowering the office of the Comptroller and Auditor General to investigate the financial wrong doings of the various departments of the executive branch. But empowerment of the CAG's office presupposes an appointment of competent individuals to it and ensuring their full and unequivocal freedom to do their work.

A strengthening of the CAG's office necessarily calls for an inquiry into the performance of individual ministries of the government. Since there is a system of individual ministry accounting in place, all that the caretaker administration needs to do is to go resolutely into bringing such accounting out in the open. The secrecy and red tape surrounding the work of the ministries have traditionally contributed to a lengthening of the shadows of corruption. Unless such problems are handled in a decisive manner, graft will continue to eat away at the vitals of our society. The CA's statement must also be applied in projects and procurement and the degree of implementation achieved here. The public procurement procedure, at the insistence of the World Bank, is already in place. But the last government did not implement it seriously. The caretakers would do well to crack the whip on those who have been mishandling projects.

Overall, a tough handling of graft by the caretaker administration can create an enabling condition for a future political government to build on our collective vision of a healthy, corruption free society.

Rotten wheat

Give exemplary punishment

WITH the seizure of 1.75 lakh sacks of rotten wheat imported by some big names in business our apprehension that a strong nexus of corrupt importers of food and foodgrains has been operating in the country with impunity has come true. The huge quantity of rotten, inedible foodgrains worth about Tk. 35 crore was seized by the joint forces on Wednesday from warehouses belonging to some influential importers based in Dhaka, Narayanganj and Chittagong. The manner in which the tip off led to successful arrest of some operatives, including some senior police officials of Fatullah Police Station only strengthens our conviction that this time the caretaker government and the law enforcing agencies intend to mean business. They have been prompt in responding to information and successfully finishing the operation with precision.

The incident of confiscation of the inedible wheat and other food items is not a stray case. By all means, this is only the tip of an iceberg of corruption, deception and deceit in the imported food sector. The unscrupulous importers have been importing rotten wheat and other similar food items from abroad and marketing them after deceitful packaging. They paid little attention to the fact that the rotten food items were highly dangerous to human health. The malpractice has been going on for decades covering the tenure of all the past governments, but we have rarely heard of any big fish getting caught. The role of some corrupt political elements of the day also needs to be brought into focus to unearth the source of the power of these importers.

We feel the powerful men behind the whole scam need to be fully exposed and given exemplary punishment so that the nexus can be totally destroyed once and for all. The government must go all out after the so-called businessmen who wear a mask of civility in the day and do such heinous acts at night. They are the enemies of the people and they should be dealt with accordingly.

Making anti-corruption efforts more effective



MUHAMMAD ZAMIR

It has indeed been heartening to note the interest taken by the present government to review and to make our anti-corruption measures more effective. Particularly those, who have been critical of the Anti-Corruption Commission (ACC) and the manner in which it has functioned since its inception, will follow their efforts very carefully.

For some time, there has been strong criticism and frustration among local and international monitors over the ACC's failure to function. Politicised from the very beginning, the ACC's abilities were hamstrung due to several institutional, legal and administrative flaws. Consequently, the decision by the current government to constitute a committee to evaluate the possibilities for improving the effectiveness of the ACC has been a step in the right direction. Theirs will be a hard task. However, they will have to move forward by examining all the principles that are associated in the fighting of corruption, including international treaties and commitments.

Corruption is considered as old as the human society. The concerns with corruption are presented in the works of ancient philosophers as Plato and Aristotle. Gjeneza Budima has noted interestingly that these philosophers saw corruption as a disease of politics. Modern thinkers like Machiavelli, Montesquieu and Rousseau considered corruption to be a process that destroyed the virtue of the citizen, and perverted a 'good' political system to the 'evil' one. Their views had two common denominators – firstly, corruption harms the public, and secondly, corruption gives officials

independent power over the public. One can also add that corruption is present in all societies, no matter whatever be their history, culture, religion or political and economic systems.

I am writing today on corruption because I believe that corruption is affecting Bangladesh's human capital formation. It is weakening the tax administration and causing tax evasion and improper tax exemptions. This has assumed particular significance for a devel-

opment of the international community has witnessed a marked and positive change in the global fight against corruption. Prior to this sea change, countries were reluctant to even talk about corruption and considered it solely a domestic problem.

Today, however, there are a plethora of multilateral mechanisms specifically created to address the problem of corruption and to work together to prosecute bribery.

By agreeing on mechanisms to fight corruption, the international

sectors include the following:

(a) Law enforcement through impartial investigation, prosecution and judicial powers. These are key to the effective uncovering and prosecution of public corruption;

(b) Prevention of corruption in the public sector by maintaining high standards of conduct for public employees, establishing transparent procurement and financial management systems. This will also require avoiding of conflicts of

corruption should also consider adopting such a move in the near future. In fact such potential cooperation should figure as a part of the agenda during the next SAARC Summit to be held in New Delhi in a few months.

I mention this because international anticorruption agreements continue to play a key role in the growing international condemnation of corruption. They commit governments to take action and also facilitate international cooperation.

measure may be considered but undue haste needs to be avoided.

I feel that this is an exercise that will need transparency and commitment.

Let all aspects be carefully examined including the question of enhancing the pay and allowance of the ACC staff. There should also be scrutiny of those working in the ACC including their financial backgrounds is required because there is a general feeling that many in this establishment are themselves corrupt and tend to harass others unnecessarily on flimsy grounds.

It is also sometimes alleged that weak prosecution cases are initiated which drag on for a long time. In such situations, the accused has to spend time, energy and resources to prove that he is not guilty as charged, instead of the ACC proving the accusations. This must be avoided and there must be quick dispensation of justice. There must also be provisions whereby, if an accused is found innocent, he will be financially compensated for all the pain caused unnecessarily. The official who initiated the proceedings should also be officially reprimanded and held responsible. This will introduce accountability.

Let us also be careful in fixing the administrative organogram and assigning responsibilities. We should similarly take requisite safeguards so that the new ACC does not end up being a tool that can be used by the government in power to unnecessarily hassle its opponents. It might also be useful to ask Transparency International to be a meaningful partner in our effort to draw up relevant rules so that we do not continue to suffer in the Corruption Perception Index.

After 36 years of nationhood, we are at an important crossroad. Let us understand that we have to organise for our citizens, not only a brighter tomorrow, but also a better today.

Muhammad Zamir is a former Secretary and Ambassador who can be reached at mzamir@dhaka.net

POST BREAKFAST

The first element that needs to be considered is its personnel structure. It has been reported in the press that the Adviser for Communications, formerly Director General, Bureau of Anti-Corruption has identified certain shortcomings in this regard. He has pointed out that the total number of staff presently available in the ACC is insufficient given the nature of its requirement. He has also criticised the reduction of the jurisdiction of the ACC compared to what was envisaged within the Anti-Corruption Act, 1957. In this context, it has also been suggested in the press that the shortcomings within the ACC needs to be seriously examined and corrected through the promulgation of an ordinance during the tenure of this government.

oping country like ours because the higher the level of corruption, the lower will be the revenues and resources available for funding public services. Corruption, unfortunately, also causes decision makers to act in terms of money, and not in terms of the country's human needs.

However concern alone will not get us anywhere. There also has to be the necessary political will to succeed. We also have to remember that fighting corruption effectively will require that individuals have equal opportunities for political, economic and social progress. This is crucial. An important component in this regard will also be the presence of a well-motivated and professional bureaucracy. They can be an important mechanism in controlling corruption and other economic crimes.

John Brandolini and David Luna, writing in the December 2006 issue of the journal 'Issues of Democracy' have correctly pointed out that 'corruption was once considered such a pervasive phenomenon that addressing it seemed an almost insurmountable challenge.' However, in the last 15 years, the

community has opened the doors for increased multilateral and bilateral cooperation on important but traditionally local fronts. This, in turn, has encouraged the sharing of best practices, building trust and relationships between cooperating countries, and ultimately increasing the effectiveness of bilateral and multilateral efforts and development assistance programmes.

I am writing here today about the importance of multilateral cooperation because it helps to bring together internationally recognised principles to fight corruption and formalise government commitment to implement these principles. I am sharing my concern in this regard because more often than not serious corruption involving public sector expenditure finds its way out of the country into other safe havens abroad. These principles have been embodied most recently in the United Nations Convention Against Corruption (UNCAC). This Convention goes beyond simply exhorting governments to criminalise various corrupt actions. They recognise that the fight against corruption requires concerted action on a number of fronts.

interest, financial disclosures of personal assets (particularly relevant for those desiring to be Members of Parliament) and establishing effective institutions and procedures of accountability within government and externally;

(c) Similarly for the private sector there has to be maintenance of an effective regulatory framework to prevent the hiding of illicit or bribe payments in company accounts and corporate fraud.

More than 130 countries have participated in the two-year negotiation that has led to the UNCAC. Till date there have been 140 signatories. Unfortunately, Bangladesh has not shown sufficient interest in this regard. In Asia, 21 nations in the Asia-Pacific region have adopted a nonbonding compact against corruption. Known as the ADB/OECD Anticorruption Action Plan for Asia and the Pacific, this compact has been developed under the auspices of the Asian Development Bank and the OECD. In 2004, leaders of APEC approved this compact. One feels that the political leadership of South Asia, a region riddled with

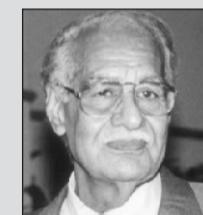
action and technical assistance.

I now turn to the necessity for reforms within our existing Anti-Corruption Commission. This is a patient that never learnt to walk. From the very beginning it has faced many hurdles that need to be removed. This will be required to give it a proper institutional shape.

The first element that needs to be considered is its personnel structure. It has been reported in the press that the Adviser for Communications, formerly Director General, Bureau of Anti-Corruption has identified certain shortcomings in this regard. He has pointed out that the total number of staff presently available in the ACC is insufficient given the nature of its requirement. He has also criticised the reduction of the jurisdiction of the ACC compared to what was envisaged within the Anti-Corruption Act, 1957.

In this context, it has also been suggested in the press that the shortcomings within the ACC needs to be seriously examined and corrected through the promulgation of an ordinance during the tenure of this government. Such a

Northeast in ferment



KULDIP NAYAR
writes from New Delhi

has attracted the nation's attention at present is the indiscriminate killing of labourers from other parts of India, particularly Bihar, by ULFA.

Although the army is in the midst of flushing out ULFA cadres from Assam, the bomb blasts continue to kill a few here and there. Some say that ULFA is wreaking revenge for the attack that India had made two years ago on their camps in the foothills of Bhutan, with its king's cooperation. The captured diary by Hira Sarania, a battalion commander of ULFA's army, says: "We

No doubt, ULFA has irritated New Delhi so much that it has agreed to supply arms to even the much-hated military junta in Myanmar to bottle up the militants. A few years ago a similar joint operation was launched with limited results. ULFA has in Assam some firm supporters who enable the militants to go right up to Guwahati to carry out killings, even in daylight.

There is, however, something in the allegation that the Congress, which rules the state, has connived with ULFA's activities to repay for

Assamese do not like. The Assamese generally suspect that ULFA has close connections with intelligence agencies of Bangladesh and Pakistan.

Manipur is primarily a victim of the army's excesses. The state also faces the problem of tribals returning to their lands in the plains from where they were evicted a few years ago. (Tripura could have faced the same problem, but the Bengali-speaking population which migrated from Bangladesh is in such a preponderant majority that others have no choice except to

One woman activist, Sharmila, has been on a hunger strike since the massacre of innocent civilians by army personnel some time ago. The agitation is still going on. The army's powers have not been curtailed, and they include shooting to kill, searching property without the safeguards available in ordinary criminal law and arbitrary detentions used to "maintain public order" based on the "suspicion" of insurgent activity.

The central government appointed, early last year, a judicial commission headed by a retired Supreme Court judge to assess whether the special powers act was necessary, and was used for legitimate purposes. On both grounds, the commission found the government wanting. It recommended the abolition of the act. Prime Minister Manmohan Singh promised to implement the commission's findings. But probably the army has had the last word because the act has stayed, with its injurious fallout.

Supreme Court judge to assess whether the special powers act was necessary, and was used for legitimate purposes.

On both grounds, the commission found the government wanting. It recommended the abolition of the act. Prime Minister Manmohan Singh promised to implement the commission's findings. But probably the army has had the last word because the act has stayed, with its injurious fallout.

The Nagas, although a divided house between the ruling Nagas and the hostile underground Nagas, are fired by the same ambition to have an independent Naga

vowed that even if it takes 100 years, we will seek vengeance on India."

This may well be true. But there is also a suspicion that Bangladesh eggs ULFA on to make forays on the population in Assam to create confusion for easy assimilation of illegal migrants with the Bengalis living across the border.

Already, the Assamese-speaking population in the state has shrunk to nearly half, 37 percent. (Assam and other northeastern states have only a 21-kilometre border with the rest of India, as compared to 1,829 kilometres with Bangladeshis.)

Still, Assam is the last reliable post of India in the northeast. The state has not yet forgotten Jawaharlal Nehru's words during India's war with China in 1962 that: "My heart goes to the people of Assam." Yet they have kept their

injured feelings aside to concentrate on development, which they realise they cannot have without the capital from the rest of India.

Even otherwise, ULFA has lost

its substantial following after the repeated declarations to create a sovereign state, which the

army which is trying to maintain peace. In the name of curbing militancy it has killed many innocent people. Seldom has anyone from the force been hauled up, because it enjoys immunity under the Armed Forces (Special Powers) Act, 1958.

people of this country and to the overall benefit of the country's economy.

We the people and the government of the country should not allow the number of landless people to swell. The trend must be arrested.

Recovery and distribution of such khas land and waterbodies among the most deserving and for appropriate utilisation is a huge task undoubtedly. And most difficult part of this task is perhaps the demarcation, assessment of river erosion and river accretion and distribution thereof among the actual claimants and those who most deserve for appropriate productive utilisation.

Not that earlier no steps have been taken in this regard and how appropriate those were. But before assessing the effectiveness the steps faltered due to intentional indifference and anomalies, false allotment, party priority, influential overlordship etc.

And all this have not, quite naturally, yielded any nationally desired results. The non-party caretaker government appears to be the right authority to do the right thing in this regard. And this appears to be the right time. In fact over the years, rather decades, now

yielded any nationally desired results. The non-party caretaker government appears to be the right authority to do the right thing in this regard. And this appears to be the right time. In fact over the years, rather decades,

direction too, but to sustain the good effects some such laws may be needed that no vested quarter any time dare to undo that.

In his "Political Economy of Khas Land" eminent economist and researcher Dr Abul Barakat maintains, the economic value of all khas land of the country lies in its optimum utilisation and thereafter expected impact on poverty alleviation. Therefore, land administration, specially recovery of govt. khas land from usurpers' hands and distribution among the landless farmers and establishing their right thereof for maximum yield is perhaps the most effective tool to alleviate poverty, assumably the most major problem of the country.

Md Abdul Kader is Executive Director, Samata.

recovery and distribution of such

partisan politics (consideration) has done more harm than benefit to the nation even in a democracy. Without development of the most neglected and the most deprived no national development is worth its name.

Earlier in the name of taking steps laws also were enacted in this regard. But that also could not yield result to the national benefit. For instance, the Alluvium and Dilluvium Law of 1994. Apparently it seems almost an appropriate step. But at the time of distributing the charlands the anomaly is created. This was not pro-poor, rather opposite. It removed the earlier possessors and settled new ones, many under political (party) consideration. The bill was passed without much deliberations and scrutiny of nitty-gritty. On overall consideration it seems it is better to go back to the 1972 Alluvium and Dilluvium Act in the interest of the poor, the majority

were supposed to do, but they often did not because of party or personal interest.

One of the most praiseworthy jobs the new caretaker government is doing is recovering public property from illegal possession of grabbers and removing encroachments without any fear and favour. As reported in the media this caretaker government has taken initiative to recover all khas land from illegal occupation. This is a very praiseworthy step and deserves top most priority. Bangladesh still is an agrarian economy despite an appreciable industrial (specially RMG) development over the last three decades.

Land plays the most important part in agriculture. But land is a scarce resource for us in the face of a growing population. So whatever quantity of land we have it deserves very judicial utilisation. If much of it remains in illegal possession then

envisaged appropriate and productive utilisation remains a far cry.

According to the latest data available the amount of khas land is over 50 lakh acres in the country. This was obtained from Parliamentary Committee on Ministry of Land sources of the past government. However, many assume the amount of khas resources in whole of Bangladesh is much more than this. It is so then the impact of such huge recovery shall be simply enormous on the economy.

During the consecutive tenure of two past governments, although steps were taken towards recovery of khas land from time to time, but that did not proceed effectively. Things returned to almost square one soon. Rather it was seen that government khas land, Adivasi land, forest land, railway land, WDB land, vested property, court of wards land were indiscriminately occupied,