

Recovering laundered money

Drive against financial corruption must be tough and sustained

ACTION against money laundering seems to be paying off somewhat. The news that no less than Tk. 270 crore of illegally acquired money has been recovered during the on-going drive against corruption speaks of the determination of the authorities about setting things straight. We appreciate the action taken. However, we realize as does the rest of the country that the recovery in question is a tip of the iceberg. There is a good deal more that must be done, a reality that even the government acknowledges. It expects to recover an additional Tk. 3,000 crore of similarly ill-gotten money soon. We wish it luck in its campaign. Such a drive, with the enormity of public support behind it, cannot afford to falter.

There are a couple of issues, though, that call for examination. In the first place, the amount of laundered money recovered and that yet to be got hold of reveals the very large degree of financial corruption that has been going on over the last few years. This fact alone indicates the level of action, serious and purposeful, that must be undertaken to bring all the offenders to justice. The money so far coughed up by those who had come by it has been a result of the tough action against them. This shows that toughness pays. It also shows that such toughness needs to be sustained if the drive against corruption is to succeed. In the second place, despite the success of the Bangladesh Bank authorities and the joint forces in the recovery of the laundered money in question, it is clear that their capacity for investigation and results obtained, in terms of manpower and means of operation, is limited. For any anti-corruption drive, at present as well as in the future, to succeed, it is imperative that capacity building be taken up as part of a re-energising of such institutions. Offers of assistance in this regard have already been made by the United States and the United Kingdom. It will be judicious for the government to consider them in the bigger national interest.

An important aspect of the corruption issue is the alleged collusion between financial institutions and elements involved in financial crimes. The drive to recover illegally acquired money must therefore include investigations into the roles bank officials may have played in an expansion of the corruption network. On the whole, the country must feel reassured that anti-corruption measures are on course and indeed will be a sustained process.

Manpower export to Malaysia

Some hitches slowing down things

SHORTAGE of flights to Malaysia and various procedural flaws are hampering our manpower export to Malaysia. Thousands of job seekers after meeting all the required formalities are having to wait indefinitely for their flight to Malaysia. The three commercial airlines that ply between Dhaka and Malaysia namely, Malaysian Airlines, Biman and GMG combined together have the maximum capacity of carrying a total of 700 passengers a day.

We are happy to learn that the government has already approached the Malaysian High Commission in Dhaka asking for increasing the number of weekly flights between Dhaka-Kuala Lumpur.

In the meantime, Bangladesh Association of International Recruiting Agencies (BAIRA) pointed out that it is not being able to forward the 14 hundred finger prints being collected each day to Malaysia for processing of visas since many of the agents are often changing workers listing for various reasons. Conversely, BAIRA has been accused by the agencies of not allowing them to submit such other documents like photographs, passports and medical certificates for entry into the specialised computer network despite the fact that the IT Company that installed the system was willing to do so.

It is thus our apprehension that if such conflicting issues between BAIRA and its operatives are not resolved, recruitment of our manpower by Malaysia may come under fresh strains. We wonder as to why such a situation persists after Malaysia has lifted embargo on Bangladeshi workers being exported to that country.

We must not falter in any way in sending our workers to Malaysia on time along with individual travel documents that are foolproof.

Our expatriate workers are the number one foreign exchange earner for the country. We thus owe it to ourselves to make the lives of these people as comfortable as possible as they prepare themselves to go to a foreign land so that our foreign exchange reserves look healthy.

Election code of conduct



ANISURUL HAQUE

BY THE NUMBERS

The election codes of conduct in almost all the South Asian countries enumerate a list of corrupt practices and asks the political parties and candidates to refrain from doing these activities. But the election code of conduct in Bangladesh did not provide any such list of corrupt practices. It should contain a list of electoral offences and provisions for punishment thereof.

THE Election Commission (EC) has recently disclosed the draft proposals for introducing some stringent provisions in the existing election code of conduct for the political parties and the candidates for holding next parliamentary election free and fair.

The proposals include strict regulations on holding rallies and processions, sticking posters, graffiti, banners, festoons, caps, construction of archways, gates, illuminating structures and streets and use of helicopters for election campaigns.

The code of conduct for the political parties and the contesting candidates seeking election to the

national parliament has been laid down in EC's notification No-1403 dated April 26, 1966. The EC, in exercise of the power conferred by Article 91B of the Representation of the People Order, 1972 (P.O. No 155 of 1972) had framed the election code of conduct of Bangladesh.

According to the International Institute for Democracy and Electoral Assistance (IDEA), the code of conduct for political parties contesting democratic elections can be defined as a set of rules of behavior for political parties and their supporters relating to their participation in an election process to which the parties ideally will voluntarily agree and which is subsequent to that agreement be practiced by all political parties

involved in the electoral process.

Viewed on this basis, this internationally accepted definition of the election code of conduct given by IDEA, the country's existing election code of conduct containing six rules for holding meetings, processions, bans on subscriptions and donations, pre-poll irregularities and role of party in power, is not considered as a comprehensive one to cope with the need.

There are some other impediments in the way of holding free and fair election and the election code of conduct must contain some stringent provisions for the political parties and candidates to ensure a congenial atmosphere during election.

Election may be rigged if the

polling personnel are biased or gained over. The voters may cast their votes by taking bribes. The mischief mongers may also terrorize the voters by letting loose terrorism during election.

These were prevalent in the country in the near past. Therefore time has demanded promulgation of some stringent codes to refrain the political parties and candidates from indulging in such malpractices.

The existing election code of conduct is applicable only for the pre-poll period, which means the period commencing from the announcement of the election schedule and ending on the declaration of result. To overcome this shortcoming, the EC has proposed

to consider pre-poll period from dissolution of the parliament to the completion of polls.

The election campaign is the most important component of the election code of conduct, which has been stipulated in as many as 18 points in the existing one. According to the draft proposals, no election campaign can start before three weeks to the election date.

This will certainly bring down the campaign expenditure in one hand and will reduce the risk of the political parties being caught in the welter of confrontation in a shorter duration of campaign on the other hand.

A ban has also been proposed for election campaign in mosques, temples and churches, which is really innovative and praiseworthy, and its proper implementation will prevent the religious extremists from creeping into the deep of the society.

The election code of conduct of India, which is considered as a model one for guidance of political parties and candidates states:

"There shall be no appeal to caste or communal feelings for securing votes. Mosques, churches, temples or other places of worship shall not

be used as forum for election propaganda."

Tyranny of black money and muscle power has become a matter of great concern in the elections. The maximum limit of election expenses has been clearly spelled out in the election code of conduct in Pakistan.

The ceiling of election expenses in the country that was raised at five lakhs from three lakhs in the last general election should remain unchanged and must be mentioned clearly in the election code of conduct.

Rule 5(18) of election code states: "No contesting candidate shall, under any circumstances, cross the limit of election expenses."

The election codes of conduct in almost all the South Asian countries enumerate a list of corrupt practices and asks the political parties and candidates to refrain from doing these activities. But the election code of conduct in Bangladesh did not provide any such list of corrupt practices. It should contain a list of electoral offences and provisions for punishment thereof.

All political parties and candidates contesting in the election

enjoy equal rights for election campaign, organizing meetings and rallies in accordance with Rule 5 of the existing code of conduct.

Now the draft proposes to impose a ban on holding rallies and processions that create obstacles to public movement and traffic.

Restrictions proposed on printing of portraits of the national leaders on posters and leaflets and character assassination of the opponent is commendable, as these things only generate unnecessary heat among the activists, inviting violence.

The regulation imposing Tk 20,000 to Tk 100,000 financial penalties for violation of the code of conduct is also supportable. The election code of conduct is not an integral part of the electoral law and hence has no legal binding. But the election code of conduct has been made an integral part of electoral laws with legal binding in some countries including South Africa.

The EC has started dialogue with the civil society bodies on April 26, seeking their opinion on draft proposals for reforms of electoral laws and also planned to hold talks with

the political parties after withdrawal of restriction on indoor politics. The CEC and two other election commissioners have said on several occasions that the EC would not finalize the proposals without holding talks with the political parties.

The set of proposals for introducing some stringent provisions in the existing election code of conduct to plug its loopholes and to remove the deficiencies deserves serious consideration.

We are convinced that an election code of conduct, having all the ingredients to make the election peaceful and free from malpractices, is a crucial need for the country.

We also feel, likewise, that an open discussion with the political parties, who are major stakeholders, is an imperative for a comprehensive and consensual code of conduct.

An innovative election code of conduct is not enough to banish the play of mischief in the election unless the EC is adequately strengthened with all its mechanisms for proper implementation of it.

Whither Bangladesh?



KAZI ANWARUL MASUD

GOING DEEPER

But then, democracy being the only system, from village to national level, which reflects the will of the people, and as "commonly held no man is free in any other form of government," Bangladesh certainly fulfills Fukuyama's three conditions except the level of development at this moment of time. And if the current evils afflicting our society can be removed then there is no reason why we would not be able to shed the label of "weak state" given by Dr. Susan Rice.

The remarks made by some advisors to the media have caused misgivings in some quarters.

One wonders whether the present government is wedded to Harold Laski's doctrine of collective responsibility "that the government should be held continuously accountable for its actions, so that it always faces the possibility that a major mistake may result in a withdrawal of parliamentary support." One could argue that in the face of current emergency rule and the absence of parliament (Article 70 of the Constitution notwithstanding), Laski's proposition is academic.

But the central point of accountability as an integral part of legitimacy, going by Max Weber's characterization of legitimacy being legal-rational where it is based on rationally created rules, regardless of the form of government as long as it claims to be constitutional, cannot be avoided.

The present government and its technical side, i.e. the Election Commission and the Anti-Corruption Commission, can be credited with taking wide ranging actions that the past democratically elected governments could not do in decades. It would, however, be an act of deliberate amnesia to forget that the principal task of the interim government is to hold a free and fair election after reforming the aged election process which presented the people with dashed hopes and unfulfilled promises. It is heartening that the CTG has indicated that elections will be held before the end of the next year.

But, in the process of administering the country during the interregnum, the CTG would be well advised not to give dictats circumscribing the freedom of the media, or on how internal democracy in the political parties is to be realized, or who and how long

the leaders should remain as heads of their political parties, or the terms of office of prime minister etc, however well-intentioned the advice may be.

The history of the sub-continent, and of Latin America in the last century (and even today in Pakistan), gives evidence of military dictatorships of different sorts and, hence, does not inspire instant confidence of the people in non-elected governments. Political agitations, which often take the form of hartal, bandh, or chakka-jaam, inevitably have adverse fallout on the economy.

The business community, therefore, may prefer a system akin to command economies where enforced tranquility at the expense of political activism would ensure for them and the select few a booming economy but not "moral growth," giving life to Scottish philosopher Robert Owens's thesis that it is necessary for the great majority of the people to live in poverty to enable a small part of the population to live in comfort.

In such cases, G-8 and the Bretton Woods Institutions (despite the problems relating to the question of integrity, currently faced by Paul Wolfowitz) should give serious consideration, and not lip service, as to whether they should continue to uphold, even selectively, regimes which suffer from "democracy deficit," now that the Cold War dynamics have been sent to the museum.

Unquestionably, it would take countries like Bangladesh decades to fulfill Francis Fukuyama's four conditions necessary for democratic transition i.e. level of development, culture, neighbourhood effect, and ideas. Fukuyama is unconvinced that democracy can be sustained "in a society that is close to subsistence, that does not have any kind of resources, has low level of education, very severe ethnic or other kinds of cleavages."

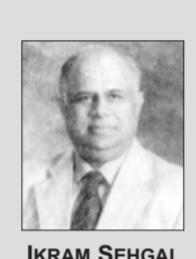
But then, democracy being the only system, from village to national level, which reflects the will of the people, and as "commonly held no man is free in any other form of government," Bangladesh certainly fulfills Fukuyama's three conditions except the level of development at this moment of time. And if the current evils afflicting our society can be removed then there is no reason why we would not be able to shed the label of "weak state" given by Dr. Susan Rice.

It is being optimistic, we have to be aware of the ecological effect of climate change which indicate that the world's lower regions like the Maldives and the low lying coastal towns and villages of the Bay of Bengal would disappear under water, and rain dependant agriculture will fall by 50% by 2020. We have, however, one great advantage, manpower, that, if utilized properly, can take the country to greater heights.

In this venture we may have to take the hand of cooperation proffered by India, which together with China, is consistently posting impressive growth rates in most sectors of the economy. India is a living example that Bangladesh does not have to do without "strategic coordination" defined as political activism to win political power and to influence policy decisions that had been avoided by several authoritarian countries to reap the benefits of economic development while denying political freedom to their people. One hopes that the CTG would remain true to its words and give the power back to the elected representatives of the people.

Kazi Anwarul Masud is a former Secretary and Ambassador.

The middle ground



IKRAM SEHGAL
writes from Karachi

AS I SEE IT

The Eurasian Media Forum covered a broad range of international issues of consequence, among them there was the question of power and justice in world politics, what next for Iraq, whether nuclear program is a sovereign right or a dangerous ambition, and what has the invasion of Afghanistan achieved in the 21st century?

Perle, considered one of the leading lights among the neo-cons of the Bush administration and one of the architects of the Iraq misadventure, got off relatively unscathed, even though Galloway (and others) did manage to "mention him in dispatches" from time to time. For the record, while one may disagree with Richard Perle on any number of issues, it is a disgrace to call him a "fascist." He comes across as a reasoned, well-articulated individual.

Richard Holbrooke, former US assistant secretary of state, together with British MP George Galloway, make a volatile mix. A consummate diplomat, Richard Holbrooke's gentlemanly demeanor was stretched to the limit in the face of Galloway's taunts, finally he stalked out.

Galloway has his way of being blunt with the truth, and while one felt he could have refrained from being provocative, to the point of being personal. The Holbrooke walkout gave Galloway the advantage of a "technical knockout," with no one to defend the US point of view.

Holbrooke should not have been made the target of the excesses (and disasters) of the Bush administration. The Clinton foreign policy establishment, that he was the spokesman for under Madeleine Albright, was far more sensitive to world reaction. To add to his undisguised agony (and protests), the former US assistant secretary of state became a reluctant apologist for America's ill-starred adventure in Iraq. This had quickly become the focus for the seminar.

In a travesty of justice, Richard

reinforced the point of view that the western media can be quite subjective, catch anyone from the third world media doing what he did in public! CNN has a host of excellent anchors, Hodson must have been scraped from the bottom of the pile!

The former president of Iran, Mohammad Khatami, came across as soft-spoken and logical, taking pains to answer all questions live. Never losing his cool, Khatami patiently explained Iran's point of view with regard to its right to nuclear technology for peaceful purposes, categorically denying any ambitions by Iran to acquire nuclear weapons.

The celebrities on-stage, including former Russian PM, Eugene Primakov, Richard Holbrooke, and Mr. Kassym-Jomart Tokayev, former foreign minister of Kazakhstan, faced a torrent of precocious questions from the audience. It was good to see the deference and mutual respect between Khatami and Holbrooke. If they can talk, why cannot the US and Iran?

Gen (Retd) Danny Rothschild from Israel, formerly head of intelligence in the Israel defence forces (IDF), and now head of an Israeli peace-making NGO, tried

his best to convince the audience that Iran was not only a threat to Israel but also to the entire world, the adjoining Arab countries in particular.

Rothschild wanted Iran to be "transparent" about its nuclear activity, and open itself to outside inspection. He categorically denied the possibility of a pre-emptive strike on Iran's nuclear assets. Rothschild would have us believe that Osirik never happened. He could not answer "that guy from Pakistan" (referring to me), when asked directly whether or not Israel possessed a nuclear arsenal.

This was in keeping with the standard Israel position on the nuclear issue, do not admit or deny! Having met some senior retired IDF officers during my visit to Israel, courtesy my friend David Yarkony -- I wonder how, in a merit-oriented army like the IDF, people like Rothschild ever got to star-rank?

I meet a lot of Israelis during the World Economic Forum events, compared to them Rothschild was a relative disappointment. If there is credible danger, Israel has a right to self-defense like any other country.

Even when put on the mat by Norine McDonald, former Afghan foreign minister Abdullah Abdullah was circumspect in the standard Afghan disparagement of Pakistan, given that Dr Azmat Hayat Khan, head of the Area Study Centre, University of Peshawar, and myself, were in his visual range and keen to counter any wrong statement of facts.

Even then he managed to get away with a few mis-stated Karzai-type falsifications. Charles

Hodson not giving us the opportunity to rebut. If southern Afghanistan is such a dangerous place to live in, how can one account for former diplomat and Queen's Counsel (QC) Norine MacDonald living in relative safety? The work being done by her NGO, Senlis, is nothing short of amazing. When such selfless people make presentations, they are credible and praiseworthy.

John Roberts, energy security specialist from UK, and Dr Mehmet Ogutcu from Turkey, along with my input on the Iran-Pakistan-India pipeline (IPI), took the audience through the world of gas pipelines of Europe and Asia, both in the present and for the future. I tried my best to convince a skeptical audience that IPI was not a pipedream. Compered brilliantly by John Deffterios, the session was rated very informative.