

## Sentencing of RU teachers Harsh and disproportionate

**W**E are shocked and surprised at the sentencing of four teachers of Rajshahi University (RU) to two-year rigorous imprisonment. It is beyond our comprehension how university teachers can be treated with such triviality, and marched off to serve their term like some petty criminals, particularly when the so-called 'proof of the crimes' does not meet rigorous standards of our own laws. It is unprecedented, unfortunate and uncalled for. With full respect to the judicial system, we are compelled to ask the question -- what was the gravity of their crime? Was awarding rigorous imprisonment truly compatible with charges brought against them? Regrettably, this is for the first time in Bangladesh that university teachers have been given such harsh sentence for ventilating their grievance in a peaceful manner.

The facts on hand suggest that three charges were brought against the four teachers. But after four months of investigation the authorities failed to substantiate two of the charges. And now the judgment has been dispensed evidently on the basis of only one charge, that of bringing out a silent procession on the campus. A large number of teachers had taken part in the procession in which the accused happened to be present. But ultimately a few of them got picked up by the law enforcing authorities. Technically speaking, they might have overstepped the emergency rule but given the fact that they did not resort to any violence and that they were respectable teachers having no criminal record, a more liberal approach to the case would have been justified. Moreover, was not their being in custody for four months punishment enough?

University teachers in their role of conscience keepers are known to raise their voice of sanity and express solidarity with students in pursuit of righteous causes. This is at the root of the legacy of teachers and students being in the forefront of all major national movements, be that for the establishment of Bangla as the state language or defying the curfews and bullets of the autocratic regimes in this country. The creation of Bangladesh is the manifest result of such valour and legacy. Therefore the punishment meted out to the four RU teachers has been very unfortunate.

We would like to say once again that the honourable judge could have taken the social standing of the senior teachers of RU into cognisance and taken a more lenient view. Such stance would have gone a long way towards settling the issue and upholding the respect and regards we show to our teachers. The punishment meted out deepens a wound that would have better healed.

## CA and Army Chief's call for leniency to debtors

*NGOs should be responsive of their own accord*

**A**MIDST mixed stories about NGO leaders announcing loan waivers but their field operatives pressing for installment payments in the Sidr affected areas, the Chief Adviser and the Army Chief have lent their voice to the cause. The CA, at a meeting with NGO representatives, called for a lenient approach in the recovery of loans. The Army Chief requested them to waive installment of agricultural loans for the next four months at least.

We are happy to note that a number of prominent and large NGOs have already suspended installment payment including granting waivers. Grameen Bank has already announced suspension of installment payment up to June, 2008 including writing off of any outstanding loans of those killed in the cyclone. Any savings in their accounts would accrue to survivors of the concerned families. One of the other prominent NGOs dealing with microcredit, ASA, has declared that it would provide sizeable amount of interest-free loans including a 50 percent waiver in the case of the disabled. State-run PKSF has also announced similar decisions.

So far so good; however, what remains to be seen is the actual implementation of the commitments on the ground. Often in the past, under similar crisis situation, of whether lesser or larger dimension, we have had contradictory reports from amongst recipients about the services received. Very often it is due to lack of clear instructions from NGO authorities to their workers afield or lack of supervision. The target beneficiaries in their respective areas of operation should also have access to information relevant for them through some mechanism, especially by miking and distribution of leaflets.

The essential thing is for the different NGO headquarters to clearly let the public know about their specific offers of write-off, waivers and rescheduling of repayment dates so that nothing is left to guess-work.

# CHT accord and ten wasted years



**Brig Gen SHAHEDUL ANAM KHAN**  
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**A** decade has gone by, and we have very little to show insofar as the implementation of the major stipulations of the Peace Accord of December 2, 1997, between the Government of Bangladesh and the Parbatya Chattagram Jana Sanghati Samit (PCJSS), is concerned. Just as a point of clarification, the agreement was an "accord" and not a "treaty" as some refer to it.

It was resolved that the genuine anxiety of the hill people would be addressed in order to satisfy their aspirations to live as a separate (not independent) entity under the flag of Bangladesh, and to uphold political, social, cultural, educational, and economic rights, and expedite socioeconomic development process of all citizens in the CHT.

The original demand of self-rule was toned down, not to the satisfaction, though, of everybody amongst the tribal groups; nor have all the clauses of the Accord been acceptable to all the plains people. This was evident from two

## STRATEGICALLY SPEAKING

**What I had said in these columns last year bears repetition. It is clear that the accord must be made acceptable to all concerned. The government must ensure that the apprehensions of the majority are allayed and any devolution of power does not go against the grain of natural justice and rights of a citizen. We must also fulfill the commitment made to the hill people. We can ill afford unrest in the CHT once again.**

separate meetings held on December 2, which projected different views on the same issue.

The answer to my query perhaps is not too difficult to seek. It would not be wrong to suggest that there has been a general lack of will of the governments that were in power during the ten years since the deal was formally agreed upon. In particular, those provisos that deal with the devolution of power have hit a snag. And that is what causes concern among the tribal people.

Every year since 1997, Mr. Larma, leader of one faction of the tribal groups that support the Accord, has been calling upon the government to fulfill its part of the obligation by implementing the various clauses; the calls were accompanied by threats of dire consequences. One cannot blame him for that since it is the only way that he can retain his credibility among his tribe as a leader, which he put on the line when he signed the agreement.

This year, the call was subdued. That does not mean that Mr. Larma has relented on his six-point

demand that he made in 2004, nor given up entirely the option of taking to the hills with his band as an alternative, which he suggested in 2006 he might be compelled to do to force the issue upon the government.

I feel that the government must visualize Mr. Larma's position realistically and dispassionately. Giving up arms and calling for a ceasefire, that he did in 1992, was an act of wisdom motivated by a great degree of realpolitik.

The insurgency was losing steam no doubt, and the external support that Larma had relied upon for almost twenty years was also diminishing. And there was little guarantee, if at all, that such support would continue, particularly in the wake of the installation of a new government in Dhaka in 1996. Although many question whether the deal would have been at all possible without India letting the Shanti Bahini (SB) know that the option of arms was the least bit efficacious under the changed circumstances, one presumes that the changed reality was not lost

upon the PCJSS leadership. Their position in 1996 was in some ways similar to what the LTTE in Sri Lanka found themselves in, post 9/11. Agreeing to sign the Accord was a strategically wise decision on the part of the PCJSS.

But his weakened bargaining position does not, in any way, diminish either the gravity or the relevance of the genuine grievances of the hill people. This fact had been acknowledged by all the past governments. This is amply evident in their efforts over the years leading up to the signing of the peace deal, including the regime of Gen Ershad, to resolve the CHT by embarking upon dialogues with the Shanti Bahini.

After a decade of the signing one must ask why there has been no progress in the implementation of the Accord. Except for some cosmetic actions during the three years of the AL rule, which must be given the credit for bringing about the agreement, and during the five years of the BNP's, which had rejected the deal out of hand as a "sell out" by the AL, since, accord-

ing to them, the treaty impinged on the unitary nature of the state as laid down in the Constitution, very little of substance has been done to implement the Accord in its entirety.

The December 1997 deal, to some, was an act of one-upmanship by the AL. In retrospect, one feels that they would have done better to have taken the other parties on board and thrashed out the various clauses before inking the deal. That would perhaps have held all the parties to the moral obligation to see the deal through, whichever party was in power. As it is, it would be immoral for any party to soft-pedal on the self-serving plea that it was not they that had signed the compact. History bears evidence that all the major parties that had held the reins of the government had, at one time or another, involved the PCJSS in negotiations to resolve the issue.

One may well ask whether too much has been committed in the deal, which we are now not in a position to fulfill because of the various constitutional impediments. If that be the case, would anyone, particularly the hill people, be wrong in feeling that they have been let down, and the intention behind the whole exercise was anything but addressing of their genuine grievances?

We have wasted ten long years. We must not forget that the state had made commitments to a seg-

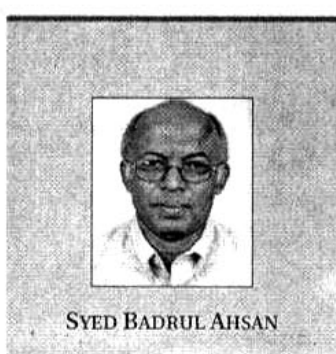
ment of its people. It is the obligation of the state to fulfill those. And as there is no one single architect of the deal, the ignominy of failure to see it through, as well the consequences that the country might face as a result, will have to be shouldered by all the major political parties.

What begs the question is, if there are constitutional barriers, the best thing would be to get experts to fix a way out. It would be in fitness of things to involve the PCJSS in further discussions to determine how the deal can be implemented without violating the constitution on the one hand and on the other the spirit of the deal itself. One hears about "reviewing" the accord. But any review can be justified only after concrete actions to implement all the provisions of the accord are seen to have been taken. That is not the case. Moreover, any "review" ought to be done by an elected government.

What I had said in these columns last year bears repetition. It is clear that the accord must be made acceptable to all concerned. The government must ensure that the apprehensions of the majority are allayed and any devolution of power does not go against the grain of natural justice and rights of a citizen. We must also fulfill the commitment made to the hill people. We can ill afford unrest in the CHT once again.

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# The CHT accord was, and remains, a seminal achievement



**SYED BADRUL AHSAN**

**M**AINUL HOSAIN shocked us all with his view that the caretaker government he is part of is actually a national government. We did not agree with him when he made his view known. And when the chief of army staff quickly stepped in to reassure us that the government was indeed a caretaker and not a national government, we felt relieved, for all the obvious reasons.

And now the law and information adviser has come up with another shocking remark, one we could certainly have done without. He agrees with the individuals calling themselves the "Parbatya Chattagram Shamo Odhikar Andolon" that the accord reached by the government of Bangladesh and the insurgents in the Chittagong Hill Tracts in 1997 needs to be reviewed.

Up to a point, Mainul Hossain is right. He is right when he informs the country that no agreement is perfect. No one has ever said it is. Indeed, if agreements were all perfect, all flawless, the world would be a much better place to inhabit than it has so long been.

## GROUND REALITIES

**In these past many weeks, the waters have been getting muddied for reasons that are not quite hard to decipher. Notorious old collaborators of the Pakistan occupation army have brazenly gone about brandishing the idea that there are no war criminals in Bangladesh; old bureaucrats with not a bit of shame in them have tried to pass off the War of Liberation as a civil war; and extreme rightwing academics, suddenly blind to history, tell us in brazen manner that in 1971 it was a war between India and Pakistan and, therefore, there can be no war criminals in Bangladesh.**

But where Hossain errs is in telling people that the 1997 accord needs to be reviewed. He tells us that new conflicts have arisen between the people of the region and the Bengali settlers in their midst. That may well be true, in a manner of speaking.

With men like the now disgraced Wadud Bhuiyan having played a leading role in keeping tensions alive in the CHT, it is quite possible that new worries and new psychological ammunition for a new beginning to an old conflict will be there. Our difficulty, though, comes in seeing Mainul Hossain getting involved in the issue.

What the law adviser appears to have ignored here is that if there are new questions, new difficulties emerging from a deal that has been initiated and ratified, it is for the parties involved to sit around a table and find a way out of the problems. There is hardly an example anywhere of a deal once reached being reviewed in the way the law adviser suggests that it be done.

Of course, agreements have, in the course of modern history, been thrown overboard (think of the

ceasefire deal between the government of Sri Lanka and the Tamil Tigers), with horrendous consequences.

In our instance, there does not appear to be a situation where conditions are about to go back to square one in the Hill Tracts. And that is precisely why one is rather mystified at the remarks the law adviser has just made about the 1997 accord. The monumental question we are now left dealing with is simple: is a member of a government that is caretaker in nature, should Mainul Hossain have created this new controversy over an agreement that remains an achievement for the people of Bangladesh?

And the answer again is simple: the law adviser should have stayed away from it all, rather than leading people into believing that there really was a problem of gigantic proportions rearing its head in the Hill Tracts. Predictably, Hossain's comments have drawn flak, and justifiably too.

No matter how many reservations you may have about Sheikh Hasina and her administration, you cannot shy away from

acknowledging the singular contribution to strengthening national security they made through the CHT agreement. And if indeed there are certain points in the deal that need to be focused on again, it is a job only an elected government is equipped to deal with. Mainul Hossain informs us, with somewhat of exasperation and to our surprise, that the caretaker government is today expected to deal with the accumulated problems left behind by its predecessors.

That is surely not the case. What the people of this country expect this caretaker government to do for them is to ensure fundamentally two basic things. In the first place, deal with the corruption that has undermined our self-esteem as a nation over the last many years. In the second, create conditions conducive to the holding of free, fair and transparent general elections as a step toward transferring power back to a government based on the consent of the governed.

The reconstitution of the Election Commission, the Anti-Corruption Commission and the Public Service Commission has

encouraged the nation in its belief that bad governance does not have to be a fact of life for us. The drive against corruption has certainly sent waves of fear into people who have so long been indifferent to the law. It now remains for us to see the degree to which general elections will be credible when finally they are organised.

Now, when the law adviser suggests that all the burden of correcting past wrongs has fallen on this government, we might remind him that it is the caretaker administration itself which has gradually expanded its mandate. No one asked it to.

And where treaties and accords are the matter, it is the convention among states that once concluded, such treaties and accords will be adhered to in the larger interest of those for whom they were concluded. The law adviser would have done a lot of good if he had declined to be drawn into this kind of controversy. Or if he really needed to be there among people unhappy with the accord, he could, as a government functionary responsible for the well-being of all sections of the population, have listened as well to those voices who have strenuously upheld the CHT deal over the last decade.

That he did not, or would not, now impels us to ask if his views happen to be the views of the caretaker government as a whole. If they are not, will the caretaker government distance itself from his remarks and so reassure us that what one of its advisers has been saying on a sensitive, settled issue is something that should not have been said?

In these past many weeks, the waters have been getting muddied for reasons that are not quite hard to decipher. Notorious old collaborators of the Pakistan occupation army have brazenly gone about brandishing the idea that there are no war criminals in Bangladesh; old bureaucrats with not a bit of shame in them have tried to pass off the War of Liberation as a civil war; and extreme rightwing academics, suddenly blind to history, tell us in brazen manner that in 1971 it was a war between India and Pakistan and, therefore, there can be no war criminals in Bangladesh.

We in this country are hardly in need of any new controversy. Our cause as a sovereign people struggling to give themselves a government as good as themselves will take a mauling when an adviser of the caretaker administration begins to question agreements that stopped a long insurgency and strengthened the country's security.

The Chittagong Hill Tracts accord was a seminal achievement, reached after years of bloody strife and resultant suffering. Those who question it, ten years after it came into effect, are those whose motives call for careful observation. Overall, the need is for the country to examine the motives of such outfits as the "Parbatya Chattagram Shamo Odhikar Andolon," and how they emerge out of nowhere, to put at risk all that has been put in place in the interest of all the people of this country.

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# A new search for peace in the Middle East

**The prince's demeanor may be explained by the apprehension of domestic Islamic reaction and the Saudis expecting a bill to underwrite the peace enterprise. But it also reflects the extent to which the US and its allies have operated at cross purposes -- on the Israeli-Palestinian conflict and on Iran.**

MARK MATTHEWS

**W**HEN Colin Powell tried to broker a ceasefire between Israelis and Palestinians in 2002, Israel quickly figured out that he lacked solid backing from President George W. Bush. He came home empty-handed, his prestige diminished. Now Bush's close confidante, Secretary of State Condoleezza Rice, has a slightly stronger hand, but her odds have grown, too.

No sooner had last week's Annapolis peace summit ended than some analysts noted signs that Powell's successor, Rice, and Bush were also on different wavelengths. She has set a goal of securing an Israeli-Palestinian agreement before the Bush administration leaves office in early 2009. Her boss kept his enthusiasm in check, calling Annapolis a "hopeful beginning." He pledged to exert effort,

stating that peace is "possible," but stressing that Israelis and Palestinians themselves had to make it.

Bush may not have strayed far from the view he held in 2000, when he faulted the outgoing Clinton administration for trying to make Israel conform to an American timetable.

Rice's big advantage over Powell -- and the source of her power -- has been her reputation as someone closely in tune with the president's thinking. Until now, her priorities were assumed to reflect his. Any perception, real or not, that Bush is less than gung-ho could undercut Rice's Mideast efforts, pushing Israeli-Palestinian negotiations into an uncertain future, possibly with new players on every side. The sad record of US peace envoys shows that regional leaders take them seriously only when they speak for the president.

Lacking such authority, an envoy is wasting time.

Even with Bush's full support, Rice faces stiff challenges, starting at home. Vice President Dick Cheney, for one, has never assigned top priority to the Middle East peace process. Within the Republican Party, Rice's mission has drawn strong opposition from two of Bush's most loyal constituencies: the Christian Right and hawkish Jews. Neither group believes that by giving up territory, Israel will gain peace.

In the region, Rice's task is tougher and more complicated. She didn't have to drag Israeli Prime Minister Ehud Olmert or Palestinian President Mahmoud Abbas to the table. Both are ready to negotiate, hopeful of reaching a deal by the end of 2008. But for this peace envoys shows that regional leaders take them seriously only when they speak for the president.

Their joint Annapolis declara-

tion, read aloud by President Bush, rescued the Rice-arranged summit from being a mere photo op. But it gave no hint that the Israelis and Palestinians had bridged wide gaps on core issues that have blocked peace for decades: a future for Palestinian refugees, the sharing of Jerusalem, dismantlement of settlements in the occupied West Bank and a final border.

When Olmert and Abbas try to negotiate past these stubborn, emotionally charged barriers, each must contend with furious domestic opposition. Creative, sensitive and persistent American intervention is required. Already, each man is in precarious shape politically.

Olmert's peace moves have estranged his original base of support in the Israeli right wing. Last week's polls showed his Kadima Party, formed by Ariel Sharon, trailing behind both the Likud and Labor parties. Corruption probes and an investigation into the ill-fated 2006 Lebanon war still hang over Olmert's head. While he talks to Abbas, a steady rain of rockets and mortars on Israel from Hamas-controlled Gaza reminds Israelis that a peace deal with Abbas does-

n't mean peace.

Failing to bring back a document from Annapolis that spells out the core issues, Abbas had little to show as he returned to a bitterly divided and pessimistic society still very much in pain. If Abbas wants a Palestinian state that includes Gaza, he somehow must co-opt or subjugate the militants who now hold that miserable territory in their grip and who ridicule his peace efforts.

The new American envoy in charge of restoring security, retired General James Jones, has his work cut out. As previous envoys would testify, Israeli-Palestinian security "cooperation" can be a snake pit of recrimination and mistrust.

Jones and the rest of Rice's team need support from other countries to bolster the weak peace partners. They need Arab governments in particular to keep Abbas and his Fatah party from looking like stooges of the US and Israel. American standing has sunk so low in the Muslim world that US support could count against Abbas. Israelis, for their part, demand assurance that Arabs finally accept the presence of a Jewish state in their midst.

At Annapolis, the assembled Arab foreign ministers made no effort to hide their skeptical wait-and-see attitude about the Bush administration's seriousness. As for recognising Israel, the refusal of Saudi Arabia's foreign minister, Prince Saud al Faisal, to shake any Israeli's hand at the summit spoke volumes. Many Arabs remain determined to withhold acceptance of Israel until they see it withdraw from the occupied West Bank and Golan Heights.

The prince's demeanor may be explained by the apprehension of domestic Islamic reaction and the Saudis expecting a bill to underwrite the peace enterprise. But it also reflects the extent to which the US and its allies have operated at cross purposes -- on the Israeli-Palestinian conflict and on Iran.

Early this year, Saudi King Abdullah pressed Abbas and Hamas leaders into forming a unity government, something the Saudis still favor. The deal held out the prospect of boosting Saudi influence in the Palestinian territories at the expense of Iran. The US and Israel, however, refused to lift the financial embargo imposed in early 2006 after the Palestinians

elected Hamas. Even Arab banks shied away. The unity government collapsed, perhaps drawing Hamas deeper into the Iranian camp.

Parties absent from Annapolis -- Iran, Hezbollah and Hamas -- spent a day as symbolic outcasts from the gathering and cast a large shadow over the event. Their proven capacity to upset the peace process and derail the Israeli-Palestinian drive toward a two-state solution is well known. Iran continues to develop a nuclear program.

If Americans hope that moderate Arab states and Israel could be joined in some sort of anti-Iran, anti-extremist compact, Arabs showed at Annapolis that such a vision is, for the time being, unrealistic.

The presence of former British Prime Minister Tony Blair served as one of many reminders of opportunities lost over the past seven years. Blair is the special representative of the Quartet, the grouping of the US, Russia, European Union and the United Nations that's supposed to keep watch over the peace process. More often than not, this grouping has been sidelined by the US, which is determined to be premi-

ment in the peace process even when there are no negotiations.

With just a year to reach her goal, Rice needs to tap all the Quartet's resources if she wants a successful outcome. Once again, Bush must work with Blair. Rice also must contend with one member of the Quartet that's no longer willing to sit on the sidelines and merely watch.

Russia is back, newly rich, eager to regain influence in the region and pivotal because of its relationship with Iran. With its offer to host talks between Israel and Syria early next year in Moscow, Russia could vastly complicate the Israeli-Palestinian peace venture. Israel would be presented with an enticing and risky dilemma of choosing which set of negotiations should take precedence. In the 1990s, the US and Israel veered between the Syrian track and the Palestinian track. Neither produced peace.

Rice's last year in office won't lack for drama.

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