

Keeping local elections clean Public would not want to see return of corrupt strong-men

It is with considerable disquiet that we read the news of the resurfacing of many alleged criminals and corrupt strong-men in advance of the four city corporation polls to be held on August 4. If the polls are to be credible and acceptable to the public, it is incumbent on the authorities to ensure that they remain clean and above board in every way.

Many of those who are now resurfacing to test the waters are in fact previously elected commissioners who abandoned their positions and fled than face the law post 1/11. Some have been charged with crime and bailed, some are absconders, and some have not been charged with any offence but are notorious in their localities and had fled pre-emptively before any charges could be filed.

These polls are a test not only for the Election Commission, but of the entire justification for the caretaker government's extended tenure. The caretaker government's entire tenure has been predicated on its pledge and the people's expectations that it will clean things up and deliver free and fair elections. Now that the country has come so far, it would be a huge disappointment if the political scene were to revert to the way it was before.

As it happens, stringent provisions detailing who may and may not be a candidate exist in the law. In addition, there are also many requirements such as publication of full personal details that it is incumbent on a candidate to produce for the public. It is for the EC to ensure that these regulations are fully enforced. Of course, responsibility lies with the public to ensure that such candidates are not elected even if they are able to run.

The public does not wish to be terrorised by criminals running for election any more, and after 16 months of patiently living under a state of emergency and an extended period of caretaker government, it does not expect, nor will it tolerate, a return to the bad old days when criminals and local strong-men dominated.

This will be a test of the EC's efficiency as well as the effectiveness of the government's measures to clean up politics. The authorities must seriously deliberate on the options before them under the law to ensure that the polls are not hijacked and that people have the chance to vote for good candidates without fear.

Use of toxic chemicals in foods

Regular monitoring in the market is the key

THE use of extremely harmful chemicals for ripening fruits continues unabated, as is evident from a photograph published in this newspaper yesterday. It shows how bananas are soaked in toxic chemicals in utter disregard of the law and the physical well being of the unsuspecting consumers. Obviously, the consumers do not know that they are actually ingesting poison with the delicious fruit.

Adulteration of foods and use of non-food grade colours, substandard materials and poisonous preservatives have been going on for a pretty long time, as no sustained effort was made to eliminate the evil practices that pose a direct threat to public health. The anti-adulteration drive in the city led by a magistrate about two years ago brought forth some mind-boggling facts about the health and hygiene standards maintained in our hotels and restaurants and the incredibly sinister practices in preparing and marketing foods of different kinds. The drive looked like producing some truly positive result, as the real offenders, at least a section of them, started to feel the crunch. But the campaign was short-lived which has apparently allowed the unscrupulous traders and businessmen to restart their business of producing and marketing foods unfit for human consumption.

While some of the evil practices continue round the year, the illegal business seems to gain momentum during the season of mangoes and other local fruits. The methods adopted for ripening mangoes include use of a chemical that causes great harm to the consumers.

Sadly enough, nothing is actually happening secretly and the market inspectors or the law enforcers cannot claim that they do not know what is going on. It seems society at large has developed a kind of insensitivity to issues like this. Millions of consumers are being pushed towards death while the issue is not seen as anything more than a minor irritant. Only that can explain why traders using toxic preservatives and ripening chemicals go unpunished. The question arises, for obvious reasons, whether concern about public health really means anything in practical terms.

The campaign against adulteration and all such practices should not be a seasonal affair, if we really want to stop the activities that amount to slow-poisoning the consumers. The law has to be enforced strictly without wasting any more time. It is a question of saving unsuspecting people from the hands of ghastly elements out to make undue profits at the cost of fellow humans.

The Wilton Park exercise



Brig Gen
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THE name Wilton Park may not ring a familiar bell to many readers; there is no reason why it should. In fact, a book on its history starts with, "Wilton Park has never been a secret. But you will not find it on a map." But, of late, it has featured in media reports in Bangladesh -- for having organised a two-day conference on, "Bangladesh: The Prospect and Means to Strengthen Democracy," between June 23 and 24.

For those that are not very familiar with Wilton Park, it is an institution in the UK, "set up in 1946 as part of an initiative inspired by Sir Winston Churchill, who had called in 1944 for Britain to help establish a successful democracy in Germany after the Second War." Since then it has, in its own words, "been influencing international decision-making for six decades at our centre based on the south coast of England."

This year it will be organising over 50 policy conferences at Wilton Park and other places. Since 1946, Wilton Park has run over 1,000 events addressing the

STRATEGICALLY SPEAKING

By the time this article appears in print the conference will have been over and many of the participants will have been and back. And one presumes that the discussions have been intellectually stimulating, rich and thought provoking. Unfortunately, there is very little in the Bangladesh media about the two-day deliberations and the major conclusions.

most sensitive and pressing issues affecting the world. It claims to be an academically independent agency of the Foreign and Commonwealth Office (FCO), which brings together decision-makers and opinion-formers from around the world to address the most pressing global issues.

Instances of discourses on political developments and other topical issues in Bangladesh, being organised outside the country, are not new. Over the last few years, several of the kind have taken place in the UK and the US, the most recent one was at Harvard a couple of weeks ago -- sponsored by the Citibank -- entitled, "Bangladesh in the 21st Century." And perhaps the previous one to be held in England was organised by RUSI in 2007, on terrorism in Bangladesh, which was "replayed" in Dhaka a few months later. And each of these has a particular motivation. It is either to sell an idea or defend a position, or, as in a few cases, castigate the government of the day. Such like inspirations prompt governments, groups or individuals to spend money and sponsor writers and speakers to present their case.

In this instance, the program looks like presentation of a report card on the reforms in Bangladesh in the political and other sectors as well as on the anti-corruption drive. There is a good deal of crystal-ball gazing too as the theme of one of the discussion topics so aptly says: "Through the Looking Glass"

Interestingly, of the 50 Wilton Park conferences scheduled for this year, and of the 22 or so held to date, this is the only one that deals exclusively with internal issues of a country. There, of course, are/were other country-specific seminars -- like on Pakistan, China, Japan etc., but those topics had/ have a regional or global implication.

Given that these events are conceived months, if not years, in advance, the very short notice on which it was organised must have got our friends at the FCO worried about where Bangladesh was heading. And one could stretch the argument far enough to show that disrupted democracy in Bangladesh might eventually assume the significance of a "global issue."

Admittedly, political developments in Bangladesh have evinced keen interest among our

friends abroad, particularly in our development partners. We are being constantly reminded of the fact that the tenor of economic relationship with them would be dictated by how things shape up politically in Bangladesh in the future. Only recently did the visiting UK overseas development minister sound a cautionary note in this regard. "Development partners" is a euphemism for aid-giving countries, countries that we approach every year with our begging bowl. In fact, the success of our finance minister so long has been measured by the amount of aid he had managed to get from the donor countries.

It is no wonder then that an institution supported and funded by the British DFID and the FCO will provide the fund and the space to Bangladeshi politicians and intellectuals, and to our government agencies too, to discuss about the future of democracy in a country where it has remained in a limbo for the last eighteen months, and we have the word of the chief advisor that parliamentary election will be held by December 2008.

Nobody can take issue with the spirit of the seminar. I feel that at

the back of the minds of our friends is a holy idea, of the good of Bangladesh, but I hasten to add without any hesitation that the conference also betrays the apprehension of the British government that the political evolutions that are underway currently may not lead to the ideal dénouement at the end of the day.

The program, I repeat, looks like the presentation of progress report -- and the presenters include government agencies including the MOFA represented by a DG and the ACC represented by its chairman. Among the major discussion themes are, Democratic Reform and Anti-Corruption Drive, Political Party Reform, Democracy, Good Governance and Development; included also are topics on the past performance of the parliament and the post-election scenario. The list of participants is as impressive and interesting as the subjects. It includes some well-known luminaries of our academia, ex-bureaucrats, and politicians.

By the time this article appears in print the conference will have been over and many of the participants will have been and back. And one presumes that the discussions have been intellectually stimulating, rich and thought provoking. Unfortunately, there is very little in the Bangladesh media about the two-day deliberations and the major conclusions.

Apparently, there will be a consolidated report on the conference, but it will be sometime

before that is finalised and put on the web site, by which time a lot of water would have flown through the Buriganga. Thus, it will remain an esoteric exercise, participated by a selected few, and for the ears of the chosen few, on matters concerning the many.

Thus, one would like to ask as to what is the actual purpose of the two-day deliberation? If it is to gain the necessary inputs to devise a new strategy for the British government vis a vis Bangladesh then there is very little that one can comment on. But if, according to the acting British High Commissioner to Bangladesh, "the Wilton Park conference is designed to facilitate discussion among leading Bangladeshi players and how democracy in the country can be strengthened now and under the next elected government," one would much rather it was organised in Bangladesh, and participated by not only the old "leading players" but the new and prospective ones too. Understandably, the charm of visiting a beautiful country is hard to resist, but the Bangladesh participants would have done the country a world of good by insisting on having the conference in country.

It is unfortunate that ours is one of those countries whose future is deliberated upon and determined in the lecture halls of Harvard or in the lobby of the Commons or the committee rooms of the Senate or the seminar hall of a foreign think-tank.

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Justice for our justice

The crowd, which had been invited to assemble by Pakistan's Lawyers' Movement (which I lead), included young girls in jeans and T-shirts, elderly women in veils, students, housewives with their husbands, and elderly pensioners with their grandchildren. All had converged on the country's capital to push a seemingly esoteric issue but a critical cause: the restoration of Pakistan's Supreme Court judges.

AITAZ AHSAN

IN mid-June, a young Pakistani student was called on to accept an achievement award by Anne Patterson, the US ambassador in Islamabad. When Samad Khurram strode onto the stage, however, he announced to Pakistan's gathered elite that he could not, in good conscience, accept an award from a government that's remained silent in the face of President Pervez Musharraf's suppression of Pakistan's judiciary. Bowing his head slightly, Khurram then walked off the dais and sat down.

The young man is no radical. Khurram is a polite, Harvard undergraduate who looks up to Martin Luther King Jr, not Mullah Omar. He professes a deep fondness for America: not the imperial power that backs Third World dictators, but the nation of laws that he's discovered during his stay in Cambridge, Massachusetts. Khurram's fault, if any, is that he desires the same for Pakistan -- a dangerous position to take in his troubled homeland.

Yet his stand is becoming increasingly common. Days before

his recent show of bravery, I joined him and a few hundred thousand believers in Pakistan's Constitution outside parliament in Islamabad. We had gathered for an act of collective and nonviolent defiance, perhaps unrivaled in Pakistan's checkered history.

The crowd, which had been invited to assemble by Pakistan's Lawyers' Movement (which I lead), included young girls in jeans and T-shirts, elderly women in veils, students, housewives with their husbands, and elderly pensioners with their grandchildren. All had converged on the country's capital to push a seemingly esoteric issue but a critical cause: the restoration of Pakistan's Supreme Court judges.

Those jurists had been ousted by Musharraf on November 3, 2007, after the president, fearing that they'd rule against him on a challenge to his right to run for re-election while in uniform, had declared de facto martial law and thrown the judges out of office.

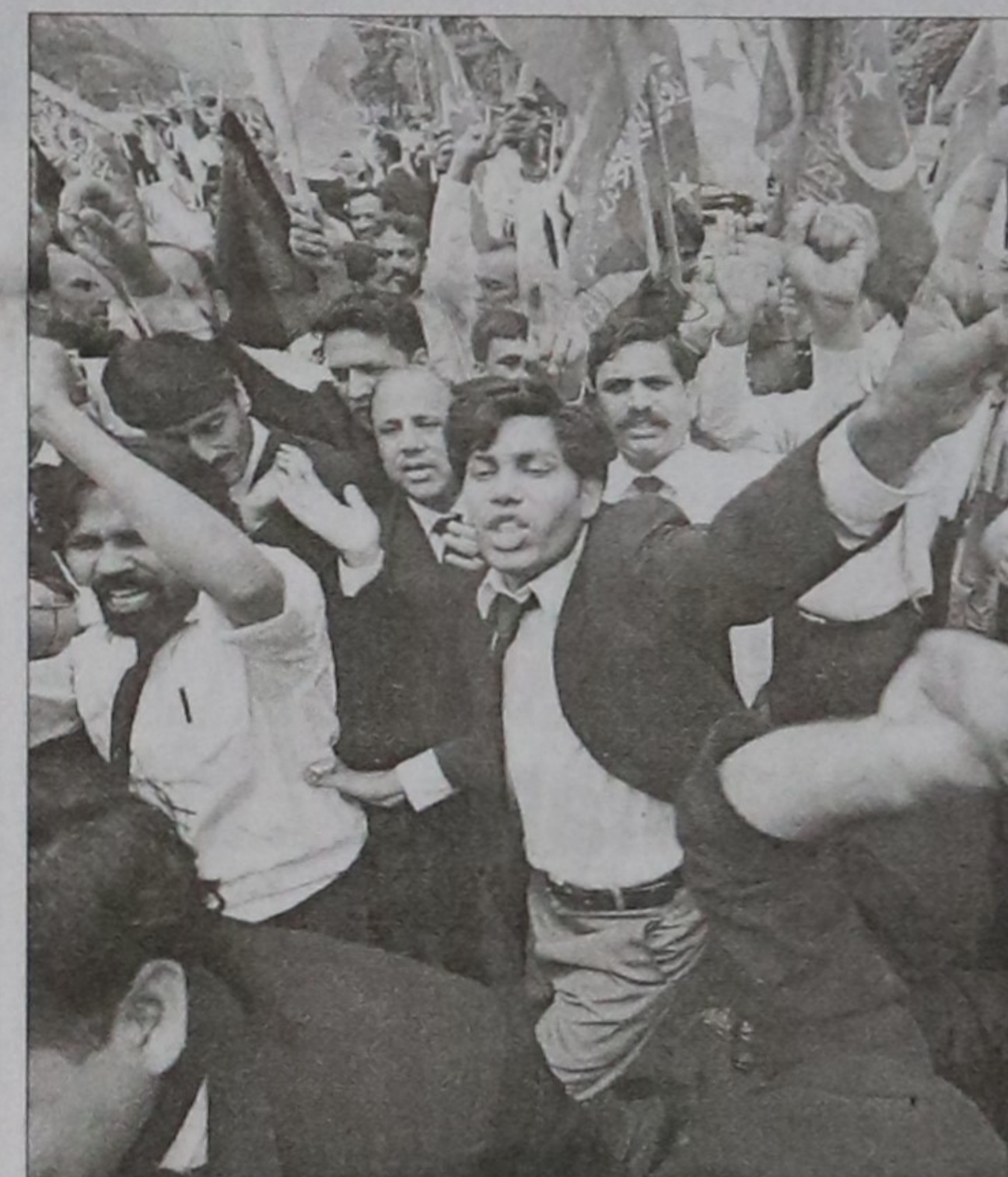
Pakistan's lawyers quickly took to the streets in protest, but were bludgeoned and bloodied; thou-

sands were detained. I myself was kept first in solitary confinement and then under house arrest for nearly four months. My wife was forced to go into hiding. The chief justice, Ifkhar Chaudhry, and the other independent judges were detained, along with their children.

Thinking he'd strengthened his hand, Musharraf then held general elections -- which his party lost. A new coalition government was formed, which promised to swiftly reinstate the judges.

Then the backsliding started. Prodded by America to retain Musharraf, the government complied and did nothing to restore the judiciary. Promises were made, but one deadline after another slipped by.

After two months, we lawyers returned to the streets, calling for a long march toward parliament. Starting on June 9, marchers from all parts of the country, including Khurram and I, began to converge in Islamabad. Gazing over the sea of humanity in the early-morning hours of Saturday, June 14, I felt that virtually the whole of Pakistan -- a nation distinguished more by its violent differences than its com-



monalities -- had come together on a single issue: justice for the chief justice.

This was not a stereotypical mob baying for any brutish form of recourse. It was, instead, a gathering simply demanding fairness under the law. Though few of the non-lawyers in the crowd could have recited the concepts by name, the assembled citizens were taking a stand for basic principles like habeas corpus, the

ideas of the Magna Carta (which proclaims the supremacy of law) and the spirit of the US Bill of Rights -- all of which have been squashed by Musharraf. Above all, however, they were there to support the kind of judges, like Chaudhry, who treat these concepts not as mere words but as a solemn compact between the state and its citizens.

As the first rays of the Saturday sun streaked over parliament, I

delivered the concluding speech, and this remarkable crowd, the biggest in Pakistan's recent history, dispersed peacefully for the trip home. Not a shot was fired or a pane of glass broken. Yet more than 200,000 Pakistanis had managed to make their point: they wanted their judges back.

Yet, as I walked off stage, I found myself wondering if the governing coalition, the general, or his backers in America, had been listening. Unfortunately, the signs aren't promising. A few days later, at the award ceremony for Khurram, the US ambassador blithely ignored his brave call for justice. Khurram himself is now in the protective custody of his terrified parents. They fear that Pakistan's notorious intelligence agencies, known for their propensity for making inconvenient people disappear, could move against him.

This very tendency was one more thing that had landed Pakistan's chief justice in trouble -- he had repeatedly demanded due process and habeas corpus for all prisoners, even those picked up by the military.

For Khurram's sake, and that of every other Pakistani, we need our chief justice back now.

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Let us do away with torture

Torture is one of the most horrifying abuses of human rights, taking a terrible toll on millions of individuals and their families. Rape, blows to the soles of the feet, suffocation in water, burns, electric shocks, sleep deprivation, shaking and beating are commonly used by torturers to break down an individual's personality. As terrible as the physical wounds are, the psychological and emotional scars are usually the most devastating and the most difficult to repair.

AKRAM H. CHOWDHURY

JUNE 26 is United Nations International Day in Support of Victims of Torture.

The UN Convention Against Torture first came into force in June 26, 1987, and in 1997, to highlight the plight of victims of torture, the UN General Assembly officially proclaimed June 26 as the International Day in Support of Victims of Torture.

The day reminds us that torture is a crime, and provides us with an opportunity to stand united and voice our opinion against torture, a cruel violation of human rights.

The Bangladesh government ratified the UN Convention Against Torture on October 5, 1998

but, unfortunately, with the reservation of Article 14 (providing compensation to the victim of torture) of the convention. The Bangladesh Rehabilitation Centre for Trauma Victims (BRCT) has been observing the day in a befitting manner since 1998. This year's theme is -- "Let's erase torture."

Torture is one of the most horrifying abuses of human rights, taking a terrible toll on millions of individuals and their families. Rape, blows to the soles of the feet, suffocation in water, burns, electric shocks, sleep deprivation, shaking and beating are commonly used by torturers to break down an individual's personality.

As terrible as the physical wounds are, the psychological and emotional scars are usually the most devastating and the most difficult to repair.

Although Article 35 (5) of Bangladesh constitution strictly prohibits any form of torture, it is a common phenomenon in Bangladesh. Victims of torture are affected mentally, and become socially isolated and shattered, ultimately becoming a burden on their families. A victim's family members are also affected, especially mentally. This is called secondary victimisation.

Torture not only affects the victim, it also threatens good governance, democracy and

development. The aim of torture is to break down the personality of the victim and to create panic in the society.

In such a panicked society, even people who have not been subjected to torture dare not participate in any developmental activities. That is why it is said that torture is a threat to democracy and a barrier to development. Therefore, for the sake of democracy and development, we need to prevent torture.

Our experience shows that torture can be prevented before occurrence. Therefore, prevention is better than cure. Here we urge the government to ratify the Optional Protocol to the Convention Against Torture.

The optional protocol establishes a system of regular visits by independent international and national bodies to places where people are deprived of their liberty, or become victims of torture and other cruel, inhuman or degrading treatment or punishment. An Optional Protocol to the

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, was adopted by the UN on December 18, 2002, and was approved on June 26, 2006.

Article 3 of the optional protocol says each state shall set up, designate or maintain a national preventative mechanism for the prevention of torture and other cruel, inhuman and degrading treatment. The state shall guarantee the functional independence of the national mechanism and the expenditure shall be borne by the United Nations.

Bangladesh has not yet ratified the optional protocol even though thirty-five countries have. BRCT is working to get it ratified by the government.

Bangladesh Rehabilitation Centre for Trauma Victims (BRCT) provides treatment to torture victims with a combination of medicine, physiotherapy, psychotherapy and counseling, and has developed an Integrated Rehabilitation Approach (IRA) which is conducted by a multi-

disciplinary group including doctors, nurses, physiotherapists, psychotherapists, legal counselors and social workers.

Most victims are affected with problems such as nightmares, sleep disturbance, anxiety, depression and, in some cases, post traumatic stress disorder (PTSD). It is a challenge for the society to rehabilitate and integrate hundreds of victims to the society fully.

BRCT tries to rehabilitate them through a Victims' Association (VA), a self-help cooperative body, and also by registering them with the concerned government cooperative bodies. There are 46 such Victims' Associations in Khulna division.

Local professionals can also play a vital role in preventing torture, and can provide safety and security to the victims. BRCT has a Taskforce Against Torture (TAT), a group of local professionals consisting of journalists, doctors, lawyers and social workers, so that they can prevent torture and provide treatment to the

victims of torture at local level.

Recommendations

On the occasion of the UN International Day in Support of Victim of Torture, BRCT recommends and urges the government:

- To create a National Human Rights Commission, Police Complaints Authority to carry out investigations promptly and effectively and to order appropriate actions.
- Adopt legislation making torture a specific criminal offence. Some of the laws such as Article 197, 161, 54, 167 etc of CrPc are contradictory to the provision of Convention Against Torture. The laws need to reform to prevent torture.
- Reform the police by enhancing accountability and transparency as well as professional capacity, facilities and salary to remove the incentive for corruption. New legislation replacing the colonial police act should be introduced.
- Bangladesh ratifies the Convention Against Torture

with a reservation of Article 14 of the convention, which obliges government to provide compensation and rehabilitation of victim of torture and his families. Providing compensation by the perpetrators of torture will prevent recurrence of torture. Therefore we urge the government to withdraw the reservation and fully ratify the convention for the rehabilitation of torture survivors.

- Many cases of torture are happening in police custody. So we urge the government to ratify the optional protocol to the convention to help national prevention mechanism to prevent torture.
- BRCT also urges the government to ratify the UN Declaration of the Human Rights Defenders and to disseminate it with a view to ensure safeguard to the human rights defenders who have been fighting against torture.

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