

## We condemn Nasaka's act of piracy

Government must take a firm stand with Yangon

RECENT incidents of Nasaka, the Myanmar border security force, opening fire on Bangladeshi fishermen in what are clearly Bangladesh's territorial waters leave us gravely concerned about the situation. As reports indicate, quoting a number of our fishermen in such areas as St. Martin's island, the Myanmar men left at least eleven Bangladeshi fishermen injured, with one of them in critical condition owing to bullet wound in the head. We condemn such unacceptable and morally untenable action on the part of the Myanmar authorities. It is not just high-handedness or a demonstration of an aggressive posture on the part of Nasaka but in effect a wanton act of piracy.

It is at this point pertinent to raise the question of how our own coast guards respond to such manifestly gross behaviour. We have been informed that the coast guards could do little because of the firing from the Myanmar forces. If that is indeed the condition in which such a vital force as the coast guards operates, one can only ask the authorities whether they can bring themselves to a position where they can deter such aggressive incidents from recurring in future. Indeed, in light of the latest incident with the Myanmar security forces, what immediate steps are the Bangladesh government planning to take, both within itself and with the Yangon authorities? It is clear that by its latest action, which certainly cannot be considered an isolated incident, Myanmar has sought to trample underfoot the norms on which states conduct relations with one another. By opening fire at fishermen working within Bangladesh's territorial waters, Nasaka stands guilty of violating the territorial sovereignty of this country. It is, therefore, only proper that our Foreign Office dispatch a strong protest note to its counterpart in Yangon, if it has not done so already.

The state of diplomatic ties between Myanmar and Bangladesh has generally been characterized by tension over the past few years. The incident of Rohingya refugees fleeing their homes in Myanmar and finding sanctuary in Bangladesh is but a pointed instance of such fraught relations. And of late there have been reports of more Rohingyas trickling into Bangladesh in order to escape persecution in their country. Now, with Bangladesh's right to its territorial waters being infringed upon by Myanmar forces, the pressure increases on our government to raise the issue, in firm manner, with the regime in Yangon. There is little question that unless such a move is made, a significant part of Bangladesh's economy, in this case offshore fishing, will take a battering.

## Law Commission is comatose

Making it fully operational brooks no delay

IT is an appalling instance of how a body established by law and designated to provide vital input for legal and judicial reform has been deliberately sidelined for the most part since its inception in 1996. The fact that only four of the 200 laws and amendments recommended by the commission had been adopted by the previous AL government and none by the subsequent BNP government, bears testimony to the history of neglect suffered by it. The BNP government's pathological indifference to the body is etched on its framing 184 laws without any recourse to the commission.

It is only in April that a former High Court justice was inducted as its chairman along with two new members in the person of a retired district judge and a university professor. While the commission is manned at the top, it lacks the complement of officials needed at the operational level.

The work of the commission is badly hindered by the transitory nature of engagement of senior officials coming in on deputation from judicial cadres. Before they can acquire any footing and experience to be productive, they simply move out, often cutting short their period of assignment in pursuit of a better prospect.

Actually, the physical constraints, continual lack of logistical support and poor work environment dogging its footsteps, a realisation of the commission's full potential remains a far cry. So, the need for putting officials on a long term engagement is pressing and the organisation ought to have a permanent office building also to operate with any degree of stability.

Actually what seems imperative is a wholesale attitudinal change to enable the commission to work to its full potential. Since the AL government has reorganised the commission at the top, one expects the rest to follow in terms of revamping it with adequate manpower, equipment and research base and other ancillary facilities. We read a sign of activating the commission in the reference being drawn to it for examining the International Crimes Tribunal Act for whatever relevance it may have to the trial of war criminals. We are at this stage looking for an authentic Bangla version of the same act.

## Parliament vs. ACC

It is absolutely necessary that, a corruption watchdog like the ACC must be legally empowered to operate independently without interference and influence of any state's organs to make it able to tackle high-level corruption.

A.N.M NURUL HAQUE

THE nation has been observing with growing concern that the parliament and the Anti-corruption Commission (ACC), the two august bodies of the country, have entangled themselves in a row, erroneously interpreting their jurisdictions, which is indeed indeed.

The parliamentary standing committee on public undertakings on April 12, accused the immediate past chief of the ACC, its acting chief, the other incumbent commissioner and one of its former secretaries for non-compliance with a legislative summon.

The JS body sent a letter to the ACC on April 7, asking its acting chairman and the commissioner to appear before the committee on April 12. The committee also questioned the legality of some of ACC's move under the regime of the immediate past caretaker government.

But the ACC had refused to appear before the committee saying, such summon is beyond the jurisdiction of the committee. In a letter sent to the JS body on April 8 the ACC said, "Such enquiry by summoning the commissioners in person does not fit in the prevailing legal and administrative norms and protocol."

The ACC chief Hasan Mashud Chowdhury, who travelled each corner of the country to raise repulsion against corruption, resigned from his post saying that there was no need to spell out the reasons of his resignation. Obviously, it was understood that he was under considerable political pressure to do so.

Hasan Mashud took over as the chairman of the ACC a couple of weeks after the emer-

gency was declared on January 11, 2007. Within a few days after he took over, he publicly declared crusade against corruption, which was welcomed by the people from all walks of life.

One may dislike the way Hasan Mashud carried out the anti-corruption drive against the political bigwigs and their family members. But surely he succeeded in bringing the misdeeds of some political bigwigs to public and to explode the myth that they are always out of reach of the hands of law.

The people are quite aware of the fact that, the ACC is now facing the ire of some MPs who were targeted by the ACC in its largely failed anti-graft drive during the emergency period.

The JS body met the speaker of the parliament on June 2 and requested him to take the necessary legal steps to make former ACC chief, its acting chief and the other commissioner to appear before the committee. Commenting on the assistance sought, the speaker however, said he would take a decision in line with the rules and regulations after the committee applies to him in writing.

The rigid stance of the JS body on taking legal actions against former ACC chief, its acting chief and the other commissioner for refusing to appear before the committee, speaks volumes of seeking retaliation while Mohiuddin Khan Alamgir, the chairman of the standing committee on public undertaking, was awarded punishment in ACC's case and was released on bail.

Past experience teaches one that interference by the political class, particularly those in power, often makes a corruption watchdog instrument to harass the opponent.



Who will reign supreme?

Therefore, it is absolutely necessary that, a corruption watchdog like the ACC must be legally empowered to operate independently without interference and influence of any state's organs to make it able to tackle high-level corruption.

The fundamental problem that relates to corruption in Bangladesh is the dominance of the vested interests irrespective of changes in the power matrix. The remedy was to start the cleaning drive from the top tiers. But the ACC, despite making some desperate attempts for combating corruption, could not succeed for lack of legal support.

The conscious citizens of the country earnestly hope that the mud-slinging between the ACC and the parliamentary standing committee would end soon and the government would ensure that the ACC remains active to fulfill the high hopes that it had raised to cut corruption drastically from public life. Otherwise, it may send a wrong signal both at home and abroad that some

quarters in the government are set to subdue the ACC.

In the opening session of the 9th parliament, Prime Minister Sheikh Hasina on February 4 told the parliament that the ACC should be reconstituted to ensure its own accountability. Yes, a government agency, no matter how powerful it is, can not be unaccountable. But it must be accountable to a highest body of the state.

If the ACC has acted beyond the law and the JS body has got such allegations against the ACC, it is only fitting to send the allegations to the president for legal action. The president may send it to the Supreme Judicial Council, if he deems it fit for taking action.

A corruption watchdog such as the ACC empowered by an act of parliament to operate without any interference and influence must not be treated like any other government functionaries.

A.N.M. Nurul Haque is a columnist of The Daily Star.

## Let us be audacious

Let us not succumb to some naïve fantasy of everlasting "world peace." But we can audaciously hope that if we share in Obama's remarkable vision, we might one day arrive at a future where if there is a war, it is only less inhuman, but less nevertheless.

SHAYAN S KHAN

WATCHING Barack Obama deliver his much-anticipated address to the Muslim world in Cairo, I am witnessing, I realise, an epochal moment in history.

Not only for the battered image of the Office of the President of the United States of America after eight years of an incompetent political son.

Not only as the day America's wobbly hegemony regained some firmness in its footing, a hegemony that we hope will now be executed with more responsibility, and greater sensitivity.

And not merely as a turning point in relations between America and the Muslim world that should bury Samuel Huntington's "Clash of Civilisations" thesis somewhere deep in the desert of 20th century xenophobia.

He is not even done yet, but already, Mr. Obama has stamped modern history with its most critical and tantalising challenge:

after Sabra and Shatila, Oklahoma and Gaza, Auschwitz and Wall Street, can mankind still believe in humanity?

Those are two dormant, but powerful human strengths his soaring rhetoric has been advocating right from the time he first appeared on the political radar, through that long but glorious campaign, and over the first five months of what is shaping up to be a very impressive and significant presidency.

At Cairo University's majestic auditorium, he laid down the gauntlet. Personifying the very essence of leadership, the height of deference, and the audacity of hope, June 4, 2009 will serve as the day Barack Obama invited the rest of the world to participate in his project for change.

And, at least as far as foreign policy speeches go, there can hardly have been a better, more inspirational, and more comprehensive one for setting in motion the process of healing between two embittered regions and galvanizing the potential for

cooperation between them.

It is what Barack Obama represents in his persona as president that is crucial to our time. His deep respect for other cultures, as well as his understanding of them; his firm grasp of the issues that surround a topic that has confounded world leaders for over 60 years now; his tireless insistence on the shared destinies of all peoples, that doesn't compromise a keen interest in their different trajectories.

In an age where insecurity has forced some Muslims to abandon certain names, he is there holding nothing back on the guttural R in his pronunciation of Arabic words, clearly betraying a familiarity with the language. When he spoke of "Palestine," and not just Palestinians, it was a logical progression from his recent commitment to a two-state solution in the Middle East. It was a reiteration of his commitment, of his integrity. In Germany on Friday, he once again raised the issue, insisting that the time to act "is now."

At the very least, I believe he will be putting the full-weight of his office behind the effort for the one solution that is just, and viable. His promise may still be unmet, but it is not empty. The sceptics abound, and there is a certain need for them too. But of the majority of mankind, at this critical juncture in history, Barack Obama deserves what he has asked for: our belief in that which is good

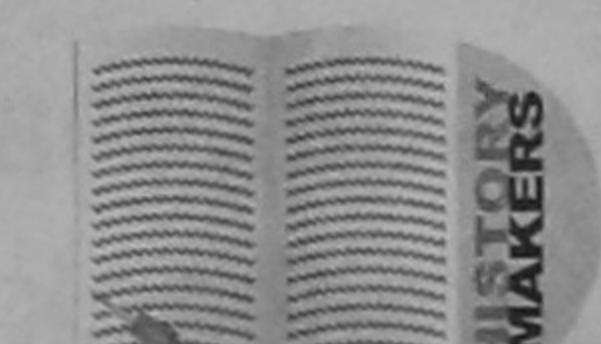
in man.

He was not just speaking to the Muslim world from Cairo. No American president has the privilege of being selective about his audience, in public. The Cairo University auditorium was symbolic only of the focus of his speech, not of its audience. He was on Muslim soil, and he made a very visible, and commendable effort to accord Islam the rightful respect it deserves as one of the world's great religions.

The wind is on his back, and this particular wind has never rested on any back more worthy. Yes, it has hardly been six months. And yes, there is still war and hunger. That will all be there when he has gone too.

Let us not succumb to some naïve fantasy of everlasting "world peace." But we can fervently, and audaciously hope that if we share in Barack Hussein Obama's remarkable vision, we might one day arrive at a future where if there is a war, it is only less inhuman, but less nevertheless; where hunger is unacceptable, and at least no child goes hungry to fund an endless supply of weapons; and where peoples from across boundaries and cultures have the sheer audacity, to put faith in their fellow man, in a world that is both a triumph and a celebration of humanity.

Shayan S. Khan is Operations Manager, CSR Centre.



## Six Points and June 7, 1966

It also drew the fury of President Mohammad Ayub Khan, who openly threatened to use what he called the language of weapons against the proponents of the Six Points.

SYED BADRUL AHSEN

HERE are, in the annals of history, certain defining moments in the evolution of nations. In Bangladesh's case, such a moment came on February 5, 1966, when Sheikh Mujibur Rahman, general secretary of the East Pakistan Awami League, revealed in Lahore a broad-ranging formula for regional autonomy. That formula was of course the Six Point Plan, which in time would lead to a wider movement and eventually an armed struggle for East Pakistan's emergence as the independent People's Republic of Bangladesh. The plan put Mujib and a large section of Bengali Awami Leaguers on a confrontational course with the All-Pakistan Awami League led by Nawabzada Nasrullah Khan. It also drew the fury of President Mohammad Ayub Khan, who openly threatened to use what he called the language of weapons against the proponents of the Six Points. The plan, as Ayub and his regime saw it, was aimed at causing Pakistan's break-up

and the exit of its eastern province from the rest of the country.

The Six Points, which the East Pakistan Awami League formally adopted on 18 March 1966, were the following:

- Pakistan will be a federation in the true sense on the basis of the Lahore Resolution of March 1940, with the form of government being parliamentary in nature and elected through universal adult franchise;
- The federal government shall deal with only two subjects, namely, foreign affairs and defence, with all other subjects to be handled by the federating units;
- Two separate but freely convertible currencies for the two wings of Pakistan may be introduced or a single currency be used, with guarantees that there will be no flight of capital from East to West Pakistan, the guarantees being in the form of a separate reserve bank for East Pakistan;
- Powers of taxation and revenue collection shall vest in the federating units, with the

federal government to be provided with its share of taxes through levies of a certain percentage from all state taxes;

- There shall be two separate accounts for foreign exchange earnings for the two wings;
- A separate paramilitary force shall be set up for East Pakistan.

Between March and early May, Sheikh Mujibur Rahman and his lieutenants Tajuddin Ahmed, Syed Nazrul Islam, M. Mansoor Ali and Khondokar Moshtaque Ahmed crisscrossed the province drumming up support for the Six Points. By way of countering the groundswell of support for the plan, Governor Abdul Monem Khan, a zealous Ayub loyalist, threatened the Awami League leaders with imprisonment. On May 8 that year, Sheikh Mujibur Rahman was detained under the Defence of Pakistan Rules. Most of his colleagues were carted off to prison as well, leaving the party in the hands of its acting president Syed Nazrul Islam and acting general secretary Mizanur Rahman Chowdhury, who at the time was a member of the Pakistan national assembly.

An embattled Awami League called for a general strike (hartal) on June 7, 1966 to generate support for the Six Points and call for the release of its detained leaders.

Mizanur Rahman Chowdhury played a highly visible and prominent role as he

prepared the demoralised party for the strike. At the same time he and other Awami League MNAs such as Professor Yusuf Ali raised the issue of government repression in the national assembly, thereby giving the Six Points a nationwide dimension. The government, for its part, compelled newspapers in both East and West Pakistan to refrain from publishing any news of the hartal.

Despite the media censorship, the hartal was observed in totality throughout East Pakistan, a fact reinforced by the deaths of a number of individuals through police firing. The following day, June 8, newspapers carried only the government version of the previous day's happenings. And the version was to portray the 'violence' of Awami League supporters on the streets.

Following the hartal, the AL decided, formally on July 23-24, to launch the second phase of the movement in August. It was at this point that Amina Begum, secretary of the women's branch of the Awami League, came in. She launched the second phase at a public meeting on August 17, 1966 in Chittagong. In the same month, she and Syed Nazrul Islam embarked on a tour of the province as part of a campaign to popularise the Six Point Programme.

Syed Badrul Ahsen is Editor, The Daily Star. E-mail: [badrulahsan@yahoo.co.uk](mailto:badrulahsan@yahoo.co.uk)