

The historic HC ruling

A clear 'no' to distortion of history

A High Court ruling has upheld the truth that it was Bangabandhu Sheikh Mujibur Rahman, not Major Ziaur Rahman, who proclaimed the independence of Bangladesh on March 26, 1971. This should put an end to a controversy whipped up to distort history for over three decades. The irony though, is that we are among the very few countries in the world where a seminal historical landmark had to be settled through a court ruling.

We welcome the vindication of the self-evident truth through the HC ruling. Even Zia's announcement came in the name of Bangabandhu Sheikh Mujibur Rahman which itself was a milestone in the saga of our liberation war and for which the nation will remember him.

But the travesty of truth was when the supreme leader was pitted against a government functionary relating to a context in which the former was leading the nation from the front and there was no question of such a proclamation being made by anyone of those following his instructions. The proclamation came from the supreme leader and that is what mattered to the nation and the international community at that point in time. We cannot ever be oblivious of this fact.

It was a momentous event admitting of no misrepresentation whatsoever as many of those who participated in or were witness to it are still alive and they must have been utterly disgusted by the attempts made by the BNP leadership to manipulate a historical truth to its advantage.

Unfortunately, it became an obsession with BNP governments in the past to assign Zia a position that he himself didn't lay a claim to. The consequences of such attempts to distort history or undermine the role of the political leadership in 1971 have been disastrous, with the new generation being left totally confused as to what really happened on March 26, 1971.

It is our firm belief that Ziaur Rahman remains highly regarded for his signal contribution to our liberation struggle. And BNP would do a world of good to itself if it bases its image on the achievements of the party rather than tinkering with history.

'Consultation' over Tipaimukh dam

Clear the air of all confusion

THE remark of the Indian High Commissioner Pinak Ranjan Chakravarty at a seminar titled "South Asian Connectivity: Bangladesh Perspective" that India had consulted Bangladesh on the issue of construction of Tipaimukh dam has helped little to clear the ambiguities that hang around the vital issue. The Indian diplomat reportedly maintained that the matter was discussed between the two countries in 1972 and 1978. On our side, the chairman of the parliamentary standing committee on water resources ministry Abdur Razzak, MP, said that the issue came up for discussion at JRC meeting in Delhi in 2003.

We, however, wonder whether the mere act of informing can be regarded as consultation having taken place between the two governments before India went ahead with the construction work of the dam. We are indeed in the dark if Bangladesh's viewpoints were taken due note of and the perceived consultations fully incorporated these to allay our concerns.

It seems only now, on the eve of the visit of a parliamentary committee delegation to Tipaimukh that India has sent data and information concerning the Tipaimukh dam. In the light of this latest development and in order to clear the air of ambiguities pertaining to 'consultation' our government should state its position publicly on the matter.

Centring around the issue of sending a parliamentary delegation to India, BNP has taken the stance that a 5-member expert team of its own choice should first make a trip to Tipaimukh before the visit of the official delegation takes place. This is in response to the government's invitation to BNP to send the name of its representative to the parliamentary delegation. We fail to understand why BNP took such a negative approach when, if included, the BNP delegate could make his independent assessment of the situation and share it with the public, if necessary.

We believe the tendency to play politics with an issue of vital national interest should be shunned by all concerned.

The AL's moment of truth?

It was so far the AL's worst intra-organisational clash, which by itself speaks volumes about the hollowness of today's Awami League. The Chittagong episode depicted a horror story when the TV channels rolled out their footage and the papers splashed horrifying pictures on their front pages the next day.

M. ABDUL HAFIZ

DEMOCRACY is essentially the function of divergent views, outlooks and ideologies pursued by their votaries who, along with its (democracy's) stakeholders, strike a common ground by using its institutions. And the wheels of democracy move on. Yet, in our politics, feuding with one's opponents is hardly unusual. Particularly after an electoral victory, the winners invariably pounce on their political opponents with vengeance and try to dislodge them from their vested interests. It's a familiar practice in our political culture, though it is unfortunate and condemnable.

In the recent past, the BNP-led four party alliance took this option as a matter of policy. But an intra-alliance feud was rarely heard of and was indeed few and far between, if at all. Their corruption, plunder, repression and excesses were developed into an art form and were carried out with surgical precision, leaving no tell-tale evidence, neither did they encroach on each other's sphere of control.

A new breed of Awami Leaguers, now in power, showed little restraint in this regard and seemed to be in a hurry, as is evident from their crude management of the same immorality. Even if they selectively took on their BNP opponents the battle for grabbing raged among themselves, and they vied with each other to control the sources of material benefit.

They went berserk not only in grabbing

potentially profitable offices, institutions and business -- they did not even spare their compatriots in the process. Such a naked intra-organisational scramble for the booty after the party's big-win was seldom witnessed before. Neither could an exasperated prime minister rein them in, and all sermons from her repertory seem to be exhausted, but the AL hoodlums are still on their warpath.

Why not? They are privy to how black money becomes white, a convicted criminal returns duly garlanded, and how an elite-friendly government pampers the high-ups both in the party and in the establishment. They become increasingly sceptical about the wisdom of abiding by the law and ethics. Amid those who think that the country is an Eldorado and seize the opportunity -- one appears stupid with something he cannot vend.

In spite of the prime minister's pious pronouncements after her electoral victory, neither the AL nor its front organisations took a chance and swooped upon all materially beneficial institutions capable of giving them handsome largesse. In our still client-patron political culture, a lot lies with the one holding the scepter of power.

At the other end, there are people who can extract favours from the power wielders by virtue of their subtle sycophancy and maneuverability. They can worm into the core of the power structure with surprising ease. This country has produced plenty of them, though not a single true patriot. These flunkies can be found all around us



Chhatra League vs Chhatra League.

-- in the media, civil society, bureaucracy and among innumerable hangers-on.

The AL's umpteen activists, sloganists and processionists are obviously a left-out lot. Where will they go to be obliged? The party stalwarts who once embraced them, now -- as ministers or something big -- cold-shoulder them. It won't be surprising if some of the neglected ones become the foot-soldiers of some of top grabbers and the lackeys of a godfather.

At the heart of the intra-organisational clash lies the dispute over the share of the spoils of power. In the arrogance of power acquired after a long hiatus, the MPs who were nominated under the prime minister's care because of their clean image and, of course, loyalty, have been behaving obnoxiously -- whether it is in Cox's Bazar, Gafargaon and now in Chittagong where, in

a bizarre development, the stalwarts of Chittagong AL clashed over the occupation of WTC office. It was so far the AL's worst intra-organisational clash, which by itself speaks volumes about the hollowness of today's Awami League. The Chittagong episode depicted a horror story when the TV channels rolled out their footage and the papers splashed horrifying pictures on their front pages the next day.

The AL, which will celebrate its 60th founding day in a few days, seems to have drifted from its ideals since its inception. It is, at best, left with ministerial berth, government largesse, an odd residential plot, or a consolation job to offer to its ranks -- something much below the party's standing at its outset. So, what's there to celebrate really?

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Living without rights

The real fact is that the state and the influential people are frequently evicting indigenous people from their lands through falsification of land documents, forcible occupation, fake court cases, falsification during registration, and eviction from khas land in the name of eco-tourism park and social forestry.

LAWRENCE BESRA

THE recent (June 13) forced eviction of 74 families, including 56 indigenous families, from their ancestral land at Khatirpur Sondanga village in Chhaor union under Porsha upazila of Naogaon district, by local powerful and influential land grabbers clearly indicates the vulnerability of the indigenous people in this country. The houses of the indigenous people have been completely demolished by arsonists and armed attackers, which has forced people to live under the open sky without sufficient food and security while the criminals are moving scot-free in that particular locality.

This incident reminds us of the torture and murder of Alfred Soren at Bhimpur, Mahadevpur, Naogaon in 2001 and of the eviction from Borodal Village under

Partibartipur, Dinajpur district in 2005. In all of these evictions, the indigenous people had been oppressed, tortured and displaced, and their basic fundamental rights had been undermined and violated.

As we know, the indigenous people of Bangladesh have their distinctive language, culture, heritage, religion, diverse traditions and customs as well as with their own lifestyle, and have been living harmoniously with Bangalees for a long time.

Indigenous people have been characterised as hard-core poor, marginalised, undeveloped, oppressed, illiterate, and vulnerable groups. This harsh reality was exposed by the eviction at Porsha in Naogaon, which proves that ethnic minorities are living without any rights as powerful and influential people snatch away their rights because the state mechanism cannot protect the indigenous people.

Because of the ambivalence of the state and different types of maltreatment by the powerful and influential, the illiterate and poor indigenous people become victims of deprivation and violation of human rights.

Even though it is stated in the Constitution of Bangladesh in Sections 27 and 28(1) that "all citizens are equal before law and are entitled to equal protection of law" and "the state shall not discriminate against any citizen on grounds of religion, race, caste, sex or place of birth," the indigenous people are not granted their constitutional rights. Similarly, in the Universal Declaration of Human Rights (UDHR, 1948), it has been clearly mentioned that no community should be discriminated on the grounds of caste and ethnicity.

Moreover, according to the customs and culture of indigenous people, the lands on which they have been living for a long time are their property. Under this circumstance, the occupation of indigenous lands by the government and influential people is a violation of international conventions, the ILO Convention (107 and 169) as well as of human rights.

The real fact is that the state and the influential people are frequently evicting

indigenous people from their lands through falsification of land documents, forcible occupation, fake court cases, falsification during registration, and eviction from khas land in the name of eco-tourism park and social forestry.

The Porsha episode has also shown the ineffectiveness of the state and absence of law and order. The powerful local land grabbers who brought misery to the indigenous people should be given exemplary punishment, and the displaced people should be brought back to their ancestral lands to establish and protect the human rights of indigenous people.

The bottom line is that the indigenous people suffer the worst form of marginalisation in terms of religion, ethnicity and cultural identity due to poverty. In this regard, support and assistance from the government, development agencies, NGOs, human rights activists and rights-based organisations are needed in order to attain the rights of the indigenous people, with especial emphasis on equity, equality and social justice and legal entitlement on their ancestral and customary land rights.

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Combating human trafficking

Although the report says that Bangladesh does not fully comply with the minimum standards for the elimination of trafficking, it recognises the fact that it is making significant efforts to do so.

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THE US Secretary of State Hillary Clinton released the ninth annual "Trafficking in Persons Report (TIP)" on June 16. It has been claimed that the goal of this TIP report is to stimulate action and create partnerships around the world to fight against the modern-day slavery.

In its narrative of Bangladesh, the TIP report has identified Bangladesh as a source and transit point for men, women and children trafficked for forced labour and sexual exploitation. A significant number of Bangladesh's trafficking victims are men recruited with fraudulent employment offers, who are subsequently exploited under conditions of forced labour or debt bondage. Women and children from Bangladesh are trafficked to India and Pakistan with the promise of jobs and marriage.

Although the report says that Bangladesh does not fully comply with the minimum standards for the elimination of trafficking, it recognises the fact that it is making significant efforts to do so. The government made modest efforts to prevent human trafficking, although it did not take measures to reduce the demand for forced labour or for commercial sex.

Till date, there has been no reaction from our government on the report in relation to Bangladesh, which continues to remain in the "Tier 2 Watch List." This means that the country has weak practices for combating human trafficking.

What causes trafficking in persons, particularly women and children, from Bangladesh?

Poverty: According to the Household Income & Expenditure Survey (HIES) 2005 (published in May 2007), 40.4% of the population live below the absolute poverty line while 19.5% live below the hardcore poverty line. Millions of these people lack purchasing power to meet the basic necessities of life such as food, clothing and shelter. The poor and the ultra poor become easy targets for the traffickers.

Unemployment: According to the Labour Force Survey (LFS) 2005-06 (published in April 2008) of Bangladesh Bureau of Statistics (BBS), unemployment rates of youths with educational background of class 1-V, V1-V111, class 1X, SSC/equivalent, and HSC/equivalent stand at 17.84%, 17.99%, 14.55%, 15.06% and 10.96% respectively. This vast pool of unemployed youths sometimes fall prey to the recruiting agencies, which offer them nonexistent jobs or conditions that leave them stranded upon arrival in the receiving

countries. This leads to suffering in the form of imprisonment, forced labour, etc.

Dowry: Although banned by law, dowry blocks marriages for many girls in the poor and lower middle class families. Many poor girls whose guardians cannot afford to meet the dowry fall victims to the traffickers who promise them a happy married and affluent life. The marriages of many poor girls end in divorce when their parents fail to pay the promised dowry. Since the divorced women find little hope for a remarriage, they become easy victims of traffickers.

Restriction on child labour: Available reports suggest that trafficked boys are generally under 10 years old and trafficked girls are between 11 and 16 years old. Many scholars think that legal restriction on employing a child below the age of 14 has contributed to them being trafficked as they do not find jobs here.

Booming sex industry worldwide: Sex tourism is no longer a secret affair. Tourism in the developed western countries, as well as in few developing countries in Asia, thrives to a considerable extent on the sex industry. Young and beautiful girls are trafficked from the developing countries, including Bangladesh, for the booming sex industry worldwide.

Lack of proper implementation of laws: Bangladesh has enacted laws of international standard to combat trafficking in persons. But what is lacking is the proper implementation of those laws. Recommended measures for combating human trafficking from Bangladesh are:

- Creating job opportunities by setting up small and cottage industries and agro-based industries in the rural areas, with a bias for employment of illiterate and half-literate girls and women.
- Encouraging enrolment of girls in schools from the lower strata of the society, giving them extra-financial incentives and ensuring their food security through schemes like food for education.
- Introducing and implementing the much-talked-about national service scheme throughout the rural Bangladesh within a reasonable time frame.
- Integrating anti-labour trafficking objectives into national anti-trafficking policies and programs.
- Significantly increasing criminal prosecutions and punishments for all forms of labour trafficking.
- Strictly implementing anti-trafficking laws and continuing investigation and prosecution of government officials who may be suspected of complicity in trafficking.
- Improving oversight of Bangladesh's 700 international recruiting agencies to ensure that they are not promoting practices that contribute to labour trafficking.
- Increasing cooperation among South Asian countries to fight against this crime.