

## Making right to information lawwork

*A plan of action is needed*

THE conference on Right to Information: Law, Institution and Citizens has ended on a resolute note. Rightly so, on the eve of the Right to Information Act taking effect, when all the stakeholders need to be fully committal to the task of implementation of a right considered key to other democratic rights.

The conference saw a blend of national and international inputs; in effect, a cross-fertilisation of ideas based on study and experience fostering an understanding of the issues involved as we approach the huge task of implementing the right to information law.

True, in our case right to information is taking a top-down route rather than a bottom-up one. But that is not wholly disadvantageous for us. For, when a change in mindset is required to curb the deep-seated culture of secrecy, we are obviously looking for it to happen at the top to send the right tenor down to the bottom. Indeed, a sea change has to take place in terms of attitude at the ministries, government departments, directorates, divisional and district headquarters and sector corporations where withholding information from public has been the customary practice. It is done as a matter of prerogative, convenience and hiding malpractice or misdeed, little realising that free flow of information can help them improve service delivery and governance thereby befriend the people and securing their cooperation in due discharge of their duties.

Thus, from what is now a power with the government functionaries, we are aiming to see it as a powerful tool in the hands of the people to curb corruption and alleviate their poverty.

Of the institutional preparations that are imperative, the setting up of an independent information commission as an over-arching executing agency, important that it is, we need to strengthen the local government institutions. This is to instill awareness at the grassroots to generate demands for information and sensitise the people about their right to information, the channels they need to use and the procedures they ought to follow in order to secure information.

The initiative can be linked to creation of a digital Bangladesh. All the potential windows for dissemination of information should be flung open with IT technology reaching out to the union levels. Different kinds of forms to secure service, and information about purchase tenders, procurement decisions etc can be placed on websites. Data and statistics on fund allocation including subsidies to local projects, expenditure details and physical targets met can be similarly transmitted to people. In one word, each office should have a concrete time-bound plan of action for manual documentation and filing and electronic preservation of information together with a designated spokesman to release these on demand.

The attitudinal change and official preparations in the top half should tie up with arrangements at the grassroots upwards to the level of upazilas for rapid and effective implementation of the Right to Information Act.

## Such a fatal accident should not recur

*Lessons derived from it should be applied*

WE are profoundly shocked at the death in an accident caused by reckless driving of a learner at the wheel near the Jagannath Hall on the Dhaka University campus. While taking an early morning walk, the victim Anima Rani Saha, wife of a Dhaka University Professor Parimal Kumar Saha, lost her life hit by a speeding private car. The lethality of the accident that lends added poignancy to the mishap came from hour that it took place at together with the fact of very high speed of 80 km/hr at which the vehicle was running.

We express our condolences at her premature death and our heartfelt sympathies go out to the bereaved members of her family.

We ought to learn some lessons from the accident and take precautions against its recurrence in future. Especially, a set of rules should apply for those who take driving lessons. Can we have area-wise designated stretches for the learners? Actually, campus should be a no-go area for them and speed breakers need be appropriately located along the residential areas with speed limits stipulated for movement of vehicles.

After each accident we demand and speak of stringent measures to prevent road accidents but when the dusts settle we tend to forget the imperative necessity for the safeguards to be put in place. Judging by the record of road mishaps, Dhaka University areas have proved rather prone to them. So, the university authority should think of ways to better regulate traffic in the inner roads with more efficient signalling arrangements together with enforcement of low speed limits that are strictly applied in the university towns of most other countries. The academic and residential character of the whole campus should not be allowed to be compromised at any cost.

## Moeen was no De Gaulle, but ...

But weigh those flaws against the positive good that came of his being at the centre of things. He was no Charles de Gaulle. Neither did he allow himself to be tempted into staging a coup d'etat, and thereby taking us all back down a potholed road we have known so well.

SYED BADRUL AHSAN

HERE are hordes of people baying for Moeen U. Ahmed's blood these days. They would like him to be taken into custody. They would love to see him tried for the way he "violated" the constitution. Their happiness will know no bounds if he is hauled up to answer the question of why he had kept the country captive to an "illegitimate" government for two years. They would applaud uproariously if the guillotine came down on his neck. All of that is a matter of opinion. It is a free country, which means every citizen is free to speak his mind on men and matters in a way he sees fit.

But beyond that matter of freedom of speech comes the truth, at once unavoidable and palpable: General Moeen U. Ahmed, for all his follies and foibles, will be remembered as the man who engineered a return to political sanity for the people of Bangladesh. Expand the idea and what you have is something fundamental and historically necessary that Moeen accomplished in January 2007. He simply stepped in and helped the country send the dishonest,

venal caretaker government led by Iajuddin Ahmed packing.

Whether you like it or not (and you will not like it if before January 2007 you had looked forward to rigged elections), the general did a job that should have been done by the political classes in the first place: he made it possible for us to hope once more. Sit back and reflect on the slippery road to disaster the country would have taken if the state of emergency, the better to give legal cover to the installation of a new caretaker regime, had not been imposed on January 11, 2007.

And this is what would have happened: even with the Awami League and its allies opting out of the general elections scheduled for January 22, the Iajuddin cabal would have gone ahead with the voting and the discredited Bangladesh Nationalist Party-Jamaat alliance would have cheerfully marched back to power. Of course, people would have stayed home and the voting centres would have stayed bleak and empty, but the votes would be counted anyway.

A hollow victory would have been announced over state-controlled media

and public opinion would have been given short shrift. Anarchy would have been loosed upon our world and the very real prospect of a civil war, for all our pretence about it not coming to pass, would be at our doorsteps. But none of that happened. The emergency put paid to all that. Because it did, we are a little better off today than we were in the days and weeks immediately prior to the ouster of the Iajuddin government.

Of course, a goodly number of wrong moves were made on General Moeen's watch. The unseemly manner in which Sheikh Hasina and Khaleda Zia were carted off to imprisonment will remain a sad thought for the nation. The alacrity with which politicians of the stature of Abdul Jalil were put through the humiliation of remand shamed us as a society. Our embarrassment over the action against the students and teachers of Dhaka and Rajshahi universities, specifically the clear attempt at undermining the reputation of respected academics, is a story we are not likely to forget any time soon.

General Moeen should have avoided being selective where dealing with some men of questionable reputation is concerned. He could have stayed away from association with those responsible for the scandal of fifty-two first class results at Dhaka University. His prestige took a hit when some individuals, despite the emergency, happily went ahead with forming political parties destined to be ridiculed and laughed out of existence.

Like every other individual who finds

himself at the crossroads of life, Moeen U. Ahmed has demonstrated his shortcomings. But weigh those flaws against the positive good that came of his being at the centre of things. He was no Charles de Gaulle. Neither did he allow himself to be tempted into staging a coup d'etat, and thereby taking us all back down a potholed road we have known so well.

With him effectively buttressing the Fakhruddin caretaker government, it was possible to run a corrupt Election Commission out of town and replace it with men who truly meant business. A toothless, partisan Anti-Corruption Commission was swiftly swatted down and men of integrity (you think here of Hasan Mashhud Chowdhury) were able to take charge of that comatose body and breathe it back to life.

A corrupt Public Service Commission made way for a decent, well-meaning one. And do not forget that when General Moeen spoke up in defence of Bangabandhu Sheikh Mujibur Rahman, it was the first time in more than three decades that an army chief in Bangladesh had publicly acknowledged the Father of the Nation's place in our history.

The just departed army chief could have reinforced the dark tradition set and cemented by Ayub Khan, Yahya Khan, Ziaul Haq, Pervez Musharraf, Ziaur Rahman and Hussein Muhammad Ershad. He did not. That in itself is a tribute to General Moeen U. Ahmed.

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## Hail to the new ACC chief

Will my friend steer the anticorruption drive as passionately and fearlessly as my other friend, Hasan Mashhud Chowdhury (HMC), while risking the monstrosity of the mischief indulgent powerhouse. Will he be allowed to exercise his authority as independently as expected of the chief of a constitutionally independent body (CIB)?

ABDULLAH A. DEWAN

THE nation has a new ACC chairman in office. Congratulations. But nothing -- short of a news headline stating "ACC declines to withdraw of political corruption cases without formal judicial proceedings" -- will reassure the nation that there's more than one corruption crusader in an otherwise corruption-infested political system.

When Ghulam Rahman (GR) was appointed as the new ACC chairman, many in the media wondered about his past accomplishments. I waited till this moment to introduce him from a personal perspective.

GR and I have been friends ever since our Comilla Victoria College days -- detached only by physical distance after graduation from Dhaka University. We even co-authored several articles in The Daily Star.

Writing a weekly column since 2005 about multifarious aspects of Bangladesh while being away from the theatre of events has always been challenging. Meeting that challenge, even if at the edge, was made possible with inputs from a few enlightened friends -- and GR comes well ahead in

this exclusive think tank.

During his last month's official visit to the USA, we had several phone conversations. GR's reaction to his appointment in this much controversial ACC job was one of finely tuned optimism. He told me: "I'll go by the book in letter and spirit."

Given his genial demeanour, GR is much less likely to be contentious in ACC's modus operandi. However, getting battered in disrepute is inevitable if the ACC under his tutelage is turned into an agency for stamping corruption charges against politicians as politically motivated cases.

In his May 28 maiden interview with the Daily Star, GR asserted: "My work will not deviate from what is said in the ACC Act. [...] None will be spared in the drive against corruption [...] No one pressurises me." One wonders if these pugnacious statements have triggered calls by some politicians to chastise and hamstring the ACC with budget cuts.

GR should know that "pressure" is built into the job of the chief anti-graft watchdog. His tacit acquiescence that our friendship is unbreakable while my newspaper column is uncompromising augurs well for everything we both cherish so dearly. Pressure will fire on all cylinders squarely

from all corners. The only pressure the ACC boss must yield to is what is dictated by the law of the land.

While writing this piece, several questions cropped up. Will my friend steer the anticorruption drive as passionately and fearlessly as my other friend, Hasan Mashhud Chowdhury (HMC), while risking the monstrosity of the mischief indulgent powerhouse. Will he be allowed to exercise his authority as independently as expected of the chief of a constitutionally independent body (CIB)? Does the extent of authority a CIB chief can exercise often depend on the personality of the individual who leads it? Does "going by the book" preclude one from being proactive? Will GR be willing to dust off the passive demeanour of a former bureaucrat to one of a proactive and effectual leader of a CIB?

With the departure of HMC, ACC has been pushed back to where the politicians wanted it to be -- much diminished in stature and power, intimidated and stifled. Many people -- politicians, public servants, and businessmen -- argue that ACC should do its job without being a fearful institution. They overlook the fact that unless one is fearful of the law enforcers, the propensity to break the law becomes a norm.

The new ACC chief mustn't be oblivious of the country's detestation and helpless outcry about the AL-government's move to withdraw corruption charges against its own leaders, including the ones already convicted. Where would the credibility of the ACC stand if these convictions and other cases still undergoing court proceedings are withdrawn under the seal

of approval of the ACC itself. As tax payers and remitters, we want all corruption cases be decided in the court of law -- not in the party offices of politicians.

If the government could decide on instituting a judicial inquiry commission to investigate alleged corruption shenanigans in five public universities between 2001-2008, then why compromise the political corruption cases by the party's elected officials? Isn't it because of the fear that corruption charges and convictions against them might stick?

If the ACC decides to approve the withdrawal of cases against politicians, then it must release the charges and all other related information in the media under the freedom of information act -- showing both transparency and accountability -- which GR has assured us of in his Daily Star interview.

Playing the role of a "benign law enforcer" while enjoying the all perks will be an unconscionable betrayal to the cause of the people. If pressurised by certain political quarters, GR doesn't have to choose the exit route of HMC; however, the deterrent against any pressure may have already been set by default by the very resignation of HMC. Will the government risk the resignation of another anti-graft chief -- giving it the image of a corruption breeder instead of a corruption exterminator?

If the finance minister can justify whitening of "black money" and the ACC can be asked to whiten "black politicians," then anything is possible here.

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## Israel's offer is a non-starter

He does not believe in a two-state solution but has to adjust his policy with the attitude of Obama's administration. Accordingly, he came out with a proposal that he knew would be rejected by the Palestinians, but he can say to the White House that he had placed a proposal to the Palestinians for a two-state solution.

HARUN UR RASHID

ONE critic appropriately says that the far-right Israeli Premier Benjamin Netanyahu's speech on June 14, "accepting" the creation of a Palestinian state, was very much like taking a visitor's hand in welcoming him but refusing to allow the rest of the visitor's body into his house.

Prime Minister Netanyahu offered his "support" for Palestinian statehood for the first time, but only:

- If it was demilitarised,
- If the Palestinian state had no control over its airspace, and
- If the Palestinians accepted Israel as a Jewish state.

The Palestinians can have their own flag and even their own national anthem but they cannot have a national armed force to defend themselves, they cannot have control of their air space and they most certainly cannot lay any claim to any part of Jerusalem as that will be the united capital of Israel. All that the Palestinians need to do to receive this "gift" from Israel is to recog-

nise Israel as a Jewish state.

The Jewish recognition, of course, means that the right to return for Palestinians is no longer part of the equation and in the longer term most probably means a forced exodus of Arab Israeli citizens to the new Palestinian state (something already recommended by Tzipi Livni), but the right of the Jewish diaspora to settle in Israel remains.

Failure to comply with all of the above will demonstrate to the rest of the world that the Palestinians simply don't want peace.

He did not address the geographical area of a Palestinian state and referred to the West Bank, the territory presumed to be the bulk of a Palestinian state, by its biblical name of Judea and Samaria, declaring it "the land of our forefathers."

Nearly 300,000 Israelis live in the West Bank, in addition to 180,000 living in Jewish neighbourhoods in east Jerusalem. He said that limited building should be allowed to continue within existing settlements to accommodate "natural growth" in response to Obama's rejection of the legiti-

macy of continued Israeli settlements in Palestinian land.

He knows that Obama is personally interested in resolving the stalemate. Obama said on June 4 in Cairo that the only resolution "is for the aspirations of both sides to be met through two states [...] That is in Israel's interest, Palestine's interest, America's interest and the world's interest. That is why I intend personally pursue this outcome with all the patience that the task requires."

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Since assuming office in March, Netanyahu has been caught between American demands to begin peace talks with the Palestinians and his hardline stance. Against that background, Netanyahu is in an awkward situation, in which he cannot object to the two-state solution and has to make an offer with impossible conditions.

Saeb Erakat, a Palestinian negotiator, reportedly said: "He (Netanyahu) did not accept a Palestinian state. Instead he announced a series of conditions and qualifications that render a viable, independent and sovereign Palestinian state impossible."

The White House reaction was limited,

focusing on what it called "the important step forward" of Netanyahu's support for a two-state solution.

The EU -- supporting a two-state solution which calls for a Palestinian state living side by side with Israel in peace -- said that Netanyahu's comments were "a step in the right direction," but not enough to increase relations with Israel to a higher level. EU has urged Tel Aviv to take more steps toward peace with Palestinians.

European Union officials said on June 15 that they will delay any improvement in relations with Tel Aviv since the Israeli government has ignored repeated EU demands for a freeze in settlement activities in the occupied West Bank and for lifting of the deadly Gaza blockade.

Netanyahu is a shrewd, street-smart and ruthless politician. He targeted his speech for two audiences -- the Jewish lobby (AIPAC) in the US and the White House. The conditions he set out will satisfy the Jewish lobby in the US and his conditional acceptance of a two-state solution will make the White House happy.

Netanyahu has ignored the fact that Arab countries will never recognise Israel because the proposal is against the Saudi king's initiative for peace in 2002, which stipulates normalising relations between the entire Arab region and Israel, in exchange for a complete withdrawal from the occupied territories including East Jerusalem.

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