

Supreme Court ruling on rivers

Government must now move quickly to reclaim them

NOW that the Appellate Division of the High Court has dismissed seven appeals filed by seven knockdown illegally built structures on four rivers, we feel encouraged and indeed uplifted in spirit. That the path is now clear for the authorities to evict every unauthorized structure from around the Sitalakha, Balu, Turag and Buriganga means that there is once more an opportunity for the rivers to be restored to their normal flow in the greater public interest. The sooner steps are taken to correct conditions, the better for the country. And we say that because all these months we have heard of several prime ministerial instructions as also judicial directives on a freeing of the rivers, all to no avail because of both the impunity with which the grabbers have acted and the recourse to legality they have taken.

Now that all impediments to a reclaiming of the rivers have been removed by the SC judgment, we believe that the authorities must move in earnest and swiftly on how best to return the rivers to the people and ensure that they are henceforth kept that way. The first step in this direction is to draw up plans for quick cleaning up operations on the rivers. That is because over the years it has not just been illegal structures but other materials as well which have narrowed and blocked the smooth flow of the waters of the river. The brazenness with which the rivers went under individual occupation almost choked the life out of the nation's capital, since these rivers have traditionally been a lifeline for the city. Simply stated, encroachments must not be allowed to play with the city and its vibrancy again. The SC decision must, therefore, be followed by tough measures to see that it is enforced. All too often, it has been seen that grabbers find an insidious way of coming back to the territory they once commandeered. In the light of the SC judgment, it must be ensured that such a situation does not again come to pass.

The onus is now on the government to bring the rivers back to throbbing life. For that to be done, certain essential conditions must be met. In the first place, an immediate survey must be undertaken to ascertain the actual condition of the rivers at present. In the second, as a follow-up, immediate work must begin on a cleaning up of the rivers, through freeing them of all the waste and effluents dumped into them over a long period of time. That leads to the third step, namely, a comprehensive dredging of the rivers in question. All said and done, there remains the question of what one does with the garbage retrieved from the rivers. Obviously, it has to be placed in an area that does not affect life negatively. Even better, means could be explored to recycle the waste. And lest we forget, all effluent discharging industries must be moved away from the rivers, with their own effluent treatment plants in operation.

In simple, unambiguous terms, a sense of total commitment and purposefulness must now come into returning the rivers where they belong, in this case the people.

Delay in implementation costing dear

Counting crores in penalty payment

HOW telling an impact delayed implementation of foreign loan funded project has had on our development economy is brought into a sharp focus by a revelatory story in this paper yesterday. There has been a little known, yet quite haemorrhagic draining out of the national coffer, thanks to payment to development partners worth Tk 127 crore in last six years as 'commitment fees'.

This spelled a triple jeopardy, in a manner of speaking: first, we are having to pay a penalty; secondly, people are being deprived of benefits of what could have been a timely implemented project; and last but not least, there is likely to be cost escalation to the project.

To our mind, however, the prerequisites to release of funds have a ring of stringency about them, something that is generally associated with cluttered formalities that have traditionally accompanied disbursement of foreign project loans. But, of course, so long as we stood committed to fulfilling the prerequisites dovetailed to release of each instalment of loan we have to live up to the commitment. On this issue, however, we must try and negotiate easier terms, because it is our cash-trapped situation that in the first place propelled us into asking for loans.

This is not to detract from the fact that to the extent the delay in implementation has been induced by man-made factors and institutional deficiencies we must be obliged to remove the bottlenecks on our side. The multi-layered decision-making processes and the entirety of the implementation machinery need to be fully reformed. Historically, we have had poor fund utilisation records that has never been sufficiently addressed. It is time to do that. In this context, we believe the multilateral development financing institutions are showing signs of looking inward to see how best they can adapt to the realities on the ground and typicalities of national circumstances placing flexibility and pragmatism above conventions and set-piece formulae. Let both sides evolve a mutually acceptable development and environment-friendly mechanism for the good of the majority.

The law of diminishing returns?

Democracy gets to be enervated by a regular expression of platitudes. It is, in truth, a purposeful empowerment of citizens. It is a creation of space for people to speak up for their rights. It, in short, goes beyond elections, to translate the popular vote into the vibrancy we call modern statecraft.

SYED BADRUL AHSAN

EVERYTHING seems to be in place for a reassertion of centralised government in Bangladesh. You only have to observe the many ways in which the administration has been trying to undermine the local government system. Maybe that is too strong a word to use here, but you really do not have any choice, have you? When the chairmen and members of the upazillas were elected, we all felt cheerful, even a trifle uplifted, about the possibility of political devolution finally making some inroads in our social system. That the elected upazillas would be in direct control of development work all over the country was somehow taken as a given. And that was because of our faith in democracy springing from the grassroots. After decades of a top-down approach to democracy, if you can at all call it democracy, there was finally an opportunity for citizens to experience pluralism at the various tiers of politics. We thought happy days were here again.

But that was not to be. Something happened to make our members of parliament think that with the upazillas in full steam, they would be missing out on all the chances they would have to influence policy making and its implementation. Of course that was a misplaced belief. Whatever it may have been, on that particular issue the interests of both the ruling party and the opposition converged: they all thought that lawmakers ought to have a supervisory, really dominant and domineering, role over the functioning of the upazillas. And that was it. The first blow against local government had been struck.

And then came the next assault, when the government decided that employees of the government, in this case officers working at the upazilla level, would enjoy unprecedented powers over the elected upazilla chairmen and members. Now sit back and reflect on the mantra of change the men and women of the ruling

Awami League preached on the eve of the general elections in late 2008. Everything, we were told in clear Obama-esque terms, would go through change, for the better. Now, as we look back at that promise, we know nothing has changed. It is all back to politics as usual.

It is not just the principle of devolution that has dark clouds hanging over it. Watch the hapless Ghulam Rahman doing all he can to save something of the dignity of the Anti-Corruption Commission in the face of the hard-jawed resolve of the government to emasculate the body into a shapeless, pointless amoeba-like organisation. You would like to go after a crooked bureaucrat and you have to go on your knees before the government to let you do that? If you would care to look at things a little more closely, you would spot a lot of anger that politicians keep spewing over the way the ACC behaved in the days when the caretakers

were in office.

To be sure, the ACC and with it the caretakers did certain things they could well have done without. But what you cannot deny is the reality, which is that under Hasan Mashhud Chowdhury the anti-graft body gave us great reason for hope. At last, or so we thought, here was a bunch of well-meaning men out to give us our very own version of America's FBI or India's CBI. That hope has by now been cracked. Chowdhury has been long gone and Rahman struggles to salvage some of the dignity the ACC has lost in the months since democracy was restored. That is pretty ironic, come to think of it. Democracy can only strengthen institutions. In our distressing case here in Bangladesh, it has been doing precisely the opposite. It has been causing a haemorrhaging of our institutions, of our sensibilities.

And it all makes distressing reading. When the minister for communications refuses to hand over documents relating to his ministry to a parliamentary standing committee, on the indefensible ground that matters of state secrecy could be endangered if he complies with the instruction, you wonder why he was let off so easily by the committee.

A parliamentary committee is never to be trifled with, assuming of course that the

individuals who constitute it are people committed to upholding the national interest and the law. Richard Nixon could not defy Congress over the issue of the Watergate tapes; and Tony Blair spent hours responding to questions from the Iraq inquiry committee over his decision to invade Baghdad. Now, you might laugh it all off, with the sneering suggestion that Bengalis are yet to reach a state where they can have their democracy operating at par with that in the West. But do not forget a simple fact: if you mean to have democracy, have it in full. If you cannot, drop the idea altogether. When a parliamentary committee summons a prime ministerial advisor and then mysteriously decides to let him off the hook by informing us that the issue has been resolved, we are not happy. Why take people for a ride? And where did transparency go missing here? Why speak of bravery and then go for pusillanimity?

Democracy gets to be enervated by a regular expression of platitudes. It is, in truth, a purposeful empowerment of citizens. It is a creation of space for people to speak up for their rights. It, in short, goes beyond elections, to translate the popular vote into the vibrancy we call modern statecraft.

Syed Badrul Ahsan is Editor, Current Affairs, The Daily Star. E-mail: bahsanlareq@yahoo.co.uk



From bad to worse?

What Thimphu means



What will make the Thimphu Summit different from other summits is in the early implementation of the decisions. The Saarc, despite its difficulties, has come to stay, and because of its geo-strategic importance, the US, China, Iran, Japan, South Korea, Mauritius, Australia, Myanmar and the European Union, have observer status.

HARUN UR RASHID

THE heads of state/government of Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka attended the two-day (April 28-29) Saarc Summit in Bhutan. It ended with a 36-point "Thimphu Silver Jubilee Declaration," which contains statement of aspirations, intentions and decisions.

Bangladesh Prime Minister Sheikh Hasina in her speech reminded the South Asian leaders of their responsibility towards peoples of the region. "Is it not fair that we, as their entrusted leaders, consider their dilemma seriously, determinedly rise above all our differences, and plunge with firm resolve to change their life?" she said.

She added: "I firmly believe we can, and do so we will, with some bold decisions here. I am convinced that this maiden Summit of the Kingdom of Bhutan will lead us across the threshold to a new era of peace and prosperity of our peoples."

It seems that President Nasheed of the

Maldives spoke his heart out and, for the first time in 25 years, a member state took India and Pakistan head on, blaming them for making Saarc virtually non-functional.

"I hope that neighbours can find ways to compartmentalise pending differences, while finding areas on which they can move forward." And he did not stop at that: "I am specifically referring to differences between India and Pakistan," the president added.

However, the Press Trust of India said that it was "unusual" for the Maldives to talk bilateral ties in the multilateral forum of Saarc.

Bhutan's Prime Minister Jigmy Y. Thinley could not put it more bluntly than when he told the summit: "Some 200 meetings take place every year amongst Saarc countries but these meetings are not matched by results."

Indian Prime Minister Dr. Manmohan Singh echoed a similar view, that after two decades the sub-continent remains divergent and socio-economic integration is still

far away. "Regional integration is half empty. Despite the telecommunication connectivity, intra-trade and investments flow is far less compared to East and Southeast Asia," he noted.

Saarc, he added, had put in place creative institutions but they were not empowered enough to address the needs of South Asia.

In his speech, Pakistan Prime Minister Syed Yusuf Raza Gilani called for harmony and stability in South Asia to realise socio-economic development and ensure the well-being of the people in the region. "For many years, real progress remained stalled due in part to festering tensions and historical legacies, differences and disputes."

Afghanistan President Hamid Karzai said that the most challenging threats facing the South Asia were terrorism, extremism, narcotics and organised crime, and that Saarc could be a platform for combating these threats together.

At the Thimphu Summit, all leaders must have been aware that half of the world's poor live in the region, although it constitutes only 3 percent of the surface area of the world. The insulting poverty level in the region is not acceptable in the 21st century.

Against the above background, many decisions were adopted at the summit. Some of them are mentioned below:

- The Silver Jubilee Year should be commemorated by making Saarc truly action-oriented through implementing declarations and decisions and operating instruments to fulfill the hopes and

aspirations of the people of the region.

- To form a "South Asia Forum" for generating debate and exchange of ideas on South Asia and its future. The forum will consist of eminent personalities from diverse backgrounds and is expected to function on a public-private partnership basis.
- To convene a "Conclave of Saarc Parliamentarians" in line with the Saarc Charter.
- Initiating a process to formulate a common Saarc policy position for the Mexico UN Conference on Climate Change in December this year.
- An action plan on energy conservation would be prepared by Saarc Energy Centre in Islamabad.
- Welcomed Bhutan's offer of a Saarc workshop on Gross National Happiness (GNH) in 2010 -- focusing on people-centric development in the region.
- Expressed their firm resolve to root out terrorism and reiterated their commitment to address illegal trafficking in drugs, firearms and people.

It is good to note that the Declaration has incorporated Bangladesh's proposal for a "Charter of Democracy" for regional cooperation and aimed at strengthening good governance.

On poverty alleviation, the leaders called for mainstreaming of the Saarc Development Goals and completion of the mid-term review of the goals as scheduled. On a Saarc Development Fund (SDF), the leaders welcomed the operations of the permanent secretariat of SDF underway, including the appointment of its chief executive officer.

On the agriculture sector, the leaders called for early consideration of the concept of a regional seed bank, regional testing and certification of seeds and framework for transfer of plant genetic material and seeds.

On interconnectivity, acceleration of intra-regional trade, water management, cooperation in energy, the leaders recognised their need but no concrete decisions appear to have been taken.

What will make the Thimphu Summit different from other summits is in the early implementation of the decisions. The Saarc, despite its difficulties, has come to stay, and because of its geo-strategic importance, the US, China, Iran, Japan, South Korea, Mauritius, Australia, Myanmar and the European Union, have observer status.

We hope the Thimphu Summit has opened a new page of Saarc for the people of South Asia.

Barrister Harun ur Rashid is a former Bangladesh Ambassador to the UN, Geneva.