

ACC: Acid test for the government

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No government is expected to deliver one hundred percent of commitments made to the people in order to be voted to power. This doesn't happen even in highly developed societies, which enjoy the most advanced democratic standards. But when a government reneges on a topmost priority pledge, there is something drastically wrong. The obvious conclusion then is that once elected the government does not care about the promises it made at the time of election, or about public expectations.

What's happening around the Anti-Corruption Commission (ACC) since the government took over is a case in point. Fighting corruption was at the core, indeed the conceptual basis, of the election manifesto of the ruling alliance, particularly the Bangladesh Awami League (AL). The AL made a specific commitment that if elected to power they would create conditions in which the ACC will function independently and effectively.

Not only the ruling alliance but also all the parties represented in the 9th Parliament took a strong stance against corruption when they sought to be elected. The period since the election has, however, witnessed efforts on the part of the government to undermine the effectiveness of the ACC, about which the opposition parties also seem to be quite comfortable.

All we have seen so far in the two years, since the December 2008 election, is an effort to curtail the

independence and effectiveness of the ACC by imposing direct and indirect government control. One must remember that a commission like the ACC will be as effective as the government of the day wants it to be.

In other words, it's the political will of the ruling authority that determines the degree of independence and operational flexibility that can be created for the ACC. It seems that this commonplace wisdom has sunk in so deeply in some quarters of the Bangladesh Secretariat that the political will is being outmaneuvered or at best engineered for short-term benefit; disregarding the future prospect of the ruling authority.

AL's anti-corruption pledges have been repeated many times since the election, which is why we were told that a committee of senior officials was formed to recommend ways to make the ACC independent and effective. Disregarding objections from the ACC itself, the committee, however, recommended amendments to the ACC Act designed to curtail the authority of the Commission.

The cabinet approved in April 2010 the proposed amendments, about which we raised our concern. Among the many campaign activities undertaken by Transparency International Bangladesh (TIB) was a public opinion survey conducted during July 1-5 last year, which showed that 96% of the people in favour of an independent and effective ACC. 73% of the surveyed people raised their voice against the key

proposed amendment that ACC must obtain prior approval of the government before taking any action against government employees.

We submitted our recommendations to the highest level of the government, following which another committee consisting of 3 powerful ministers was formed. We were encouraged when we were

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informed that the idea of special provision for government employees was abandoned.

Unfortunately, however, the latest set of amendments approved by the cabinet on January 24 is crowned by the same discriminatory provision in favour of government officials, which will practically take public sector corruption out of the jurisdiction of the ACC. We believe that this is against the Constitutional right of all to equality in the eyes of the law.

If such provision of prior approval for one category of individuals is

made then why should it not be the same for others? Why not a prior approval in case of a business person, an NGO official or a private individual? Why should action be taken against a political leader before the approval of the party? Before adopting this amendment shouldn't the members of Parliament demand a provision to be added for prior approval from

the House in their case?

The main logic apparently is a perceived slow-down in the administration for fear of getting implicated in corruption cases, which cannot justify such blanket removal of the main deterrence against corruption in the public sector. If anything, the government should reaffirm that the Commission will have unrestricted jurisdiction over the public sector corruption as in all other sectors. If an act of corruption has taken place in "good faith," let it be determined through due process, not through any blanket

waiver that will put the ACC in same status as the former Bureau of Anti-Corruption (BAC). Let's then be honest and close the episode on ACC.

Another area of concern is a proposed amendment that the secretary of the Commission must be appointed by the government, not by the Commission itself, as provided under the existing law. The above-mentioned survey showed that 71% of the people didn't support the idea. The Commission must have the power to determine its own organisational structure. It must be able to hire its own staff at all levels and determine its budget, which shall come from the government.

Instead of restrictive amendments the government should take advantage of the on-going Constitutional amendment initiative to convert the ACC into a constitutional body.

We are heartened to hear that the issue of accountability of the Commission has been left to the Parliament to decide. We want ACC to be independent, but not without accountability. In this connection, international good practice provides one or both of two options: the ACC could be accountable to a Judicial Committee of the Supreme Court.

Secondly, it could be reportable to a special Parliamentary Committee composed of one member each of all parties represented in the Parliament, provided that such members are known for highest levels of credibility, integrity and honesty, and that they do not have

any conflict of interest being aggrieved or otherwise.

The ACC must adopt its own code of ethics for its staff. All employees of the ACC must disclose and regularly update wealth and asset statements, and those of their immediate family, through website. Most of the staff of the ACC being from the days of BAC, provision must be made to review the credibility of the staff of the ACC at all levels through independent scrutiny. Salary and benefits of the ACC staff must be commensurate with the cost of living as well as with the professional risks involved. Positive incentives must, however, be matched with strong negative incentives to enforce zero tolerance against corruption.

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The government has to demonstrate whether it truly remains committed to the UN Convention against Corruption, under which ACC must be made truly effective. This is pertinent at a time when the government is, and will be, under watch as a part of review of implementation of the Convention. It is also a test on whether there is genuine political will and commitment against corruption, and the capacity to deliver the same without fear or favour.

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WORLD LEPROSY DAY

Mainstreaming people with leprosy

MARTIN ADHIKARY

Today is the 58th World Leprosy Sunday. Organisations all over the world are engaged in awareness-raising about leprosy, reducing stigma and discrimination against the affected people, providing treatment for them, preventing disability, and promoting their socio-economic rehabilitation.

There has always been stigma around this disease. This also causes self-stigmatisation in the affected people. These people live in inhuman conditions. We know this from various religious scriptures as well as from history, myths, literature and arts.

The ancient Greek Gnostics and Docetic teachers undervalued the body as opposed to the spirit. They taught that the body was a case in which the soul or spirit was imprisoned. They used to say: "Soma, sema!" -- meaning "my body is my grave!" That used to be a part of their world-view.

But have you ever considered that the people who suffer from this stigmatising ailment have enough reason to consider their bodies as their moving graves? We can say this due to the rejection, social exclusion and discrimination that these people still have to suffer because of the traditional outlook about leprosy and the people affected by it.

Several years ago a Leprosy Mission staff in our hospital in Nilphamari told me that some years ago a rickshaw puller refused to take a leprosy-affected person in his rickshaw, even though he was offered ten times the normal fare, because of fear of losing passengers! Our office collects stories of gross violations of human rights against people affected by leprosy.

Last year, one such story has it that a young leprosy-affected mother was kicked out from home by her husband and all in-laws. Worse, when she came to have a last look at her dead child, she was not even allowed to see the child's face! Leprosy was, is and will be a truly human development issue since it affects the whole human person and the whole sociological

arena of any society -- physical, psychological, societal and spiritual.

The medical or clinical aspect of leprosy has witnessed a revolutionary change since the introduction of modern scientific treatment with multi-drug therapy (MDT) since the 1980s. Indeed, the scenario has been remarkably transformed ever since in viewing leprosy and leprosy work. Millions of people have been cured through this treatment, and leprosy has been radically reduced. But the stigma still remains, and all-out efforts to mainstream the lep-

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rosy-affected people need to continue.

Let me speak for the human rights of people affected by leprosy. In this connection, I wish to refer to the old segregating Lepers Act passed in 1898. In those days there was no real treatment for leprosy. This law was passed to prevent the spread of the disease. Affected people were rejected by their own families and neighbourhoods, forced to live on begging, and were so alienated and stigmatised that they did not have any dignity.

They were arrested by the police and consigned to asylums and special places meant for them, and were given whatever treatment was available that time. They were not allowed to move around in public,

barred from taking up certain callings and professions, or to travel in public transport for fear that the disease would spread.

Now the situation is altogether different. The segregating ancient Lepers Act 1898 is not relevant anymore. It violates human rights and dignity; it goes against the Constitution of our country as well as all the universal Charters or Declarations of human rights. It is time that the said prejudicial law is done away with. The latest principles and guidelines for the elimination of discrimination against peo-



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ple affected by leprosy and their families, adopted by the UN last December, are the clearest documents for the cause of the people affected by leprosy.

There is a need for serious political commitment on part of the government, the community and the civil society. In many countries, laws and policies prejudicial and discriminatory against people suffering from leprosy have been repealed. India repealed the Lepers Act 1898 during 1992-93.

My appeal to all concerned people is to please give serious thought to, at least, the following issues:

- The Lepers Act 1898 should be repealed by Parliament. I know the Lepers Act 1898 Repeal Bill 2010 is in the process of enact-

ment;

- Enough hands-on education in MBBS and nursing curricula needs to be provided for undergraduates for the sake of realisation of the dream for a "Bangladesh without leprosy." This is to ensure that leprosy treatment is integrated into general health care infrastructure, and that leprosy-affected people do not need to go to specialised places for treatment;
- Mass media have an important role to play in disseminating up-to-date information about lep-

rosy and contribute to awareness-raising and transformation of the traditional attitude and myths about leprosy. Sadly enough, we have waited exactly for one year (since last World Leprosy Day, January 31, 2010) for disseminating the message in the mobile phone network: "Leprosy (kushto) is curable. Its treatment is free. There is no place for social discrimination against people affected by leprosy."

Let this be our message for this year too. Let us dream and proactively work together for a "Bangladesh without leprosy."

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Metternich's World

Putrid empires and thieving men

By the time you get to read this column, Hosni Mubarak may have quit power or he may have crushed the resistance to his rule by brute force. And then there is a third possibility, which is that the popular revolt will be going on, with both sides digging in for the eventual battle. Hopefully, in the end, it will be the people of Egypt who will do what the Tunisians did only a few weeks ago. And hopefully there will be change in Jordan and Yemen as well. Perhaps the sparks of revolt will be ignited in Libya as well? Perhaps the entrenched monarchies of the Middle East will one day, and soon, go the way that Iran's Pahlavis went more than three decades ago?

Anything is possible. Indeed, since the French Revolution of 1789 and then the Russian Revolution of 1917, it has always been something of a given that people will rise in rebellion once their backs are against the wall. There is that certain glory that comes with thoughts of the majesty of the people. We saw that happening in China when in October 1949 Mao Zedong proclaimed the People's Republic at Tienanmen Square. In later times, Fidel Castro's march into Havana on New Year's Day in 1959 to overthrow the corrupt Fulgencio Batista and, twenty years later, the triumph of the Sandinistas in Nicaragua were clear manifestations of the ability of men and women to come back from behind and send their tormentors packing. In Bangladesh, before it became Bangladesh in 1971, it was the sheer, sustained will of the people, with Sheikh Mujibur Rahman at the head, which forced General Ayub Khan to

quit. In 1986, People Power proved durable enough to push the greedy Marcoses out of Malacanang and into exile.

Not to be overlooked is the magic which went into the fall of communist regimes in eastern Europe in the late 1980s and early 1990s. The lesson everywhere has been identical. It is that people may suffer too long, may remain silent and cowering too long, but a time does come when they will strike back at the putrid empires of thieving men. And out of that lesson emerges the hope that a day could soon be here when North Koreans will rise to see Kim Jong il and his ilk get their comeuppance. In like manner, the hard-jawed soldiers who have kept Burma in their grip since 1962 just might be looking for the fastest planes to take them away to safety when Burma's people pour out on the streets.

Egypt needs and deserves a change. When Colonel Nasser overthrew the morally and financially corrupt King Farouk, a charming message was sent out to those regions of the globe dominated by depraved oligarchies. Nasser was a brave man, although sometimes a naïve one as evidenced by his miscalculations in June 1967. His successor Anwar Sadat was quite a bit of a visionary, as was made evident by his willingness to make peace with Israel in 1979. And his reward was assassination. And then came Hosni Mubarak, a former air force chief whom Sadat had made vice president. That was in 1981.

Thirty years on, Mubarak is a spent force. It is time he made his way to the exit.

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