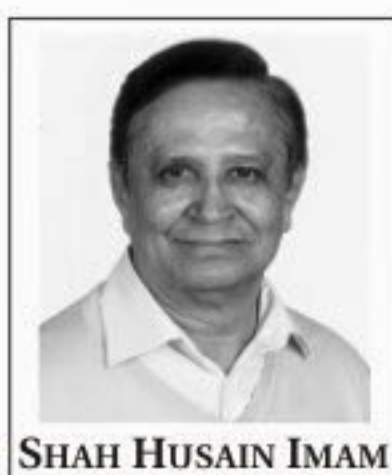


PLEASURE IS ALL MINE

In public interest ...



SHAH HUSAIN IMAM

NERO was playing his flute as Rome lay burning -- a classics imagery that finds a dis-

tended application in today's world. It is in the make-believe existence that political figures nowadays stray and takes flights into.

The closest approximation to the historic surreal is perhaps Gaddafi with his words, "all my people love me, all the demonstrations (in Tripoli) are for me." But, of course, he is still daring the opponents to disprove him. Otherwise, it would have been as comically empty as late Saddam's foreign minister Tariq Aziz mouthing his brave gaffe, a shade lovingly to jocular sensibility of the audience, when Baghdad had all but fallen through a US-led infamous invasive attack.

A sample taking in the region of fantasising politics of passionate and, often, indignant self-righteousness stripe could overwhelm even a half-serious political observer. M. J. Akbar's incisive com-

ments speak volumes of this variety. But we have our own kind of living in a make-believe world. When our own prime minister and the leader of the opposition publicly express concern over a likely extra-constitutional intrusion or a replay of BDR style disturbance respectively, exactly what state of mind are the people left in? Bewilderment or speculative animation? Scare-mongering is the last thing that people would have expected from them. But that happens to be the unintended effect of their words on the public mind. What on earth a prime minister with an overwhelming public mandate would feel insecure about? She should be the epitome of self-confidence to exude the same in the public.

Surely, from their position of authority and clout they are thought to be the least inclined to make any top-off-the-head casual remark. If those were informed utterances in any way they were only expected to share the information with their inner circles and have them cross-checked first before raising at an appropriate forum. At any rate, the disclaimer of some followers of the opposition leader in particular of

what their leader reportedly said, however, belied that expectation. To make a public statement of their concerns, unsubstantiated that these were, even if voiced unwittingly, smacked of naivety, even a sense of irresponsibility.

between the ruling party and the opposition: over prices, disorderly campuses including a vast appetite for a monopolist tendering, aggravated law and order, the last being stock market bubble, its bursting and alleged illegal and collusive

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It seems diversionary tactics are being part of political theatrics coming into play with rapid fire regularity. These appear to be designed to take eyes off failures and unfulfilled obligations which are the butt of public criticism, left, right and centre. In the first series came forth trading of blames

takings at the expense of gullible investors. Some of the pensioners losing out on their last bits of saving in the bargain.

The blame-game routes largely developing cold feet on fatigued innovation or perhaps as a collateral to the same, a whole series of conspiracy theories have been mak-

ing their rounds, particularly after the first year of the current government. Political leaders at the top and lower down have made sniffing of conspiracy into an artwork of politics, never mind, the questioned credibility of the various spins being given to stories.

If there is any one person that could complain of conspiracy it is perhaps Prof. Dr. Md. Yunus, the lone Bangladeshi Nobel laureate. One could say it all began with the sensational pick of the Norwegian documentary on a settled issue and went through reopening and over-playing it on the home front, ordering of an investigation into Grameen Bank affairs to Bangladesh Bank's sacking of Prof Yunus as Grameen Bank Managing Director, preceded by former GB employees suing Prof. Yunus on apparently trumped up charges. We are not being judgmental but just stating facts. He was seen seeking bail from courts while another Nobel laureate Amartya Sen was being greeted in Bangladesh. What an irony of fate!

To people with normal sensibilities, if they had discerned any orchestrated campaign around the issue could they be faulted? Of

course, those who spoke for Prof. Yunus, and there was a large body of them given the range of internationality of his persona and works, were just standing by a man teetering at the edge of humiliation. For the government's part, were there no more pressing matters at hand to claim its attention?

Now that the High Court has spoken, vindicating the Bangladesh Bank order on his status in GB, a very important part of the legal process has ended on a conclusive note. Just how seriously the highest judiciary has taken up the matter involving public interest quite intensely can be gauged by the fact that the appeal would be heard by a full bench of the SC.

Nobody should have the slightest of audacity to even unwittingly raise any matter that is subjudice but any citizen is within his rights to raise moral issues touching on public interest and the future of a bank which has millions of depositors as its stakeholders. Deciding on legal matters is the exclusive preserve of the final arbiter, which is the Supreme Court Appellate Division.

The writer is Associate Editor, The Daily Star.

EXCLUSIVE INTERVIEW

'The essence of human rights is human dignity'

Birth of Bangladesh is based on the very fundamentals of Human Rights -- right to self determination. If you look at the proclamation of independence, there it is mentioned in unqualified terms, "... we wage the war of liberation... to ensure the people of Bangladesh equality, human dignity and social justice. Therefore, to me, equality, social justice and human dignity put together is Human Rights for us," says Dr. Mizanur Rahman, Chairman, the National Human Rights Commission while talking to Mohammad Ali Sattar, Assistant Editor, The Daily Star.

DS: When did you join National Human Rights Commission and how do you find the new assignment?

DMR: I was a teacher of the law department at Dhaka University before joining the commission. I took up the job in June 2010. It is indeed a demanding. My friends and family backed me up to take up the challenge. And here I am...

DS: How do you define human rights?

DMR: To me, essence of human rights is the human dignity, to reveal human potentials in its entire dimension.

DS: Human rights is now a universal theme, how do you assess the conditions here?

DMR: You are right. In terms of governance, in terms of inter-state relations, Human Right is an area you cannot ignore. Whatever we do it has a bearing on human rights and vice versa. Latest developments in the Arab world should be an eye opener for those who still believe that human right is not important. This should be an indication. Human rights is essential for good governance and preservation of human dignity in all its manifestations.

DS: Give us a brief scenario of the human rights conditions in Bangladesh.

DMR: Conditions of HR have been constantly changing in Bangladesh. It has been shifting to the left and sometimes to the right. Birth of Bangladesh is based on the very fundamentals of Human Rights -- right to self determination. If you look at the proclamation of inde-

pendence, there it is mentioned in unqualified terms that we wage the war of liberation to ensure the people of Bangladesh equality, human dignity and social justice. Therefore, to me, equality, social justice and human dignity put together is human rights for us. Human rights lie at the core of heart of Bangladesh. Ever since the killing of the Father of the Nation in 1975, things have changed fundamentally.

DS: You mean the HR conditions are not up to the expected level?

DMR: O yes! Today you will find that a good number of individuals, even the media speaks of civil and political rights when they talk about human rights. But HR is not confined to that only. Whenever you are tortured, detained or interrogated by the state authority then only the question of HR arises. But for me and greater number of people of this country, economic, cultural and social rights are no less important issues. It's so everywhere in the world.

I feel my rights violated when I don't get education, medication and deprived of shelter. But the question is, back in 1972, when we drafted our constitution we drew a line between political rights on the one hand and socio-economic rights on the other. Civil and political rights were made just justiceable in the court of law, while economic-social rights were made fundamental rights in the state policy, but not justicable in the court of law.

Now the NHRC wants to change this perception of HR. We believe emphasis have to be put on economic, social and cultural rights. If



Dr. Mizanur Rahman

these rights are not ensured, merely talking about civil and political rights will take us nowhere.

DS: If you were to assess Bangladesh's position with regards to HR, how much would give Bangladesh out of 100?

DMR: Although HR has different sectors like, civil, political, cultural etc., however, on an average I should like to give 60 out of 100 to Bangladesh, given the initiative of the government.

DS: In recent times, say over the last 5-7 years, rights groups have been raising their voices over the extra judicial killings, how do you look at these killings?

DMR: We don't call these killings "extra-judicial." We call them

"deaths in custody" or "custodial death." Whether these deaths are extra judicial or not, will be decided by the judiciary. Even then, deaths in custody are matter of concern in any civilised society. I also refer to these deaths as "unnatural deaths" in custody. One has the right to know why a citizen is dying in custody. Is the death natural or unnatural? These custodial deaths can't be allowed to take place. No law should permit unlawful killings or deaths. You cannot provide any individual or organisation a license to kill. All deaths in custody should be scrutinised. All deaths in custody must be within the purview of law.

DS: How shall we address the problems of child abuse, women oppression, acid throwing etc.? Aren't all

takes immediate action and brings the culprits to book, then it's not a violation of HR. It actually is a law and order situation. We sometime mix up between the two. We need to know that, if law and order becomes serious it has a bearing on HR conditions, we should be careful about that.

DS: What are the achievements of NHRC?

DMR: Today NHRC is a household name in Bangladesh. We have done this by reaching out to people. They have now come to believe that they have a place to go and express their grievance, lodge complaints and get a patient hearing. We have done this in a short time. We have come up with a draft of our strategic plans. We are now having national consultations going on in every district outside Dhaka. We are getting feedback on our strategic plan from all stakeholders, like, NGO's, institutions, academics etc., we plan to finalise the document by March 30 and place report to the honorable President. And look forward to go for implementation from April 1, 2011.

DS: What impediments do you face to carry out your functions? Do you have freedom to work?

DMR: Freedom to a great extent depends on you. If you want to entangle yourself in chains, nobody can free you. Obviously, you need other elements to ensure and realise freedom. The honorable President assured us of all cooperation and guaranteed that there would be no interference. He said, since Bangladesh was born to ensure human rights, there will be no institution more important than the NHRC. This guideline was a great boost for us. Moreover, NHRC is a state institution, not a government body; therefore we are only accountable to the President. I must say, we have not received a single telephone call from the PM's office or any other ministries or departments. This is a good sign.

DS: What are your requirements to make NHRC an effective body?

DMR: As I told you, we have already drafted a strategic plan, and now we need full-fledged secretariat like that of EC and ACC etc. We need to have an investigation cell, a monitoring cell, a research cell and a strong public relations department. Since media is the strongest tool of influence and publicity we need to

have a strong PR team.

In fact we need a strong manpower, which we don't have as yet. We have been approved manpower of 28 people; unfortunately we have got none till now. Only three persons have been deputed from the government department to work for the time being. We have also hired a few people from the UNDP. I don't question the sincerity of the PM or the law minister; I think some officials at the ministries are causing the delay since they might not have a proper understanding and perception of the role and status of NHRC.

DS: Bureaucratic rigmarole?

DMR: Yes in a way (laughs!), but I am hopeful things will fall in place soon these officials have a clear idea about the role and status of NHRC. Unless we are able to function independently we shall not get international accreditation. Until we get the certificate from the International Coordination Committee for Human Rights we shall not be considered a free HR institution.

DS: Are you working towards getting the accreditation?

DMR: Yes, we have already applied. In course of time, they will visit us to see how far we have achieved our freedom to work independently and whether our independence is based on our capacity to work. All these factors will be taken into consideration. We want to work freely, so that we get the global recognition.

DS: Your plans for massive campaign to raise awareness.

DMR: HR violation happens due to lack of knowledge. If you want your "right" you also need to know about your "duties." Our approach is; right-based but duty oriented. In the West, they only talk about their rights; they are more interested to take, than give.

In realisation of the programme, we have taken up awareness programmes alongside the consultation, involving the whole society. We are going for TV and radio exposure to spread our message, we shall involve law students of universities to conduct students training all-over the country. These workforces will work all over Bangladesh to establish a HR culture in the country. And I am hopeful about our success. It will be a HR revolution!
DS: Thanks for your time, Sir.