

STRAIGHT LINE

Destiny group brought under government watch

Administrator to oversee activities

THE government has decided to appoint an administrator to oversee day-to-day functioning of the group and ensuring that no asset registered under the Destiny group is disposed off during the tenure of the investigation. We support the move. After conducting an investigation into anti-money laundering activities of the Destiny group worth around Tk3,256 crore over the last eight months, the nine-member investigation committee submitted its report to the Ministry of Commerce (MoC) on October 1. The probe found a number of irregularities by shareholders and recommended a full-blown audit to be carried out by an internationally reputed audit firm to determine the group's assets and liabilities.

We have been assured that anti-graft watchdog ACC will look into gross violations of illegally transferring Tk4,975 crore out of a total Tk4,996 crore were transferred to personal accounts of Destiny group owners goes to show the magnitude of the scam. The government's decision to appoint such an administrator to oversee the group's activities is welcome news. However, given the fact that an investigation of this enormity will involve several institutions like the ACC, MoC, NBR, cooperatives department, the foreign audit company along with the government-appointed Administrator, clear terms of references have to be charted out at the very outset. Though MoC is tasked with coordination, lack of such synchronisation has already surfaced. Hence, unless steps are taken now to clearly delineate which body will be responsible for what, we run the risk of getting bogged down by 'technicalities' which have the potential of derailing the thorough investigation the case deserves.

We firmly believe that a thorough auditing of the books is the need of the hour and exemplary punishment must be handed out to the perpetrators. In many ways, the handling of the Destiny Group investigation will be a test case for the government. However, there are many other scandals coming to public light. In view of these scams in other banks, we believe the time is ripe for a high powered commission involving the central bank to be setup to look into the whole issue of financial sector reform which will chart out a series of steps to restore discipline.

Malala sets a rare example

Admirable courage from a teenager

MALALA Yousafzai, 14, is fighting for her life having been shot in her head in Mingora, the main town of the Swat Valley in Pakistan's northwest, by the extremist Taliban. The teenager campaigner for the right to girls' education during two-year long Taliban insurgency which the army claimed it had crushed in 2009 faced the violent act of reprisal Wednesday last.

Not just Pakistan the world is outraged by this heinous attack on a school-going girl who made bold to champion the cause of girls' education undeterred by resistance from obscurantist elements. We condemn the act and express our solidarity with her and her family members.

The reactions in Pakistan have been those of instantaneous condemnation and shock at the barbaric act. From the lower house of the parliament to the governor of the province and top leaders of the country, all were unified in their expression of revulsion. The school children throughout Pakistan offered prayers for her recovery.

For a girl of her age, Malala has had the rare distinction of highlighting burning of girls' schools and terrorisation of Swat Valley with a blog for the BBC three years ago. She won international acclaim on that occasion, received peace award from Pakistan government and was nominated for children's peace prize by advocacy group KidsRights Foundation in 2011. Her saga of fight for a cause is amply summed up by her exemplary track record.

The attack has raised concern whether 'the policy of appeasement' towards the Taliban in terms of engaging them in peace talks has any leg to stand on. The Pakistan Human Rights Commission actually sees it as 'a wakeup call, if another one was needed, ... for those going out of their way to advocate making peace with the Taliban'.

Just on the eve of the International Day of Girl Child such a dastardly attack took place on Malala. That makes the incident so very poignant and instructive.

Let us all join hands to defend the rights of the Malalas



MUHAMMAD NURUL HUDA

IN the wake of the savage attack on the Buddhist community in Cox's Bazar and the interesting development in the much publicised journalist couple murder case, the imperative of meaningful and effective investigation assumes special significance. We are witnessing justifiable exhortations to the custodians of law to look professionally and impartially at all criminal incidents that quite naturally have a bearing on the polity.

The media bemoans the post-incident trading of rhetoric and blame process wherein it suspects that the casualty is the investigation, as it is likely to begin on a wrong foot leading to the real culprits going scot-free. Earnest appeal has been made to get to the bottom of the dastardly and cowardly attacks with a view to unearthing the truth and punishing the culprits.

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In view of the above scenario it is worth reminding that investigation swayed by high emotion and the immediacy of the incident would not serve any interest; least of all that of the prosecution for which the state is responsible. One needs to know that in all criminal investigations the state is actually the complainant. The onerous responsibility cannot be discharged lightly because in the ultimate process the investigator will be all alone to withstand the test of rigorous scrutiny by the court wherein cold facts and hard evidence will matter in deciding the culpability.

The most obvious function of the investigator is to locate the persons who have committed the crimes, by proper investigation, collect the evidence available against them, to arrest such persons and to bring them to the courts to be dealt with according to law. The powers of arrest, searches etc granted to the investigators are for this purpose only and are regulated by law. Hurried actions, therefore, carry the risk of prejudicing the due diligence expected of the investigator.

Investigation of an offence is the field exclusively reserved for the executive through the police department,

the superintendence over which vests in the government. When the police have located their man they put him before the court and the court adjudges the guilt of the man placed before it on the basis of evidence adduced. The whole process is regular and precludes any arbitrary action by the executive. Hurried investigation is likely to influence dispassionate collection of evidence, thereby vitiating the statutory process.

The pressures consequent upon the murder of two media persons are enormous and it is highly likely in a charged situation that the investigator may start with a preconceived notion. The danger is that such notion may lead the investigator on a wrong track altogether. Additionally, often the most zealous investigator, perhaps the most interested and honest in work, is most apt to be led by it.

Ideally, one must start the investi-

Investigation has to be credible enough to withstand the subsequent test of rigorous scrutiny in the court of law.

gation with an open mind, study the situation for oneself and then after he has accosted the witnesses, seen things for himself, a person can form an idea of the whole thing. Hurried investigation may influence one to start with a notion, "so and so must have done it," and thus one is apt to get astray from the real mark.

Certainly a mind revolves over many theories when one starts on the investigation but one theory can be as good as the other. At the very outset a point may be ascertained on which one feels one can rely on. An opinion is formed which cannot be got rid of. It so happens then that after such formation the details of the case are no longer studied with freedom of mind. Avoidance of such study becomes strongly likely in hurried investigation.

Beyond the statutory and administrative stipulations our citizens need to know why our investigating outfit has to live with the double stigma of being partisan and inefficient. One may ask as to why our national level political leaders openly impute motives on the part of our investiga-

tors and cast doubt on their integrity? Who has failed whom? Have political leaders encouraged and abetted the malfeasance of the investigators?

Viewed from another angle, are we a victim of misplaced priorities owing to the follies of myopic policymakers and malevolent professionals? In misplaced exuberance, have we extolled the benefits of the so-called crossfire to the detriment of cultivating a scientific culture in law enforcement? These are queries that need to be pondered in serious earnest.

Now may be the time when we must know why investigative efficiency of the police has deteriorated over the years and whether such efficiency can be regained in isolation without setting the expected organisational goal of the police. It may also be appropriate now to know the pattern of resource allocation for increasing the professional competence of

preservation of physical evidence will not follow if the investigators remain in a state of bewilderment following the enormity of the incident.

Institution capacity building, insofar as it relates to modern scientific investigation, is yet to draw priority attention.

If we are not willing to forsake one of the primary state functions we cannot lose any further time in modernising our investigative outfit. Must we not realise that soliciting external investigation agency's help in our criminal investigation on our soil amounts to a disgraceful admission of our operational and administrative inefficiency?

In fact, what we need to plug the gaps in criminal investigation is some modest investment on capital machineries and training. However, equipping the investigators will not serve the purpose if investigation does not become the unaffected and unfettered jurisdiction of the investigator. The inaction and the resultant incapacity characterising each incident of serious violence hangs heavy on the national scene and is giving rise to mounting concern. The need, therefore, is to empower the investigators by lawful directives.

The question of the sincerity of the political authority is very significant. The required sincerity can be proved through concrete actions like proper registration of the case, energising the intelligence network for proper apprehension, collection of material, physical and circumstantial evidence effective laboratory testing and finally expeditious investigation. All these can be made possible if the political executives show adequate determination and agree to go by the book.

The field executives concerning the criminal investigation have the ability and competence to withstand the pressures of sustained investigation and present a legally tenable charge-sheet. The rest would be a matter for the law courts to decide. After all, the booking of perpetrators is possible by working through the existing criminal intelligence network. If in the past we have been able to detect clueless murder cases there is no reason to think that the same cannot be done now.

The writer is a columnist for The Daily Star.

Stimulus versus discipline: Which is the right road?

EDITORIAL DESK: THE NATION (THAILAND)

THE world's finance ministers face a crucial opportunity when they meet this week. At stake is a sustainable economic recovery, but their weighty task is to find the balance between monetary easing and financial discipline that will deliver it.

The meeting will focus on the budget stand-off in the US and the debt crisis in Europe.

The annual meeting of the International Monetary Fund (IMF) and World Bank this year was timely indeed. The gathering of the world's economic decision-makers came amid one of the lowest global-growth periods in modern history. Yet debates are still raging over what solution will end the depression.

Washington is likely to face a deadlock over its budget during this election season, while the debt crisis in the euro zone is far from over.

Economists are divided on whether the solution is the monetary easing and fiscal stimulus that inject more money into the system, or financial discipline that would curb debts and guard against instability in the system.

Growth prospects in Asia are gener-

ally higher than in the US and Europe. This has brought hope that Asian growth could offset the slower demand in the affected euro-zone countries.

Thailand's domestic demand is being driven largely by the post-flood rehabilitation programme and the government's fiscal-stimulus policies.

Neighbours such as Indonesia and Malaysia are also enjoying a boom in

ship in Beijing, but this won't be the only factor determining its future economic direction. Slowed growth there will affect demand in the region.

The World Bank reports that, in China, the growth of domestic demand in real terms has dropped and GDP growth in the second quarter fell to only 7.6% compared to levels above 9% in 2011. Investment growth has slowed in particular,

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spending and investment by their governments and the private sector.

Nonetheless, the World Bank released a report yesterday forecasting that economic growth in East Asia and the Pacific region might slow down by a full percentage point, from 8.2% in 2011 to 7.2% this year, before recovering to 7.6% in 2013.

China's economic slowdown poses a challenge for Thailand since it is now our biggest export market. Next month will bring a change of leader-

driven by last year's measures to rein in investments in real estate, the report says.

The World Bank also notes that Beijing's relaxation of monetary policy earlier this year, along with local and central government stimulus measures, could again reverse this trend in months to come. But any future growth also depends on the nature of the reforms the country undertakes.

This week's meeting of economic

leaders takes place amid simmering tension in the Middle East and intensified disputes between Japan and China over islands in the East China Sea. These issues contain threats of international conflict that could obstruct the world's efforts towards sustainable economic growth.

The globe's top policymakers must take the opportunity this week to forge a single direction towards recovery from their countries' diverse political, economic and financial situations.

Thailand has a similar lesson to learn from the downturn. It must find the "middle path" between stimulus and discipline that will lead to sustainable economic growth. The euro-zone debt crisis has shown how overspending by governments can bring chronic economic woes.

The US budget stand-off reveals the necessity for government to inject money into the system to drive growth.

Thai policymakers should take this opportunity to learn from these countries to ensure the country builds a strong defence against the volatile global situation.

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THIS DAY IN HISTORY

October 13

1884 Greenwich, in London, England, is established as Universal Time meridian of longitude.

1923 Ankara replaces Istanbul as the capital of Turkey.

1943 World War II: The new government of Italy sides with the Allies and declares war on Germany.

1946 France adopts the constitution of the Fourth Republic.

1990 End of the Lebanese Civil War. Syrian forces launch an attack on the free areas of Lebanon removing General Michel Aoun from the presidential palace.