

## KALEIDOSCOPE

## 15 years since the signing of CHT peace accord

Address core issues for full implementation

WHEN the state entered into a peace accord with the PCJSS, the now-defunct political wing of the former tribal insurgent group which called itself Shantibahini, one and a half decades ago, it formally ended a two-decade long insurgency in the hill districts. Peace was an instant dividend from the accord that both sides celebrated with the world welcoming the olive branch spread across the CHT.

The beginning was also marked by surrender of arms by the Shantibahini preceded by repatriation of tribal refugees encamped in the Indian state of Tripura to Bangladesh. Both the returnee Jumma refugees as well as former Shantibahini elements were rehabilitated. The scene was thus set for implementation of the core provisions of the CHT accord.

The progress of implementation from that point on has been extremely tardy as successive governments dragged their feet whenever encountering the core, difficult issues of implementation. Awami League, though the author of the peace accord couldn't go beyond just forming CHT affairs ministry, a selective regional council and a land commission coupled with phased withdrawal of army camps in altogether nearly two terms in office.

Fundamental clauses including resolving land disputes and strengthening CHT Regional Council and the three hill district councils remain on paper. Having a mixed police force in the region to look after security concerns still seems a far cry.

Of particular importance is a clearly defined mandate for the land commission keeping an eye on demographic characteristics of CHT which is unfortunately lacking. Land survey would be necessary for documentation of land occupation pattern in the region. Central to the issues of land rights and settlement are disputes between the settlers from plainland on the one side and all the hill tribes on the other.

These are facts to be faced with a resolute, realistic and accommodative plan of action for peace and harmony to strike a root in the ground. As part of the process, dialogues should be held among all parties leading to removal of impediments to a negotiated settlement of the land and other disputes paving the way for fuller and sustainable implementation of CHT peace accord.

The way forward appears to lie in holding elections to the hill district councils culminating in the formation of a truly representative and fully empowered CHT Regional Council to meaningfully address the major tribal concerns.

## Vandalisation of leather factory

Such senseless acts must be curbed

WE find it very difficult to rationalise why a leather factory in Ashulia was vandalised on Saturday. It was functioning normal; there was neither labour unrest nor any problem there. Reportedly, the factory management refused to give in to the demands of some workers of an adjacent garment factory whose work was suspended because of a fire alarm. As a result their owner, rather sensibly, declared the remaining day off which caused workers of a few other factories to suspended work too fearing trouble. And these workers set upon the leather factory.

It seems ludicrous that an export oriented factory employing more than 1000 workers, and exporting to nearly a half dozen countries, would be subjected to such senseless act that caused injury to many of its workers.

In the entire episode equally appalling was the inaction of the police. They are paid not to hide, as the 15 policemen on the factory premise were found to, in the face of impending trouble, but act promptly. And the late response of the industrial police is quite inexplicable too. The job of the industrial police is to address exactly these situations, and if they say that they did their best then their best is just not good enough.

It is not the first time that trouble in one factory had spilled over into another, quite inexplicably. We wonder whether it is the destructive inclination of a few that gets the better of the rest to indulge in wanton destruction, or this is a part of a deliberate effort to harm our garment and other export industries. On both counts the authorities must act promptly to stop such acts being repeated. While on one hand there is need for the management to indulge in pep talks with the workers to put a stop to this, on the other the law enforcing agencies must be more alert and quick in their reaction and not demonstrate the

# Ashulia garment fire and after



SYED FATAHUL ALAM

THE issue of safety in garment factories has again been brought to the fore after the horror of

Tazreen Fashions fire. The result of the inspections carried out at the garment belt in the Ashulia area by fire service officials has provided the answer as to why the factories are so susceptible to fire.

Fire service officials inspected 163 factories out of 574 in the Ashulia after the November 24 fire, until Saturday. The findings were appalling. 53 of those inspected factories lacked minimum fire safety standards. They had no fire safety licences; neither had they sufficient number of fire extinguishers, hose pipes, water reservoirs and trained workers.

That means we have kept our garment factories forever ready to be caught on fire. A BGMEA estimate states that during the last 22 years, 275 workers died in fires that broke out in garment factories. This estimate does not, however, take the 111 deaths in November 24 into account.

The outcries, far and wide after the latest incident, again seem to have pricked the conscience of the government, the factory owners and leaders of the industry's apex body BGMEA. But have such occasional awakenings helped things improve so far? Have the lives of the garment workers become any safer than before?

The man on the street has by now become blasé about such post fire disaster hullabaloo. So he fears that the initial outpourings of overwhelming outrage, and shock over the deaths and sufferings in the wake of Ashulia garment fire, will also gradually die down. The memory of the horror of the conflagration and the miseries that befell its

victims may also fade into oblivion. If such misfortune ever happens, would we have to wait for another fire-related disaster to strike another unsuspecting garment unit to remind ourselves our tasks to ensure workplace safety and improving workers' conditions?

To avoid future fires of such magnitude, we should say enough is enough and get our acts together in avoiding such future tragedies. Unfortunately, this time too an attempt was made to cry blue mur-

not be known. They also promised to form a task force to make the garment units compliant to rules of safety.

Even so, some general members of the BGMEA did not appear to be convinced that the media criticisms of the erring garment units were well-merited. Some even expressed their strong sentiments against such criticism. They even reminded the nation of their contribution to the nation's foreign exchange basket.

True, the garment sector has made

well as when in foreign parts? Shouldn't they be grateful to the government, the public and particularly their workers for all such supports?

Why should they then point fingers at imaginary arson plots when it is in reality some of the factory owners' sheer indifference towards the lives of workers that remain in most cases behind the fires?

The majority of the members, especially, the leaders of the industry under BGMEA have, however, demonstrated their wisdom by accepting facts.

We are very much appreciative of such moves from the leaders of the garments sector. At the same time, we would hope that the pledges they made to ensure safety compliance in the industry will not remain only on papers. Those must be seen to have been implemented.

After the November 24 fire incident, the industry leaders and the government have concentrated on compensation for the victims and safety measures in the factories. But they should not forget the issue of better pays and working conditions for which the general workers have been agitating since long.

It must not be lost on the government and the industry leaders that the foreign buyers in their reaction after the latest garment fire advised them to listen to the workers.

The best way to address occasional vandalism, wild cat strikes and disruptive activities by extraneous elements in the garment sector is through empowering genuine factory workers through their legitimate unions. The workers have to be allowed to communicate with factory management through those unions. Once they are so empowered, outsiders or criminals will not be able to create any untoward situation in this sector.

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MAHABUB ALAM KHAN/DRIK NEWS

To avoid future fires of such magnitude, we should say enough is enough and get our acts together to avoid such future tragedies.

der about the bogey of saboteurs or foreign agents out to destroy the garment sector. But the sheer pressure of public criticism of callousness on the part of Tazreen Fashion's management and irresponsibility of some of its staff, who made light of the fire danger and pushed the escaping garment workers back into the inferno, forced the industry leaders to face facts.

Which is why they begged pardon before the nation for the deaths of so many workers, especially for the dead of those whose identities could

a huge contribution to the national economy. But they cannot also be unaware that the government has extended adequate facilities like tax holidays, easy bank margin against letters of credit, credit facilities and so on for their business.

On top of that, is it not the back-breaking toil of millions of garment workers that keep the machines of their factories moving round the clock? And do not they owe anything to these millions of workers for the affluent lives they live at home as

# Caretaker government issue: Back to square one

MONOWARUL HOQUE

WHEN the idea of the caretaker government system was floated in 1996 by Jamaat and then picked up by Awami League, it was fiercely opposed by the BNP which was in power. And now that it has been cancelled, demand for its restoration is being opposed tooth and nail by the government again, only the party that leads the government is Awami League.

The thought of having such a system reflected the fragility of our democracy and political strength -- we could not trust a government to hold free and fair elections. And yet it gained popularity because we needed a quick fix against rigging and botched elections.

The present demand for restoration of caretaker government only shows how little we have thought of institutionalising democracy since 1991, when the regime of General Ershad ended and the first free and fair parliamentary elections were held.

Four main pillars -- Parliament, Election Commission, judiciary and bureaucracy -- that could ensure free and fair polls even without a caretaker government have been deliberately weakened by subsequent governments.

Parliament has been boycotted year after year by the opposition, the opposition has been denied a voice by the treasury bench, parliamentary debates have been trivialised and Article 70, that bars expression of individual opinion irrespective of party alignment, has been firmly put in place.

The Election Commission (EC) has also remained a subject of question regarding its neutrality. This is because its commissioners are nominated by the prime minister and appointed by the president. And therefore, the opposition has always cried foul about the EC.

The judiciary is the caretaker of the constitution and its independence can be maintained by not making appointments political. But we have seen repeat shows of supersession in appointment of the chief justice both by the BNP and the Awami League governments.

And it is no secret that the bureaucracy is now ever politicised.

All these conditions have led to the thinking that a fair election cannot be held without a caretaker government in place. But even then every losing party has talked of rigging and election engineering after each election.

Now, as the BNP demands restoration of the caretaker government (as it thinks it is time for it to get back to power as Awami League and BNP have been in power alternately) and the Awami League opposes it, neither of them pays heed to strengthening the democratic institutions, especially the EC and the judiciary.

One can look at the cases of India and Pakistan to know how they have

secured or try to secure neutrality of these two institutions.

In India's 65 years of history, only one chief justice was appointed in 1975 during Indira Gandhi's time by superseding two senior Appellate Division judges. A case was filed with the administrative tribunal of the Supreme Court against this appointment and the verdict was that the decision of appointment was not acceptable. Since then no other attempts have been made to supersede a judge.

In Bangladesh, the law ministry proposes judges' appointment and the president carries out the action. The judicial council has no role whatsoever. The chief justice is supposed to be consulted, it is mandatory in the constitution. A country like Pakistan, which has fledgling democracy and is

plagued by problems like corruption and terrorism, has probably carried out the most interesting reforms through the 18<sup>th</sup> Amendment to the Constitution to stop supersession of judges. A 12-member judicial council consisting of the chief justice, senior judges, two retired judges and the attorney general appoints judges there. A detailed guideline has been drawn up to set the criteria for appointment of a judge.

The Indian system for appointing

election commissioners is no better than Bangladesh's as the prime minister nominates them. But moves are on to change the system. L.K. Advani on June 7, 2011, wrote to the prime minister that the existing system was faulty. He suggested that the selection committee should be comprised of the prime minister, the opposition leader, the chief justice and the law minister. The senior-most person among the commissioners should be the chief election commissioner. Prime Minister Manmohan Singh has agreed to the proposal. HC judges are appointed through public exams in the states.

Pakistan, through the 18<sup>th</sup> Amendment, has put in a transparent system. The chief election commissioner is appointed by consensus of the leader of the house and the opposition leader. Out of three names one will be picked by the standing committee on judiciary having equal representation of position and opposition.

So, through all these measures, the institutions that can ensure free and fair elections have been strengthened and the people's trust in the system has been restored. And when you have such a system in place, you do not actually need a caretaker government to hold elections.

But democracy has to be institutionalised first. The present government with its three-fourths majority in parliament has the power to bring in such changes that would make the need for a caretaker government redundant.

The writer is a former student leader and currently a businessman.

## THIS DAY IN HISTORY

December 3

**1925** World War I aftermath: The final Locarno Treaty is signed in London, establishing post-war territorial settlements.

**1971** Indo-Pakistani War of 1971: Pakistan launches a pre-emptive strike against India and a full scale war begins claiming hundreds of lives.

**1989** Cold War: In a meeting off the coast of Malta, US President George H. W. Bush and Soviet leader Mikhail Gorbachev release statements indicating that the cold war between NATO and The Soviet Union may be coming to an end.