

STRATEGICALLY SPEAKING

Justice is truth in action

Gunning of two young men in broad daylight

Police needs to expand its surveillance

THE blatant manner in which two youths were shot dead by four motorcycle riders at an isolated spot in Sudkhira village in Manikganj is shocking as well as horrifying.

What sends chills down the spine of peace loving citizens is that this is not for the first time that such a scary incident has taken place. Crimes like a mob beating up suspected robbers to death, kidnapping and killing for ransom, robbery with murders taking place in broad daylight, enforced disappearances, killing women after gang-rape, etc are all a stark reminder of where law and order has plummeted.

How unsafe a place the society has become for the citizenry! In many cases, culprits are repeating their crimes with impunity taking advantage of lack of police vigil.

In all fairness to them it must be said that the police have limited strength, that too spread thin on a variety of assignments. It is too much to expect them to keep track of every brewing incident even in the remotest parts of the country.

But what is expected of them is that in the wake of an incident, in the very least, they should show energetic action and some results in ferreting out culprits.

In this particular case of twin shooting of youths to death, it seems the murderers were not unknown to the victims. The ease with which the killers could get away with the murder in that remote village shows that the remoter a place from the urban centre, the weaker the vigilance of the law-enforcers.

So, it is important that the number and frequency of police patrols on the highways as well as smaller roads branching into the upazila levels should also be increased.

An update on Destiny scam

ACC's persistence starts paying dividend

WE are heartened to note that the Anti-Corruption Commission (ACC) is making headway in its investigation to locate money stashed away in overseas accounts by some Destiny officials. The anti-graft body has revealed that it has traced transactions to foreign banks in five countries. The money had been siphoned off in huge amounts from Destiny Multipurpose Cooperative Society Limited (DMCSL) and Destiny Tree Plantation Limited (DTPL). We commend the ACC for its efforts to trace the money but the real job of recovering it, should be undertaken with due seriousness.

Hundreds of gullible subscribers have been thrown on to the streets with their lives' savings gone into the thin air. So, the ACC has the job of not only getting the embezzlers punished but also getting the money back to its legal owners.

For the present, however, we have the figures of US\$ 77,608 and euro 84,600 traced out of Tk 3,285.26 crore public money having been transferred through money laundering or hundi between 2006 and April 2012. Thus, the track down money constitutes a tiny fraction of the total amount embezzled.

The exercise is still at a preliminary stage as the ACC seeks details of transactions from the bank accounts including taking steps to bring back the money. This is going to be a major recovery effort which in order to succeed needs cooperation of the banks and the countries concerned. For all we know, they should be willing to extend a helping hand in securing the money back into the country.

Since the 9-member probe committee's report on October 1 revealing number of irregularities by shareholders, this is the biggest news. The ACC after having traced the transactions to foreign accounts is initiating steps to send Mutual Legal Assistance Request (MLAR) to Singapore, France, USA, Malaysia and Canada through the Attorney General's office. This is the standard procedure whereby stashed away money is brought back to the country.

Let there be no missteps or any let-up in the process of holding the culprits to account and do justice to the vic-



Brig Gen SHAHEDUL ANAM KHAN
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THE heading of this piece is a quote, chosen because the acute relevance of it has never been more illustrated than in the first verdict of the International Crimes Tribunal 2, delivered on Monday. Truth has prevailed. The accused Abul Kalam Azad alias Bacchu was charged with crimes against humanity and has been sentenced to death. The message has been loud and clear -- crime will not pay. The only regret for us all, perhaps with a few exceptions, is that the trial had to be conducted in absentia, the accused having made his escape just before he was about to be nabbed.

And this is what we must dwell on first before we go further. It seems that he had many well wishers within the administration. Otherwise, how is it that a person who was under intense investigation could give a slip to everybody and disappear into thin air just before he was about to be nabbed? And now there is speculation that he is in Pakistan, trying to escape to one of the Middle-Eastern countries.

It takes quite a doing to cross over one international border illegally; and he managed to cross over two in that manner, both of those heavily fenced, and one of which is the most dangerous border on the planet, and be happily ensconced in a third country... how very convenient. There is good reason to believe that the accused had truck with the Jihadis and the political extremists, since it is they who venture across the Indo-Pak border regularly risking their life and limbs. And it is perhaps they that helped him to cross over to Pakistan.

In spite of what the law minister says, it seems unlikely that the verdict might be carried out any time soon.

The sentence was bound to cause a flurry of comments. Given that the trial has taken place after more than forty years of the crimes being committed, and also the huge amount of money spent to garner international support against the trial, the furore is only to be expected. It must be mentioned that at one point in time, and particularly after the first tribunal was established, it was made to look as if not only putting the 1971 criminals on trial was a grave act of impropriety, calling for their trial was very wrong too.

What is surprising too is the way some western media have venerated the culprit, as a popular cleric. No man who has been found guilty of the kind of charges leveled against him deserves the appellation that preceded his name, because no one that genuinely carries that reverential title could ever have indulged in the acts that the accused has been found guilty of.

It was not surprising to see certain quarters laying red herrings to mislead the public. It was said of the Court that there was nothing "international" about it. Of course there was not, and it was not meant to be so. It was an indigenous tribunal formed under the International Crimes Tribunal Act-1973. And one is not certain as to what is the datum reference of "international standards" and who defines it? As long as the international covenants we have acceded

to have been upheld in the process, the fairness should not be questioned.

It is said too that the charges leveled against the accused could have been tried under the existing CrPC. I shall leave it to the legal minds to answer this, but those who pose the question perhaps forget the historical context in which the crimes were committed. The crimes were committed to thwart the Liberation War, and that is what lends a different dimension to the crimes.

cussing trial matters with somebody who was not directly associated with the trial or a member of the tribunal, outside the court, was flagrant violation of his oath. And this is what has given the scope to some commentators to dub the tribunal as "controversial."

If justice has come, albeit late, it comes as solace to the millions who bear the pains of 1971. But hopefully, it is the beginning of the end of the regime of impunity, because more than anything else this has been the biggest

If justice has come, albeit late, it comes as solace to the millions who bear the pains of 1971. But hopefully, it is the beginning of the end of the regime of impunity, because more than anything else this has been the biggest impediment in establishing truth, and without truth justice cannot prevail.



What, however, is for the tribunal to have ensured and satisfied all the parties concerned is that the accused was given all the chances to defend himself (something that he and his cohorts in the nine-months of mayhem they perpetrated in Bangladesh in 1971, did not give their helpless victims).

However, we could have done without the so-called SKYPE controversy that came to be associated with the trial because of the very injudicious act of the ex-chairman of the tribunal. Dis-

impediment in establishing truth, and without truth justice cannot prevail.

We would hope that the BNP would come out clearly on the issue, and articulate their position on the trial and the verdict clearly. Pettifogging will not do, nor will its facilitating Jamaat to oppose the trials by according it the platform to do so. We would also hope that this will not be used to make political hay by the ruling coalition.

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Pakistan's political cliff

MUNIR AKRAM

"CHAOS Theory" is a course taught at many prestigious universities to analyse and predict developments during crises. Pakistan's short but turbulent political history provides excellent empirical data for such study. It is a history of almost endless crises and national calamities interrupted by brief intervals of calm and normalcy.

The causes of Pakistan's crises, and periodic chaos, have been mostly internal. Almost always, they can be attributed to a remarkable inability to resolve political differences peacefully through accommodation and compromise.

Military coups -- in 1958, 1968, 1977 and 1999 -- and military-backed regime changes -- in 1971, 1991 and 1993 -- were the most frequent consequence of such failure.

But the consequences for the country of political failure were much more fundamental: Pakistan's vivisection in 1971; industrial stagnation; religious radicalisation and militarisation; growing economic and social inequality; rising poverty; corruption; bad governance. What imbues our polity today, apart from terrorist and sectarian violence, is a general and callous disregard for the welfare and well-being of Pakistan's enfranchised yet powerless millions.

The last major crisis in Pakistan emerged from the confrontation between the then president and the chief justice. It exploded into a national tragedy with the assassination of a popular former premier during electioneering. The present leaders won the democratic mandate, partly due to the resulting sympathy vote.

But five years of this government's rule, to quote a famous baseball player, has been "déjà-vu all over again." If anything, corruption, incompetence and bad governance have surpassed all records set by previous regimes. If the 1990s were a lost decade of democracy, this has been half a decade in political purgatory, poised over an inferno.

In any normal political system, failure of governance has political

consequences: the rejection of the government and political leaders at the polls. Yet it is clear that, given the structure of Pakistan's political and electoral system, the normal exercise of democracy is unlikely to produce results that will materially change Pakistan's governance or address the fundamental problems it now faces internally and externally.

The result is likely to be more "déjà-vu all over again." The outburst of protest reflected in the Tahirul Qadri movement is surprising only in so far as it took so long to happen.

Pakistan's deprived and exploited majority has so far endured, in virtual silence, the blatant failures of governance: rising inflation, joblessness and poverty; terrorist and sectarian violence; a vast and self-created energy crisis; the in-your-face conspicuous consumption of Pakistan's

If the fundamental problems of Pakistan -- security, economy, politics and governance -- are left unattended, the country could well descend from crisis to chaos. The possible outcomes are not pleasant to contemplate: regional political if not territorial fragmentation; militant rule in large segments of its territory; external intervention, possibly to neutralise Pakistan's strategic capabilities, or at the very least, another military takeover.

elite; and the repeated capitulation of this elite to foreign interests and demands, compromising Pakistan's pride and dignity and its strategic interests. Imran Khan's earlier tsunami and Tehrik-i-Minhajul Quran chief Tahirul Qadri's large congregations are clear signals that the patience of many of Pakistan's suffering people -- at least those in urban centres who are able to express themselves -- has run out.

When political "springs" emerge suddenly, there are, naturally, many questions about their origins, sponsorship and objectives. It is not yet clear how the Arab Spring movements in Egypt, Libya and Syria actually started. Questions about sponsorship and special interests were raised when Imran Khan generated the large crowds calling for change.

Such questions and doubts did not change the fact that his movement reflected the sentiments of a large segment of Pakistanis. Even though his tsunami could not be sustained, for various reasons, the sentiments that generated it have not changed. The Qadri movement, whatever its origins and sources of support, could not have mobilised such large numbers of supporters unless the basic message resonated with a considerable section of the people.

The question is whether the Qadri movement should be suppressed or ignored by the government as making demands for interim governance that are inconsistent with the constitution, or whether there should be a serious endeavour to respond to the basic dissatisfaction that has percolated to the surface through this movement and the earlier marches mobilised by

Pakistani state. The economy is in dire straits. Without external financial support, it could descend into a death spiral. Such support is unlikely to be available -- even from friendly countries -- if turbulence reigns in Pakistan's politics.

Externally, the challenges are considerable and mounting. The recent renewed clashes with India on the LoC, and the rise of the Bharatiya Janata Party, led probably by no other than the murderous Modi, can pose an early threat to Pakistan, notwithstanding Islamabad's attempts at compromise and appeasement.

A divided Pakistan will also be ill-placed to safeguard its strategic interests in a post-America Afghanistan or immunise itself from another Afghan civil war. And the next elected government, unless strengthened by fundamental reforms, is likely to remain vulnerable to external pressure and dictation.

If the fundamental problems of Pakistan -- security, economy, politics and governance -- are left unattended, the country could well descend from crisis to chaos. The possible outcomes are not pleasant to contemplate: regional political if not territorial fragmentation; militant rule in large segments of its territory; external intervention, possibly to neutralise Pakistan's strategic capabilities, or at the very least, another military takeover.

Therefore, reform and change must be embraced by all political forces in Pakistan. Such reform should be introduced through peaceful and constitutional means. Even more importantly, such reforms should be genuinely democratic and reflect the free will of the people.

The proposition that fundamental reforms are required, whether voiced by Qadri, Imran Khan or others, including in this column, should be put to a general referendum and the authority obtained to undertake them. Without such bold action, Pakistan is poised to fall off the political cliff.

The writer is a former Pakistan Ambassador to the UN.

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THIS DAY IN HISTORY

January 24

1857
The University of Calcutta is formally founded as the first fully-fledged university in South Asia.

1942
World War II: The Allies bombard Bangkok, leading Thailand to declare war against the United States and United Kingdom.

1943
World War II: Franklin D. Roosevelt and Winston Churchill conclude a conference in Casablanca.

1946
The United Nations General Assembly passes its first resolution to establish the United Nations Atomic Energy Commission.

1972
Japanese Sgt. Shoichi Yokoi is found hiding in a Guam jungle, where he had been since the end of World War II.

1977
Massacre of Atocha in Madrid, during the Spanish transition to democracy.

2011
At least 35 died and 180 injured in a bombing at Moscow's Domodedovo Airport.