

Fugitive war crimes accused

Double the efforts to arrest them

IN this month of our nation's victory over the Pakistan occupation army, we reinforce our call to bring all the perpetrators of the heinous war crimes of 1971 to book. We note with concern that a lot of the accused have been absconding while some have fled the country. The law enforcing agencies are also, reportedly, showing a lack of interest in arresting the alleged war criminals. It is indeed unfortunate that the investigation and prosecution process does not have any comprehensive strategy to get the job done either. This will certainly hamper the crimes against humanity trial, and run the risk of the work of the investigators going in vain.

There is no denying that the setting up of our International Crimes Tribunal (ICT) in 2010 has been crucial in handing down justice to the Bangladeshi collaborators who fought alongside the Pakistan army during the country's independence war in 1971. It certainly aims at upholding the rule of law by giving this nation a chance to a get closure with its turbulent past. Even though some of the war crimes accused have been punished, a lot of them have not yet faced trial. It is imperative that the ICT is given unfettered allowance for the smooth functioning of its activities as permitted by the law of the land. In this regard, we call upon the government to remove any barrier that hinders the due diligence of the investigation and prosecution process. It is also necessary to arm the delegated institutions with the logistics to conduct the war crimes trial as per the book with renewed vigour.

Harassment of indigenous community

Address the grievances

FOR over a decade, the indigenous population of Madhupur has been vociferously protesting the Forest Department's move to encroach upon their lands to set up a national and Eco Park to promote eco-tourism. It is unfortunate that not only has the Forest Department repeatedly ignored the pleas of the local community which depend on these lands for their lives and livelihoods, but it has also allegedly filed false cases against those protesting the move. According to the indigenous people, as many as 1,098 false cases have been filed by the forest department against 184 local indigenous families. This is a serious allegation, which if true, is a gross violation of basic human rights and constitutional guarantees.

The Forest Department initiated the Forest Conservation and Eco Tourism Project in 2000 to build an Eco Park on 3,000 acres of the forest in Madhupur. The indigenous people have waged a movement against the park since 2004, but their protests were met with harassment and even violence, with one indigenous youth shot dead and another 25, including women and children, injured with bullet wounds as the police and forest guards opened fire on a protest march in the same year. Since then, the community has faced different forms of harassment and violence, including filing of false cases.

It is counter-productive and counter-intuitive to us that an Eco Park is being built displacing the local indigenous community, in whose lives and culture, the land and nature plays an important part. What, we wonder, is the point of development if it wrecks and displaces lives?

We urge the government to withdraw these false cases immediately, ensure traditional land rights of the community and include them in decision-making processes that affect their lives.

RIGHT TO INFORMATION

Using RTI to get justice

SHAMSUL BARI and RUHI NAZ

SINCE our last column, we were privileged to attend three meetings organised by the government as part of its efforts to promote open and accountable governance in the country through RTI. These included a meeting at the Bangladesh Secretariat where most officials of the Cabinet Division of the Government were present. The other two meetings related to District Advisory Committees (DAC), set up by the government last year, in all 64 districts. The government gazette mandated them "to implement effectively the Right to Information Act at District level as well as for coordination of functions of Government and non-government organisations." DACs are required to meet once a month under the chairmanship of the District Commissioner, with 15 other members representing key sectors of the government and the civil society. If they fulfill their objectives, DACs will provide a much needed shot in the arm of the fledgling RTI regime in Bangladesh.

All the three meetings were moderated by the Cabinet Division of the government. The fact that the government has appointed a secretary level official, with the required staff, to steer its programme titled "Connecting Government with Citizens: Strategic Plan on Implementing Right to Information Act, Bangladesh", is by itself most commendable [see <http://www.cabinet.gov.bd>]. No other government in South Asia has shown such commitment to promote RTI.

From these meetings we learnt what the government has done so far to promote compliance of the RTI Act by public officials. We were shown pictures in which senior government officials were seen signing pledges and handing them over to the prime minister as a mark of their commitment to promote government programmes in this regard. Such pictures will warm the hearts of ardent believers of transparent, accountable governance in the country. However, as they say, the taste of the pudding is in the eating. It is for citizens now to test the will of the government to deliver on its promises.

Government participants at the meetings dwelt at length to express their commitment to implement the RTI Act. Sceptics may not, however, be convinced by their utterances. There are those who still mistrust the government's resolve to steer away from the age-old culture of secretive governance, in which people are mere recipients of government's grace, towards a more open, accountable

system where they exercise rights to monitor the work of the government. Despite this, however, those who understand the immense capacity of RTI to serve as catalyst for change would also understand that there is now a tremendous opportunity for citizens to pursue the change they wish to see in governance.

To drive the point farther, it may be useful to remind readers that the RTI Act is the only law, among over 1,100 laws of Bangladesh, which allows citizens to control the behaviour of the government, while the rest are mostly meant for the government to control citizens. Let us now consider a few examples, from home and abroad, to see how RTI can:

- help individual citizens to claim their legitimate rights;
- aid citizens' groups to obtain services wrongly denied to them;



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- benefit the entire country by preventing abuse of public power/funds; and
- speed up processes of government service.

RTI helps individual citizens

A mother in India lost her policeman son in an accident, thus being deprived of the financial support from his income. Her daughter-in-law drew the family pension till she resided in her husband's home. But when she remarried, the modest financial benefit she used to share with her mother-in-law also stopped. The mother was left destitute. She went from one office to another asking about her son's other benefits to support her old age but did not get any cooperation from the authorities concerned. Finally, she filed a complaint with the Central Information Commission. The directive of the

Commission allowed her to access all files and their notings about her son's terminal benefits. It also asked the authority concerned why the information was not provided earlier. As a result, she learnt that the benefits due to her amounted to Rs. 4 lakhs.

RTI aids citizens' groups

The Food and Disaster Management Ministry implements many safety net programmes to help vulnerable people living below the poverty line. Among these, a key programme is the Vulnerable Group Feeding (VGF) which provides food ration to indigent households through VGF cards. However, cards are often awarded to less deserving people due to malpractice and nepotism. To combat this practice, the submission of RTI applications seeking a list of recipients and the names of people who prepared the list is often

enough for applicants to obtain a VGF card. Fearing unpleasant consequences, the authorities would rather provide VGF cards than answer probing RTI queries. Sometimes RTI activists would ask for quantity of food grains VGF card holders are entitled to receive. In one such case, an activist found that the amount was 10 kgs. Armed with this information, he went to the Union Council and informed beneficiaries queued up for their ration that their entitlement was 10 kgs and not the 7 kgs they were being offered. After some haggling, the Chairman fixed the amount at 9.5 kgs.

RTI benefits the country as a whole

An investigation into corruption by senior politicians in India sparked public interest when the Controller General of India pointed out that large and

profitable coal allocations had been made improperly. This resulted in the loss of millions to the public exchequer and led to a CBI investigation. Fearing a cover up, concerned citizens made RTI applications to learn how decisions to allot large coal mining blocs had been made. At first, information was refused on the grounds that giving it would hamper investigation. However, the Information Commission insisted that the information be provided. Replies showed that procedures had been deliberately changed in ways to benefit the favourites. File notings showed who had made those unfair decisions. When the government claimed some vital files were untraceable, RTI applications were again filed to inspect the movement register of the ministry. This showed where files had gone and how they were suddenly found. The publicity thus generated forced questions in Parliament and deeper explanations from the government. It also forced changes in the way future allocations were made and eventually landed the minister in jail.

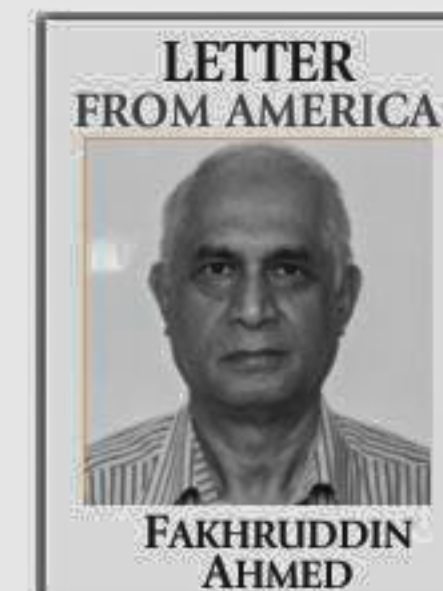
RTI speeds up government processes

In a remote village in India, there were no drainage systems or roads to connect to the cities. A housing scheme announced by the government remained unimplemented. Five villagers got together to file an RTI application asking why roads and drains had not been laid and why no disbursement of funds had been made under a government programme. They also asked for a copy of the government survey list which plotted the subsidised housing scheme. As a result, the administration quickly began putting down roads and drains and released funds for the construction of houses. The practice of naming beneficiaries in public lists displayed at the village office ensured that transparency had come to stay.

We hope that as RTI picks up pace, we shall be able to cite more examples from Bangladesh. However, it will accelerate only when more citizens make greater use of the law. There is a particular need for the educated classes to take the lead. As the government exhibits greater intent to make the law work, citizens must put it to test. Their predilection to take the government to task for its failures must now be matched by their determination to make use of the RTI Act for greater transparency and accountability in governance.

The writers are Chairman, Research Initiatives, Bangladesh (RIB) and Project Coordinator (RTI

Trump's fascist response to home terror



LETTER FROM AMERICA
FAKHRUDDIN AHMED

BEFORE the grieving relatives could bury the 14 innocent civilians mowed down by two Muslim terrorists in San Bernardino, California, on December 2, the narcissistic megalomaniac Donald Trump hogged the limelight by proposing banning all Muslims from America.

The San Bernardino massacre was disturbing for two reasons: Syed Rizwan Farooq was American-born, and Tashfeen Malik entered the US on a fiancée visa. Both are of Pakistani origin. The FBI says that both were radicalised before ISIS came into existence. Marital bliss for the couple meant murdering Americans.

Americans understand why the Jihadists they are fighting in the Middle East would want to harm them. They cannot understand why a native-born American, enjoying the freedom and prosperity that comes with being an American, would murder fellow Americans. If he disagreed with a US policy, he was free to try and change it. What would not change American policy is random killing of innocent civilians.

America welcomed Tashfeen Malik to its shores to live with her husband and raise a family. But, the FBI says, she came to America to kill. Her hatred for America exceeded her love for her child, whom she abandoned before embarking on a suicide mission. She repaid America's hospitality with mindless massacre of Americans. What "Islam" did she practice?

Trump interrupted such rational discourse by hijacking the conversation towards hate, the jet fuel that propels the misguided missile that is Trump. In a speech on December 7, Trump proposed a "total and complete shutdown of Muslims entering the United States," which violates the US Constitution. The ban would include Muslim citizens and returning Muslim American servicemen who number over 6,000.

On December 9, MSNBC interviewed Bangladeshi-American US army veteran, Shahriar Chowdhury. A practicing Muslim, he said, "We are as American as anyone else." Chowdhury showed a photograph of his brothers, three of whom are in the US armed forces, and one is at the New York Police Department. Neither Trump nor any of his children ever enlisted in the US armed forces. Who are the real patriots, Mr. Trump?

enter. And a Muslim president is unacceptable to Ben Carson.

Trump cited President Roosevelt's internment of Japanese Americans during WWII as a precedent. America has apologised for that. America monitored German, Italian and Japanese citizens living in the US during WWII because America was at war with those countries. America is not at war with Muslim countries. Trump wants to declare war against Islam. Like the entertainer he is, Trump injects his venom with a salesman's soothing voice.

As is his wont, Trump doubled down and reminded everyone that after he had said that most illegal Mexican immigrants are rapists, drug dealers and criminals, he was severely criticised. But, after their "outrage" dissipated, other candidates took up strident

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anti-immigrant positions close to Trump's. While Republican presidential candidates treaded gingerly, conservative Republicans not running for office took Trump to task. Even before Trump's "ban all Muslims" rant, Max Boot, a conservative fellow at the Council on Foreign Relations, who now advises Senator Marco Rubio, tweeted: "Trump is a fascist. And that's not a term I use loosely or often. But he's earned it." Gov. Jeb Bush's national security advisor John Noonan added: "Forced federal registration of US citizens, based on religious identity, is fascism. Period. Nothing else to call it." Breaking protocol, British PM David Cameron, and the Israeli PM Benjamin Netanyahu, denounced Trump's comments. Jews know a thing or two about fascism and being singled out. Jewish organisations

including the Anti-Defamation League condemned Trump. Legislators in the Israeli Knesset forced Netanyahu to cancel Trump's scheduled visit to Israel this month. London Mayor Boris Johnson retorted to Trump's assertion that the British Police are afraid to enter some Muslim enclaves in London by saying that he too would be afraid to go to certain sections of New York City for the fear of seeing Trump!

These denunciations are not hurting Trump's campaign. Four days after his proposal, a poll found that 42 percent of the Republicans agree with Trump that Muslims should be banned from America (36 percent disagree.). Only 11 percent of the Democrats agree; 75 percent disagree. Overall, 57 percent of Americans disagree with Trump, while 25 percent agree. Clearly, Trump's Islamophobia resonates with the Republicans. That is scary!

History has shown that fascists like Hitler, Mussolini and Franco came to power democratically. They were xenophobic fear mongers. They dehumanise a minority as the root cause of the majority's suffering (German Jews in Hitler's case). They are "strong" leaders who talk tough. Once in power, they throw the constitution away and become dictators. Like the National Front in France and the UK, Trump embodies white identity politics.

Trump hatches conspiracy theories and uses dog whistles to communicate with his supporters. Trump is the father of the "birther movement," and in 2011, claimed that Barack Obama was born in Kenya, and therefore his presidency is illegal. Even after President Obama humiliatedly showed his birth certificate, Trump remained unconvinced.

These days Trump makes dark suggestions about Obama to frighten his supporters: "Folks, there is something going on (with Obama) that we don't know." The innuendo: Obama is hatching some anti-American plots!

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Donald Trump and the terrorist couple in San Bernardino have much in common. The Bonnie and Clyde couple did not care about the backlash Muslim American community would suffer because of their heinous crime. Donald Trump does not care that his demagoguery may permanently damage the American brand, and that his irresponsible skullduggery may be putting Americans at risk at home and abroad.

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LETTERS TO THE EDITOR

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Abandon the plan of nuclear power plant

Nur Jahan's letter published in your daily on December 2, 2015 depicts the reality as the government seems to be bent on committing 'harakiri' at an enormous cost for us. The nuclear power plant will bring disaster for Bangladesh as well as neighbouring areas of West Bengal and Assam.

Why not go for the easy and absolutely safe production of producing methane gas from decomposed, solid human waste? It will provide us with an endless source of energy and will also solve the complex problem of disposal of solid human waste.

Engr. S. A. Mansoor
Dhaka

COMMENTS

"Illegal capital flight hits decade high"
(December 10, 2015)

Jainab

Illegal capital flight is increasing with every passing year. The government must keep it in check.