

Dhaka city in a mess!

More structured city governance needed

THE problems of Dhaka city are well known. But there is little or no coordination among Rajuk, the city corporations and the four dozen or so government agencies which govern everything from water, gas, electricity to city planning, to address the issues coherently. And one of the best examples of this is Rajuk having designed a 20-year master plan without consulting the Dhaka City South mayor who technically governs half the city. It is useless to put the blame on the mayors who literally have no power over vital matters that affect the development of Dhaka city.

The problems of Dhaka have multiplied over the decades and successive mayors have been demanding a metropolitan government that would bring all the service providers under one body. Indeed, the city was divided into two city corporations in 2011 with the purpose of better governance, but without operational jurisdiction over all the service providers, it is no wonder that the mayors couldn't deliver on their promises. We fail to understand the reluctance on the part of the government to address these issues.

Dhaka is a city of more than 16 million residents, and growing, and the need for a structured city governance has not been felt more acutely than now. We can draw lessons from other cities in the region to see which model fits our needs best but it is clear that there is dire need to reduce the number of agencies and put them under one overarching authority that will cut down on both red tape and provide better coordination. Only then can city residents hope to get delivery on services they pay for.

Justice for Aduri

Expedite trial of house help torture cases

FINALLY, the perpetrator of the most brutal treatment on Aduri, an 11-year old domestic help, has been awarded a life sentence in a landmark case.

In the recent years, we have witnessed too many reports about domestic workers subjected to indescribable cruelty by their employers. Of late, the news about a minor house help, Sabina, allegedly assaulted by her employer has sparked widespread public outrage.

The cases of Aduri and Sabina contain some disturbing similarities. Aduri was found unconscious in a severely malnourished condition, riddled with injuries and scars, near a dustbin in 2013, while Sabina was seen visibly tortured with her entire face bruised and swollen beyond recognition. These acts couldn't have been more savage.

As some news reports stated, Aduri was paid monthly Tk 500 during her employment. If these cases are any indication, there are countless domestic workers working in Dhaka and throughout the country treated like bonded labour.

The government in late 2015 adopted its first-ever policy for domestic help, recognising their work as a profession protected under the Labour Act. Unfortunately, as with numerous other laws and policies, the Domestic Workers Protection and Welfare Policy (DWPWP) is yet to yield any considerable results.

We applaud the verdict of the trial court to award the culprit a life sentence. We, however, also note that it has taken four years to complete the trial. We urge the government to initiate speedy implementation of DWPWP and form a sole judicial tribunal to deal with such matters, expediting the process for early disposal of such cases.

LETTERS
TO THE EDITOR

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Lessons never learnt

It is unfortunate that a firefighter was killed in the cylinder blast incident in a bakery in Chennai in Tamil Nadu, India. The equally shocking news is that around 47 people have been injured in this tragic incident – most of them had reportedly gathered there to take selfies or videos of the fire incident.

It is very clear that no proper lessons have been learnt from such fire accidents all over the world. Fire safety measures should be kept in place in order to avoid such tragedies. Besides, water, sand and other chemicals that help extinguish fire must be kept ready. This is yet another proof of how ignoring instructions and safety measures continues to pose a threat to people's lives.

P. Senthil Saravana Durai
Mumbai

Proper vaccination in remote areas

It was utterly shocking to hear that nine children died of an unknown disease in Chittagong which was later confirmed as measles by doctors. It was later found out that they were not properly vaccinated. Their parents supported that statement and alleged that medical workers or authorities did not reach their areas to inform them about the need for vaccination. I believe this incident is not the only one; there are similar cases in other remote places of the country. The authorities must investigate these problems and immediately start providing healthcare services to underprivileged people in remote areas.

Kowsar Rahman Sadit
Mastermind School, Uttara

CEC misreads EC's jobs



SHAKHAWAT LITON

CHIEF Election Commissioner KM Nurul Huda seems to have misread significant jurisdictions of the Election Commission and rights of the political parties by expressing inability to intervene if any registered political party's activities are hampered before the announcement of the polls' schedule.

A careful reading of the constitutional and other legal provisions shows how the EC requires the authority to intervene if a registered political party is denied of its legal rights to function freely even before the announcement of election schedule.

Here we would like to examine the existing legal provisions one by one.

First, the definition of "political party" needs to be noted before we discuss its rights.

According to Article 152 (1) of the Constitution: "Political party includes a group or combination of persons who operate within or outside Parliament under a distinctive name and who hold themselves out for the purpose of propagating a political opinion or engaging in any other political activity."

This definition suggests that leaders and activists of a political party should have some fundamental rights "for the purpose of propagating their political opinion or engaging in any other political activity."

And the Constitution itself grants the political parties' leaders and activists along with citizens of the country some basic rights including freedom of peaceful assembly and freedom of association.

According to Article 37, they enjoy the right to assemble and to participate in public meetings and processions peacefully and without arms. However, any reasonable restriction may be imposed by law in the interest of public order or public health. This means no arbitrary action can deny any political party or citizen of his or her rights.

Article 38 provides people the right to form associations. Any reasonable restriction may be imposed on the rights by law, not by any arbitrary action, in the interests of morality and public order.

Some restrictions and conditions were imposed on the parties in the Constitution and in the Representation of

People Order (RPO) in 2008 before around 40 parties registered with the EC.

Registration of Jamaat-e-Islami, however, was scrapped by the High Court later as it ignored the criteria for registration. The EC has also refused to register some parties on the same grounds.

Therefore, it can be said that each of the registered parties is now a separate legal entity with the rights to propagate a political opinion or engage in any other political activity like assembling, and holding public meetings and processions.

The question is: should the EC intervene if any registered political party is denied of its constitutional rights? The answer lies in the existing legal relations between the EC and registered political parties.

Prior to the registration of political parties with the EC in 2008, no legal relations existed between them.

After introduction of registration—mandatory for a political party to qualify for contesting the parliamentary election—things have changed as the RPO 1972 granted them some rights and outlined some dos and don'ts.

Now, each of the registered parties enjoys the right to receive a specified amount of donation or grant from any person, company, group of companies or non-government organisation to carry out its activities.

At the end of every calendar year, each of them must submit an audit report to the EC specifying its income and expenditure in the outgoing year.

They also have the right to consult with the EC in matters relating to election, particularly problems of measures needed to hold elections fairly, peacefully and in accordance with the RPO and other electoral rules.

Registration of a political party may be cancelled if it fails to contest two consecutive parliamentary elections and submit audit reports in three consecutive years, according to the RPO.

This shows how the RPO provisions empower the EC to hold the parties accountable for their annual income and expenditure for carrying out activities. It can also punish a party for violation of the conditions for registration.

If so, shouldn't the EC keep its eyes open in case its registered political parties face difficulties to carry out their activities? How will the EC enforce its authority if it does not have anything to

say to protect a registered party's rights?

If a political party is not allowed to freely propagate its political opinion or engage in any other political activity over the five years, is it possible for the party to prepare itself for the polls within the period of only one and a half months that it will have after the announcement of the election schedule?

No matter if it is prepared or not, it must contest the polls and submit annual audit reports regularly to maintain its registration with the EC. And if that is so, this legal provision appears to be ridiculous.

If the EC remains silent who will act to protect registered political parties' rights from arbitrary actions by the government or any other authority? There is no one else.

According to the RPO provision, a registered party must have elected committees in all of its tiers. For this a party needs to hold councils. Shouldn't the EC intervene if a registered party is not allowed by any authority to hold the councils? Or will it have to wait for the announcement of the election schedule?

The political party's registration process also argues for the necessity of the EC's intervention anytime before the announcement of the election schedule.

For example, if a political party applies to the EC to obtain registration, it will need to fulfil some criteria like setting up of functional headquarters and a specified number of functional offices at district and upazila levels.

If the party is barred by the authorities from operating the required number of offices countrywide, it will not acquire registration. In such a situation, shouldn't the EC intervene? Can it cite the excuse that it cannot do anything before the announcement of the schedule? If the EC comes up with this excuse it will not be able to register any party afresh within the short time after the announcement of the schedule. Even if the party is registered, its leaders will miss the election as they will not be able to nominate candidates. This will violate the constitutional rights of the people who applied for registration of their party to contest the election.

By expressing the EC's inability on Sunday to make any intervention before the announcement of the election schedule, the CEC seems to have overlooked all those legal provisions discussed above.

He seems to have focused only on the electoral code of conduct for the political

parties and the contesting candidates. This code of conduct comes into force only after the announcement of the election schedule. It specifies some dos and don'ts for the contesting parties and candidates during their electioneering. Nothing more than that.

CEC Nurul Huda's remarks neither reflect the reality on the ground nor do they align with the EC's official statement tagged with its roadmap document made public on Sunday.

It said political parties have started preparatory work ahead of the desired election. The people of this country are waiting for a credible election. "It can certainly be said that a congenial atmosphere has been created for the national election," said the EC in the document.

The EC document also said that people's expectations include ensuring a level playing field for all political parties, participatory election and proper enforcement of electoral laws.

But what happened to some registered political parties' top leaders just three days before the announcement of the electoral roadmap undermined the EC's good words and claims made in the roadmap document.

On Thursday night, law enforcers obstructed several registered political parties' leaders from holding a meeting at Jatiya Samajtantrik Dal (Rab) President ASM Abdur Rab's Uttara residence.

This incident holds no importance for CEC Nurul Huda who expressed the EC's inability to intervene in such a situation before the announcement of the schedule.

The Constitution empowers the EC to do anything and everything for the sake of ensuring a free and fair election. And a free political atmosphere is a must for a credible election.

How will the EC ensure a "level playing field" after the announcement of the schedule if round the year opposition parties are not allowed to freely function in line with their legal rights?

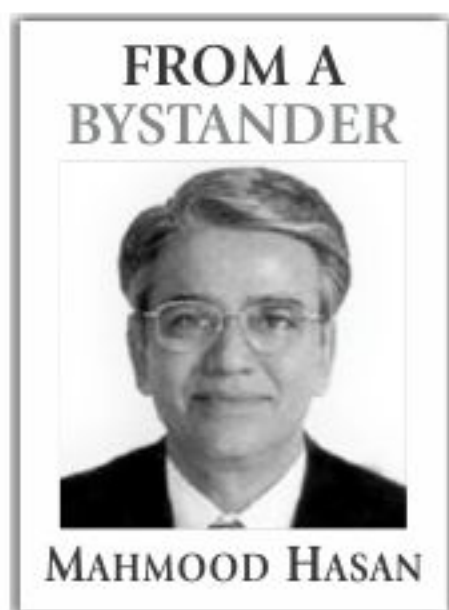
CEC Huda took the helm of the EC at a time when people's confidence in the constitutional body was on the wane largely because of the numerous controversial elections in the last five years. He will have to work hard to bring back people's confidence in the EC that he has been leading since February.

For this, he must rise to the occasion to uphold the dignity of the high office.

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GULF CRISIS

A defiant Qatar stands its ground



FROM A BYSTANDER

THE crisis that began in the Gulf on June 5, 2017 does not seem to be ebbing. In the meantime there have been some twists and turns in this sordid episode.

Raising the stakes higher on June 23, Kuwait, on behalf of the so-called Anti-Terror Quartet (ATQ)—Saudi Arabia, UAE, Bahrain, Egypt—presented Qatar a list of 13 onerous demands. Qatar was asked to comply with the demands within 10 days. The demands included stipulations that Qatar curb relations with Iran; shut down Al Jazeera; remove Turkish troops from its soil; end contact with groups such as the Muslim Brotherhood; sever all ties with terrorist organisations, etc.

On July 3, Qatar's foreign minister arrived in Kuwait with a hand-written response to the demands of the Arab quartet. When a defiant Qatar rejected the demands, considering them as unrealistic and as an attack on its sovereignty, ATQ threatened stricter measures to compel Doha to fall in line.

Both Iran and Turkey came out in support of Qatar. Turkey started airlifting food to Qatar as the supply situation became dire. Iran too has been shipping fruits, vegetables and fresh water to the beleaguered peninsula. Ankara already has 113 Turkish servicemen in Qatar who are engaged in joint exercises with Qatari air force. Tehran has again called for dialogue between Doha and ATQ.

Russia, keen to get involved in the region, has also called for a negotiated settlement of the crisis.

A new dimension to the crisis was added when on July 10, US Secretary of State Rex Tillerson visited Doha in an effort to resolve the standoff. On July 11, Tillerson and Qatari foreign minister Al Thani signed an MOU (text not revealed) on combating terrorism and its financing. One wonders whether Trump and Tillerson are on the same page on Qatar. Meanwhile, French foreign minister Jean-Yves Le Drian also visited ATQ countries to help resolve the crisis.

The American move can be interpreted as a strategy to ease the pressure on Doha, and also obtain commitment from Doha that it will not support terrorism. Besides, Washington does not want Russia fishing in the



US Secretary of State Rex Tillerson meets Qatari Foreign Minister Sheikh Mohammed Bin Abdulrahman Al Thani on June 27, 2017 in Washington, DC.

PHOTO: AFP

troubled Gulf waters. Tillerson also travelled to Saudi Arabia and Kuwait before leaving for Washington on July 13. The MOU did not satisfy the ATQ and it continued to demand Qatar comply with the 13 demands before any negotiations. Thus the deadlock remains.

In order to appreciate the current confrontation between Saudi Arabia and Qatar one has to look at the post-colonial creation of states in the Middle East. Dominated by Arab Muslims, Middle East has a turbulent history. This is primarily because the region assumed immense economic significance when oil was discovered in the Arabian Peninsula in the late 1930s. The desire for control of this crucial energy resource has made this region a playground of world powers.

As colonial powers Britain and France withdrew from the region after WWII they left behind small independent feudal entities. The secret Sykes-Picot Agreement of 1916 was the basis on which territorial boundaries were arbitrarily drawn by the British and French—totally disregarding their religious and tribal affinities. The rulers were handpicked by the colonial powers and installed as kings, emirs and sultans of these states. Obviously, the aim was to

keep them under some form of control so that oil supply to the West would continue at throwaway prices.

The instruments used by the West were ingenious: provoking wars and instilling schism between the Shias and Sunnis. To further tighten the noose around these hapless states the West also helped create Israel in 1948 to dominate the region militarily on behalf of the West.

The history of wars in the Middle East is all too familiar for repetition.

The strength of these states lies mainly in its oil revenues. And the rulers of all these states are in fact autocrats with scant respect for democracy, free press or human rights. Indeed, these countries suffer from high political instability.

Qatar too has an authoritarian regime where democracy is non-existent and rights of expatriate workers are systematically violated. Qatar is not the epitome of the lofty ideals it has been propagating. Sunni Saudi Arabia is fearful of the Muslim Brotherhood allegedly befriended by Qatar. The Al Jazeera media network promoting democracy and open journalism has unnerved the authoritarian regimes of ATQ. And then the fear of Shiite Iran is all too pervasive in the Gulf region.

This not the first time that differences between Saudi Arabia and Qatar have cropped up. In 2011 as the Arab Spring destabilised the Arab world, Saudi Arabia cut off relations with Qatar fearing that Doha was fomenting an uprising against the House of Saud. Political instability in the GCC arising out fear of change is the main cause for these crises.

After the military intervention in Yemen, Saudi Arabia cannot possibly go for a military solution and change of the Thani regime because of Turkish military presence and the American airbase. It has to rely on economic and diplomatic pressure on Qatar.

Fortunately, the diplomatic showdown so far, has not spilled over to the expatriate community. There are fears that in order to gain support from countries like India, Pakistan, Bangladesh, Indonesia, etc., which send migrant workers to GCC, both Saudi Arabia and Qatar may threaten to expel them.

As a defiant Qatar stands its ground, a peaceful resolution has become imperative not only for the Gulf but also for the entire region.

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