



Apex court's reminder: Bail is the rule, jail is exception even in stringent laws like UAPA



The Asian Tribune

Now, it raises hopes that lower courts will get the message & those lodged for years in jail without trial, may get relief.

In an important intervention, the Supreme court of India has reminded the courts that bail is the rule and its denial should be an exception. It stated that when there is a case of granting bail, there should be no hesitation, as denial of bail is against the rights of citizen and violates the freedom that is guaranteed under the constitution. That the direction comes from the top court of the country, when there are incidents about students, youth, middle-aged and elderly activists, even journalists charged under the

harsh law and lodged in bail for months and years, is important. From Siddiq Kappan to journalist Prabir Purkayastha, so many student leaders, human rights activists and people from diverse backgrounds have suffered due to this law. Earlier this year, the government said that over 5,000 cases under UAPA were registered from 2018 to 2022. In all, around 8,947 people were arrested and 6,503 named in charge sheets. In 2021, 814 cases were registered. The figure jumped to 1,005 in 2022.

2022. However, there is more to it than registration of cases. Nod was given to prosecute author Arundhati Roy and leading activists, scholars, many political parties expressed surprise over the move to prosecute her. Prof. Hargopal, retired professor, said that the law should be scrapped due to low percentage of prosecution. Also, he calls it a law that is undemocratic, tries to stop democratic dissent and he terms it as a repressive law. If, after arrest, it takes 3-4 years for trial to start, this punishment of long periods of detention, and remaining behind bars, is seen as a 'power'. Unlawful Activities Prevention Act (UAPA) gives the power to police that it can arrest without evidence. Hence, the numbers keep going up. In 2020, 796 cases were registered. Then it increased to 814 in 2021. In 2022, number of UAPA cases crossed 1,000 in the country—1,005 to be precise. These three years saw over 2,600 cases registered all over the country. In this period, maximum number of cases were in Jammu and Kashmir. Subsequently, in the year 2022, most cases were from Jammu Kashmir, Uttar Pradesh, Assam & Manipur. Conviction rate is low but process becomes punishment.

Retired cop Jalaluddin Khan was booked under UAPA & on his bail plea, SC noted that the material presented before court, did not show his involvement. The special court & HC didn't give bail to him earlier. On the ground level, the affect has to be seen in coming days. Till now, cases saw 'jail' as a rule because it's a law to tackle those involved in offence against state.

Impact on fate of prisoners

There are multiple aspects to the issue, even as hopes are generated that there would be relief & justice will be served. The lawyers too don't take interest in taking up these cases because of the nature of statute.

Once UAPA is slapped, the person's family finds it difficult to get an advocate. This makes it different than other criminal cases. Activists, human rights workers and media have highlighted that the police have often misused UAPA in many cases.

Youngest ever leader as Prime Minister in Thailand

The Parliament has chosen her, the daughter of the billionaire and former leader, as Prime Minister.

The Asian Tribune

The Parliament of Thailand has chosen Paetongtarn Shinawatra, 37, as prime minister of the Asian country. She is the youngest PM of Thailand, and has been elected after the party and the allies hold a majority of seats in the nation's parliament. After prime minister Srettha Thavisin was dismissed, just

days ago, she was chosen as the prime minister. A mother of two kids, she is the youngest leader on this post. Also, she is the second woman ever to hold the post of prime minister in the country. Her predecessor who was dismissed by the Constitutional court, also



belonged to the same party. Her father is a tycoon and was also a prime minister earlier. She got popular support during the campaign earlier but now faces a challenge to revive the economy.

Talking to media, she said that her aim would be to ensure opportunities to all and improve the overall quality of life in Thailand.

Paetongtarn is seen as a leader who brings new energy to the party. Shinawatra family has been active and quite successful in Thai politics for long. The previous PM of Thailand, Srettha Thavisin had faced charges of insulting monarchy. Military action & courts' overreach is a challenge in Thailand.

Taliban regime needs to tackle poverty, joblessness that cause economic distress

After US' embarrassing defeat and retreat, Taliban reign has now completed three years.

The Asian Tribune

KABUL: It was three years ago that the US withdrew from Afghanistan and the Taliban government took over in Kabul. US' long presence in Afghanistan, couldn't stop the Taliban from regrouping and they returned to power.

The US forces had to leave. Initially, there was lot of skepticism among members of international community about the regime and its challenges. The question was that whether it be a 'softer' version of the Taliban, hanged on everyone's mind.

Eyes were also on how much women would be free to pursue education and work. Immediately after the government was formed, there were signals that a shift was possible. There was less corruption.



But in the last three years, unemployment became the biggest issue in Afghanistan.

The economic distress, lack of enough food, poverty and inability to innovate, are factors that are hurting the country and its citizens.

As far as women's freedom is concerned, the tribal traditions continue to be more dominant and the rights granted under Islam take a backseat. In this aspect, it shows that the regime has not been able to learn from

its old mistakes and fails to prove itself better in their new avatar. Of course, the claim of lesser violence, stability in currency and development apart, citizens' woes are deepening.

The international aid is less and the sanctions remain. In order to celebrate the anniversary of their return to power, the Taliban government held events.

There were rallies and flags were sold on the streets in the capital to mark the occasion. However, there is a sense of hopelessness among youth.

Girls' education remains a serious cause of concern. The country saw conflict over decades and hasn't got time to recover. Clearly, the future is still uncertain for the Afghans and there is lack of novel thinking as far as policy making is concerned. Long road ahead for the people of Afghanistan.

Asia

Rohingyas suffer but the persecuted minority's plight still fails to draw attention of international community

The Asian Tribune

The Rohingyas continue to suffer in Myanmar and despite the recent killings, the issue hasn't got due attention from the international community. In the latest incident, a large number of Rohingyas that included kids, were killed in an attack.

The artillery and drone attack was directed at ordinary people who were trying to leave Myanmar. After the violence in Maungdaw in Rakhine, the civilians were trying to cross the river and enter Bangladesh.



Min Aung Hlaing, Myanmar's PM

These fleeing citizens were targeted. The videos that showed the bodies in the aftermath of the attack, surfaced on social media, later.

However, in spite of the severity of the attack, the response was muted.

The bodies were lying all over and a large number of the victims were children. Survivors have told the horrifying tale about the attack and that multiple drones were used.

There is no doubt that the Rohingyas have faced continuous persecution but this hasn't affected the regional powers, the neighbouring nations or any of the international bodies.

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