

The US hit-list

Its permissibility under international law questionable

WITH the conventional combat seemingly over in Iraq, there is a development which may lend itself to an interpretation of being antithetical to international convention and law.

The US has reportedly prepared and circulated a list of 55 most wanted men who held key positions in Saddam Hussein's government and party. This is evidently in relentless pursuit of the US plan for regime change in Iraq taken to a point of absolutism. But as a western legal expert has pointed out after a country is occupied, international law does not permit the occupation force to order leaders of the fallen regime 'killed' besides being 'pursued and captured'.

There is, however, an established international law and practice whereby cases can be brought before the International Court against those committing crime against humanity but only on the basis of specific and concrete evidence available in this regard. But the United States is not a signatory to the international criminal court, and as such, is left to apply its own law to try the Iraqis who will be identified as war criminals.

There are reports that the Iraqi prisoners of war may face trial under the anti-terrorism law passed by the United States. One may recall here that the prisoners from the Afghan war who were taken to Guantanamo base were not allowed to see their relatives and were denied the right to be defended by lawyers. And if the same treatment is meted out to the Iraqis, a sad example of 'justice open to interpretation by an invading country' will be set.

It can hardly be overemphasised that such actions by the United States would not be consistent with the coalition leaders' idea of 'winning the hearts and minds of Iraqi people.' Iraq is now the scene of the worst lawlessness in the history of the country. What it needs is immediate restoration of civil order, and that is the goal the occupation forces should try to be focused on as a matter of top priority, instead of extending the war into an endless antagonism between them and the Iraqis. The war itself lacked legitimacy as it did not have the sanction of the UN behind it and whatever follows can not escape the scrutiny of standard international norm and practice.

Environment's low priority syndrome

High time the govt looked into it

THE environment court has been in comatose since being set up in February 2002? It has had a single case to deal with and yet this remains to be disposed of. What mainly baffles us is that 1200 complaints regarding violation of the Environment Conservation Act are reportedly lying with the Department of Environment (DoE). One wonders whether any significant number of these have been investigated, to say nothing of taking these up before the environment court.

The environmentalists of the country have been fighting for an effective system to enforce environmental laws in order to protect our surroundings. Violation of environment law was rampant in the country since most of those cases would invariably get lost among thousands of other cases pending before the courts. So, the government's decision to set up a separate court was welcome news for the environmentalists; but the latest revelation leaves little for them to be upbeat about in their fight against the lawbreakers.

We wonder why the government has not intervened in the matter so as to render the DoE and the environment court effective. We can cite some examples of success like banning the use of plastic bags from shops and two-stroke engine three wheelers from the streets. If properly staffed and well equipped, the court could have played a significant role in keeping potential lawbreakers at bay.

We hope the government would look into the matter and make an important court like this one truly effective. Towards this end, officials of DoE would have to be more active. The department has promised to 'check the matter' on why virtually no case had been filed in one whole year but it would be of little avail if things do not improve from this point onwards.

Unpredictable global future

KAZI ANWARUL MASUD

FINALLY Baghdad has fallen. The American troops have marched into the heart of the city and have occupied most of the city without much resistance. The inevitable has happened. But as French foreign minister said recently that while it was possible for one or a group of countries to occupy a country it would be far too difficult to bring about peace in a war ravaged country. Ever since Anglo-American intention to invade Iraq had become clear to the world, legality of such an armed venture had been repeatedly questioned. It had been argued that this war did not satisfy the basic reference to legality of waging any war under the UN charter unless it was fought when either one was acting in self-defence or under the authorisation of the UNSC. It had also been argued that Bush doctrine of preemptive and/or preventive war did not conform to the existing standard of international law and echoed one of the confessions of John Foster Dulles to "being one of those lawyers who do not regard international law as law at all".

Political leaders had been trying to search for morality in an asymmetric war and intervention. British FCO Minister Mike O'Brien tried to discover a moral case for intervention in Kantian imperative "which commands a certain conduct immediately, without having as its condition any purpose to be attained by it... this imperative may be called that of morality". Anglo-American insistence to "liberate" the Iraqis had assumed the character of curious incoherence with minimal tolerance quotient for international condemnation against this viscerally communal onslaught on an innocent people held accountable for the misdeeds of a tyrant.

The UN has been sidelined. The EU has been ignored. The NATO has been fractured. The world outcry brushed aside as mere inconvenience. One wonders whether the world expecting to be free from the spectre of annihilation of the cold war days has not tram-

meled itself in the web of unilateralism. Vladimir Putin's strident voice against unilateral action has now become muted. Recent allegation of sale of Russian weapons and other military equipment to Iraq levelled by the US has revealed the following: (a) it was President Putin who called President Bush to offer Russian cooperation in investigating the allegations and halting any inappropriate activity; (b) US-Russian disagreement over Iraq need not interrupt productive and beneficial cooperation in other areas e.g. Afghanistan, Al-Qaida, organized crime, drug trafficking and smuggling; and (c)

American military operations, they reiterated their position that it was possible for one or more countries to occupy a country but for building peace unity of the international community was essential and the efforts by the US Senate to exclude Russia, France and Germany from participating in the rebuilding of Iraq would be ineffectual.

On the other hand Bush-Blair statement on Iraq's future would give only a "vital role" to the UN perhaps for coordinating humanitarian assistance to war ravaged Iraq. Earlier Deputy Secretary of State Richard Armitage told CNN of US decision to initially set up an

administration under Lt. Gen Jay Garner and that the UN would have "appropriate role" as Kofi Annan would not want "to inherit an entire nation to run". He discounted the Afghanistan, Kosovo and East Timor model for Iraq adding "it was the coalition members themselves who shed their blood and expended their treasure to liberate Iraq and clearly the coalition members have to have the dominant say".

On Wednesday (9th April) at Paris when asked to explain the difference between "vital role" and "central role" for the UN Jack Straw felt that essentially both were the same but added that as the coalition forces were already on the ground, ground reality would dictate the evolution of the Iraqi situation. It is obvious that the UN has been marginalised despite Tony Blair's soothing influence on President Bush. One has to consider that American troop casualty is larger than that of the British; the American arms and other weapons are far more in number than those of all others' combined; and the US Congress is more hawkish than the House of Commons; and Bush's advi-

sors are more gung-ho than the British. It would therefore be safe to assume that this time around the UN would be playing a comparatively minor role than the role the UN had played in other crises situations.

If the Americans can have an acquiescent global spectator then a new international order would surely have emerged in the present post-post-Cold War world, which denotes, in the words of Ambassador Richard Haas of the State Department (Defining US Foreign Policy in a post-post-Cold War world -- April 2002), the intersection of the transnational and the traditional. "On

grant governments a blank cheque; and when necessary international community has the right and sometimes even the obligation to act when the sovereign does not act in accordance with civilized norms of behaviour.

The guardianship of such scrutiny, which was presumed to have been the UN, has now been supplanted by the most powerful nation on earth as we have witnessed in the case of Iraq. Richard Haas considers multilateralism as seminal to the integration process in which American leadership would be fundamental and without which multi-lateral initiatives can be still-born or colonial era to the ongoing bombing and sanctions against Iraq, Western Christians have killed far more Muslims than the reverse. Given this strong sense of history among Muslims, Washington's use and threat of military force, its imposition of punitive sanction, and its support of oppressive governments result in a popular reaction that often takes the form of religious extremism". He strongly felt that military solution preferred by US and allies would not succeed in countering the rise of militant Islamic movements and suggested that (a) the US must shift from supporting repressive governments to encouraging greater democracy and pluralism in the Islamic world; (b) US must end Israel's occupation of the Arab and Palestinian territories and genuinely move towards a just settlement of the Middle East problem; and (c) US should support sustainable economic development in the Islamic world with greater emphasis on distributive justice with minimal social disruption.

Military victory in Iraq may be emotionally satisfying in the short term but making enemies of more than one billion Muslims cannot be regarded as responsible policy. It is no secret to the leaders of the western world that but for the extremists among the Muslims most of the others are not supporters of either Saddam Hussein or Osama bin Laden. Bush National Security Strategy serving mainly American interests (other benefits being by products) would not remain unchallenged. Marginalisation of the United Nations will put the world at constant risk of potential conflict. Russia should be taken as member of both EU and NATO so that the world can have a European counter weight to unbridled American unilateralism. In the ultimate analysis people of the world want peace and prosperity, democracy and not enslavement, and above all not a debate whether Osama bin Laden or George W Bush is the real terrorist.

Kazi Anwarul Masud is retired Secretary to the Bangladesh government and former Ambassador.

continuance of a new energy policy aimed at reducing dependence on Middle Eastern oil while providing fresh source of investment and technology to the Russian economy.

The deep fissures in the western alliance is glaringly evident in the differing emphasis put in the joint French-Russian-German position on Iraq of 4th April and the Belfast Bush Blair joint statement of 8th April. The trio spoke of a world facing serious risk of division needing the sole response of "a world order based on multilateral cooperation and international legality" as "the world is also facing the risk of clash of culture and civilization". The three Foreign Ministers were insistent that the UN must play a central role in resolving the Iraqi crisis "quite simply because a crisis which is as important for the world as this one, the principle of international legitimacy itself is one (about which) there must be no argument or on the terms" on which it is to be honoured.

On being asked as to how they would prevent the US from monopolising Iraq as they failed in preventing Anglo-

administration under Lt. Gen Jay Garner and that the UN would have "appropriate role" as Kofi Annan would not want "to inherit an entire nation to run". He discounted the Afghanistan, Kosovo and East Timor model for Iraq adding "it was the coalition members themselves who shed their blood and expended their treasure to liberate Iraq and clearly the coalition members have to have the dominant say".

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'Liberation of Iraq' – at what cost?

MD. ASADULLAH KHAN

IDEALLY, after the war when the victory over Iraq will have been established, the US-led coalition jockeying for power would like to see Iraq pacified by Iraqi national army. But building that force would not only be slow rather would prove to be an arduous project. Because Iraqis who fought bravely against the coalition forces -- many of them being killed, wounded or taken POWs against an unprovoked aggression -- would be loath to contribute soldiers to a military force that could again be used against them later. Given the vacuum of authority that is likely to exist, the fact that looms large is that 'liberation of Iraq' that President Bush is hell-bent to achieve will prove to be a long term project or may not be achieved at all. Despite all that Bush or Tony Blair says that coalition forces will not stay in Iraq even for a day than it is necessary, such prophecies are not coming true in the face of stark facts. Both the US and Britain have a stake in Iraq's future. They have made huge investments through deployment of 3,00,000 forces and weaponry of most sophisticated nature that are worth billions of dollars. Not even a mad man would believe that all these investments were made by these two leaders out of sheer feelings for the tortured Iraqi people -- eight thousand miles away from their land with no ties of ethnicity race or religion.

As the war yet rolls over Iraq with considerable civilian casualties, public resentment is running high. With hundreds and thousands of innocent children, women and uninvolved Iraqis being killed and wounded by the coalition air attack and their houses razed to ground, it is hardly likely that those living with scars of bombing on their bodies will show unflinching loyalty to occupation forces. This means that Iraq disintegrates into chaos and the allies

are stuck in Iraq. Moreover, President Bush might take a look at history. In the Vietnam war with all its powerful military might the US had to withdraw.

Oxford historian Tapan Chaudhury said in a BBC interview on April 6 last that attacking Iraq on the plea of liberating its people is the ugliest and a naked form of imperialism that people in the whole world has not seen after Hitler. Professor Chaudhury further adds that the role of UN established after the failure of "League of Nations" with the unflinching effort of some world leaders

to breed conflict, violence, secret killing and destruction in an ever increasing intensity and there is no hiding the truth that the radical section would want to see a weakened America. At the same time, the damage inflicted on the Middle East, Asia and Africa would be enormous. By attacking Iraq, America and its allies mainly Britain have set a bad example. They have undermined the central pillar of world order which, another American President Franklin Delano Roosevelt helped build. The New York "Times" editorialised at the

warfare. If any one ever has heard or seen, it is a humanitarian disaster of the first order, so say the Red Cross workers now in Iraq. The war on Iraq which President George Bush told the Americans and the world would be short lived is in its fourth week and liberation of Iraq that he whined would be achieved with just pocket expenses is now costing 80 billion dollars and sadly true the US Congress has approved the bill -- for killing innocent people including children. Economist Samuelson and his ilk's guess that invasion of Iraq in terms of war cost would be less than 1 per cent of GDP gave stimulus to President Bush and his administration to go for this war business. Did President Bush consider the price his soldiers will have to pay in terms of blood and lives lost for retaliation that solely concerns him and his oil company friends? The last time Iraq was attacked, there was some justification: reacting to the threat to Kuwait's independence. In fact even if that war lasted for 38 days, the world saw how millions

of hapless Iraqis were left to suffer the terrible consequences of war. With world order drastically changed, the ongoing war, rather than liberating the Iraqis will eliminate them.

It is true that Saddam Hussein of Iraq often ignore UN resolution, but so does Israel. The world knows that Saddam Hussein is a dictator but so are Libya's Muammar Gaddafi and North Korea's Kim Jong Il and Myanmar Military Junta. Why not President Bush and Tony Blair run to these places and save millions 'facing death, torture and

No body will countenance the fact, not even a child that the US has attacked Iraq for the greatest good of the Iraqi people that President Bush wants us to believe. The real reason is oil and once Saddam has been ousted, he will be replaced by a puppet. Already Pentagon is actively considering to put exiled leader Chalabi, once an Iraqi oil minister.

namely, the then American President Franklin Delano Roosevelt known as FDR and British Prime Minister Churchill has been stymied. A war victory established through spilling of blood of the Iraqis and the allies staying there for months or even for years to have the war cost repaired would be a bad example. The weaker nations would have no place to look forward to in times of crisis. That means the world again heads to a laissez faire situation after the Second World War with superpowers achieving their ends through bullying and brutal force. How could Bush and Blair forget that the strength of a nation starts with the greatness, justice and magnanimity of its leaders not with their intimidating and bully-like behaviour.

President George W. Bush must realise that even a successful effort to change the regime in Iraq would not reduce the number of radical extremists that will be sprouting either in America or elsewhere in the world. This is likely

time of his death, "It was his hand, more than that of any other single man, that built the great coalition of the United Nations". Roosevelt's leadership, even though he was handicapped with a polio attack at the age of 39, steered not only America but also the world through the roughest seas of the century. After about six decades of UN stewardship in crisis situations around the globe another US President dismantled the fabric of the United Nations. Already that likely scenario of polarising the globe into Muslims versus non-Muslims is in sight. Unhappily, the only organisation that might prevent a division has suffered a severe blow.

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starvation? This is just a ploy to divert the American people's attention from the economic depression the country is undergoing because of Bush's inept economic policies. Bush administration's contrasting response to 'threats' from Iraq and North Korea is understandable. Unlike Iraq, an attack on North Korea which has 9,50,000 troops just 20 miles from Seoul, (37000 U.S. troops deployed in South Korea) is all but unthinkable. More so, a nuclear armed North Korea is potentially more scary than Iraq. North Korea has test-fired missiles with close to intercontinental range. So, amazingly, Bush administration remains silent on that count and meekly tries to bring China, Japan and South Korea onboard to pressure Pyongyang.

America has invaded Iraq on the plea that Saddam Hossein was hiding weapons of mass destruction. But how did Saddam get hold of this dirty agents? The world knows that the present US Defence Secretary Donald Rumsfeld

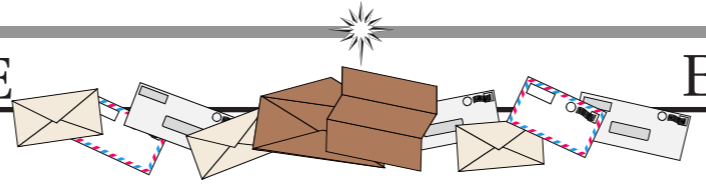
travelled to Iraq in 1983 as President Ronald Reagan's special envoy to the Middle East with a personal letter from Reagan offering American help to Iraq. This was the time that a seven-year alliance between Iraq and the US began. It was at this time when Saddam was using chemical weapons on his own people, and that was conveniently ignored by the United States then. The present President Bush must not have forgotten that his father was Vice President at the time when the Reagan administration was helping the Iraqis with arms against Iran.

Invasion or occupation of Iraq usher in an era of peace and stability in the region is rather ill-founded and ill-conceived, will further trigger instability in the Muslim world and will lead to additional acts of terrorism in many countries around the globe. Post war humanitarian disasters, violent civil strife and the transfer of hundreds and thousands of weapons to terrorists will pose serious risks. The possible side-show or dark scenario is already being predicted. The warnings could unnervingly investors and retard growth and this would create new social unrest and economic uncertainties.

Against the backdrop of what goes on in Iraq, the world stood numb and incapable of halting it. This reminds us of a saying of Albert Einstein. Einstein often said, "The world is a dangerous place to live, not because of the people who are evil, but because of the people who don't do anything about it". Sadly true, with its sophisticated weapons and enormous wealth, Bush-Blair coalition could win the war in a matter of couple of months. But at what cost? If a consider able part Iraq population is dead, maimed or starved to death because of this war, how can it be 'liberation' for them from Saddam Hussein?

Md. Asadullah Khan, a former teacher of Physics, is Controller of Examinations, BUET.

TO THE EDITOR TO THE EDITOR TO THE



EDITOR TO THE EDITOR TO THE EDITOR

Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

Cantonment restriction

I am amazed at the silence of the normally voluble *Daily Star* letter writers. It seems most are willing to accept the fact that the Army can unilaterally shut down an essential detour.

Everyday thousands of people are needlessly inconvenienced just so that the Army doesn't have to hear the sound of common civilians driving through the cantonment. Why is there so little outrage over this?

Emile, Dhaka

Why not forbid civilians to enter at all? And the army didn't even show the courtesy to place an ad in the paper. Nor did they bother to consult with DMP or DUTP.

Azad, Dhaka

I welcome more and more readers' reaction to the restrictions placed on civilian traffic through the cantonment. Why did the army do this without even consulting with the civilian authorities?

Tali, Dhaka

India condemns the war in Iraq

At length, India, the largest democracy in the world, has condemned the US-led war on Iraq officially. The Indian Parliament, Lok Sabha took the resolution as "expressing national sentiment, this house condemns the war in Iraq by the US-led coalition. This is not

acceptable... This house also demands the war in Iraq end immediately and the coalition forces should withdraw."

We the peace-loving people of Bangladesh heartily welcome this historic resolution of the Indian Parliament and congratulate the Indian government led by its pragmatic leaders like Mr. Atal Behari Vajpayee and Mrs. Sonia Gandhi for taking such a far-sighted and courageous approach to the most brutal attack of modern times, as perpetrated by the Bush-Blair coalition on Iraq. There is no denying the fact that by condemning this illegal, unjust and unequal war, India brought about a positive dimension to the decaying international order, whereas the major countries of the world particularly many Arab and Muslim countries including Bangladesh failed to take any official stand so far.

Hafejul Alam, Dhaka

Emotional catastrophe: An often-ignored aftermath of war

I'd like to give Dr. Syed Kamaluddin Ahmed two cheers for his article on "an often-ignored aftermath of war" (April 8). While there is a considerable literature available on the emotional effects of war, he is correct to point out that we are, in general, insufficiently aware of the toll that war takes on children and adults alike.

I said two cheers, not three, and here's why: Dr. Ahmed mentioned several examples to make his case (including a volcanic eruption), culminating in the current aggression in Iraq. However, it was odd indeed that he made no mention of the psychological and emotional effects of Bangladesh's violent war of independence.

On the contrary, he asks the reader to "forget for a moment that we are in

Bangladesh" and take ourselves to Iraq. Fine, his was a piece reflecting on contemporary events which was addressed to an elite audience. But do English-reading Bangladeshis really need Iraq to be reminded of the traumas of war?

Perhaps we do. I have just watched Tareque and Catherine Masud's striking documentary 'Muktir Kotha' and am still trembling from the first-hand accounts of war from ordinary women and men in village Bangladesh. There are many thousands of people who have lived for decades with deep, unrequited pain. Their heroism and suffering has been largely ignored and forgotten by the historians, political scientists and retired military officers who have made a vocation out of the events of 1971.

Like many, I am shell-shocked by the events in Iraq. When we are finally able to compose ourselves and reflect

on the emotional costs of this latest war, I hope that some of us will try to remember for a moment that we are in Bangladesh after all and that our rickshawpullers, our housewives, our minorities and our day labourers did not need a cable television subscription to be damaged by the traumas of war.

A Hannan, Dhanmondi, Dhaka

Cruel history: accidentally revealed

The Anglo-American invaders of Iraq have brought with them more than 500 'embedded' journalists to broadcast their selfless efforts to 'liberate' the Iraqis. They wanted the world to witness the historic moment: the cheering Iraqis welcoming the 'liberators' with garlands.

But alas! That took quite a long time to happen!

The patriotic news anchors of the

Western media were quick to point out the reason why there wasn't any cheering welcome in Umm Qasr or Basra: because the Iraqis are scared of Saddam, once he is dead or stripped of power, they'll welcome the British troops. The news anchors keep asking the 'embedded' reporters the same question repeatedly to keep the flame burning: "Why the British troops are not getting the expected welcome?" And as expected, the answer would be the same boring reiteration of what they have said before.

But something embarrassing happened on CNN on the day 19th of Iraqi Invasion. The anchor of Business Central and Biznews, Richard Quest was discussing live with a military analyst how the "Operation Iraqi Freedom" was going just as planned. And as usual he asked the favourite question: "Tell us why British troops are not getting the expected liberator's

welcome in Basra?"

The military analyst's instant candid answer: "I think the Iraqi's haven't forgotten what British did to them when they 'liberated' them last time (from the Ottomans) and kept them occupied from 1919 to 1958. Our command was 'If you find a single man with a gun in a village then destroy the entire village'. Apparently Iraqi people still remembers how the British liberators treated them heavy-handedly..."

Shukla Mirza Qatar

War report

For over last three weeks, we have been watching many 'spectacular' events on CNN and BBC about invasion of Iraq. But the most spectacular of all appears to be the corrupt TV journalism.

Ashfaq Chowdhury Banani, Dhaka