

New UN resolution on Iraq in offing

Implementation will show how good it is

FRANCE, Germany and Russia have agreed to back the thrice revised US-British draft UN resolution to lift sanctions on Iraq. It is a 'compromise' formulation, but the balance seems still tipped towards the US-British alliance. Even so, there is an attempt to be responsive to some of the criticism by France, Russia, China and other UNSC members of the original draft that had sidelined the United Nations.

Countries critical of the US-British war against Iraq without UN sanctions have been pressing for a central role of the world body in the post-Saddam reconstruction paradigm of Iraq. It is a privilege the world body is solely entitled to in terms of international law. On the political level, the resolution envisages induction of a high level special representative from the UN with 'independent responsibilities' to put together a representative government in Iraq. However, the envoy is to work 'intensively with the United States and Britain to facilitate' setting up of such an internationally recognisable, representative government. Washington and London will retain wide ranging powers to administer Iraq and control its oil industry until a permanent indigenous government is in place. This could take years.

On the controversial question of shielding Iraq's oil revenues and their administration through a Special Development Fund until 2008 from any law suits, attachments or claims, virtually no headway has been made. The original text has been merely changed into saying that the buyers of Iraqi oil 'are not necessarily immune from suits, such as cases of oil spills'.

The United States and Britain will spend money from the fund for 'the benefit of the Iraqi people.' There is a provision for an international board, including the United Nations, to monitor the fund. France, Russia and Germany are to get reconstruction contracts alongside the USA and UK. Russia gets time (no guarantee, though) to sort out Iraq's owing of \$4 billion to her firms under contracts in the so-called oil-for-food pipeline.

After the war in Iraq that ravaged her, needless to say, relieving the country of the decade-long sanctions has been a pressing imperative. The UN had imposed them and it was for that body to withdraw the same. But before that could happen, the world body needed to be first satisfied that the reason which was instrumental in announcing the sanctions against the country in the first place has been eliminated. Suspected existence of weapons of mass destruction (WMD) was the premise on which sanctions were clamped down and a war waged. However, the invasive military campaign has yielded no knowledge of the presence of WMD in Iraq. So, there has been a double boomerang from the war: it was launched without UN approval; and the reason for which it was waged is yet to be vindicated. On this point, the new draft resolution, likely to be adopted at the UN Security Council by Friday, gives limited inspection role to the UN; US inspectors will team up with the IAEC representatives for the work.

The lifting of sanctions demanded an enabling UN resolution to provide a legal basis for business with the oil of Iraq to continue in the changed environment. It is good to know that unanimity has been reached on that particular point. A united international community is poised to address the rehabilitation and reconstruction agenda for Iraq marking a change from a UNSC divided over the US-British war plans two months ago.

Yet, one wonders whether a war waged sans UN approval will not acquire a veneer of legitimacy through the resolution being adopted to withdraw the sanctions on Iraq. The question that will haunt us is whether under the guise of ending sanctions the United States would not 'violate the international law or rewrite the 1949 Geneva Conventions on the duties of occupying powers.'

In the ultimate analysis, the UN resolution will be as good as the implementation of its better parts.

Donors rebuke?



HASNAT ABDUL HYE

IN spite of the change of locale and faces, the holding of the annual meeting does not fail to produce a sense of deja vu. It is choreographed to the last detail of the talk-fest that has become familiar and can be forecast well in advance. But it is not the repetition of the tableaux and narration that disappoints, but the sheer superfluity of the style that sets one to wonder about the lack of creativity.

The subject and purpose of the annual meeting of the Bangladesh Development Forum (BDF) being the same, it should be seen as a routine business, even with there is a dash of hard-headedness. But unfortunately, the meeting gives the impression of two players meeting after a long interval to prove their mettle in animated articulation. The donors start with accusations of failure to fulfil commitments, while the government frantically tries to defend its case with facts and figures marshalled in a memorandum. It is a melodramatic and ludicrous spectacle. As long as the annual meeting used to be held exclusively in the holiday idyll of Paris, the public was spared of the unpleasantness of the proceedings. The Bangladesh delegation came back triumphantly announcing the volume of aid committed by donors. The higher was the commitment, the greater was their sense of achievement and euphoria. It made headlines in local newspapers. Nowadays, with BDF held alternately in Paris and Dhaka, the unsavory wrangling takes place biennially on home ground, for the benefit of all literate Bangladeshis to read and know. There is a general feeling that the annual meet could do without some of the verbal jousting and use the time and energy thus saved, for more businesslike activities i.e. substantive discussions. Bruising of national sentiment apart, the

transparency about the annual aid negotiation is the best thing that has happened in the external economic affairs of the nation.

It is natural that the development community would like to evaluate the government's actions before deciding on their lending programme. The donors are particularly expected to be interested to know about the progress of implementation of pledges made by the government in the previous BDF meeting. They are also expected to assess the justification of the future programmes pre-

independent anti-corruption commission. Besides these, separation of judiciary from executive, separation of audit and accounting functions, creation of a central procurement policy unit and holding election to various tiers of local government figured prominently in the list of commitments made.

Obviously, all these pledges were not possible to be redeemed within a year. But the commitments had to be made nevertheless, to satisfy the donors. The donors know very well about such

ermment could not deliver on all the pledges made last year. Its record of implementation is a mixed bag, as has been the case for so many years in the past under different regimes. The government fulfilled the conditions, more or less, on banking, fiscal management and environment but failed in others. On education, it could not establish teaching service commission, reform the HSC and SSC examinations, improve standard of education. In addition, the government failed to implement the reviewing of education facili-

course of a year.

Even given the time constraint, the government's record of fulfilling the commitment is not insignificant. On financial management the government has amended the Bangladesh Bank Order of 1972 and the Bank Company Act of 1991, given functional autonomy to Bangladesh Bank, rationalised NC Bank branches and enacted the Money Laundering Act. In the financial sector it has to walk the fine line between destabilisation and maintaining status quo. Given the delicate nature of the task, the

IN MY VIEW

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sented in the meeting. These are all part of the substantive business of committing development assistance for the next fiscal year. There can be no two opinions about this particular orientation of the meeting. The problem arises when donors start with a negative note, ticking off a long list of failures by Government of Bangladesh, which are then used as justification for reducing the aid programme. For two reasons, this approach is wrong.

Firstly, as has been pointed out for the umpteenth time, as a recipient of aid Bangladesh is required to fulfil too many conditionalities and that, too, within a short time. Being under pressure, these are accepted, even if some of them have poor to negative prospects of implementation in the short run. For instance, last year in the BDF meeting in Paris Bangladesh pledged to implement 57 commitments in different sectors. These included governance and public administration, fiscal management, privatization, banking, energy, education, health, environment, information technology and poverty reduction, among others. The conditionalities are wide ranging in nature and cross-cutting in terms of sectors. On governance and public administration, the government committed setting up a national human rights commission, appointing an ombudsman, and establishing an

agreement under duress. It is this unreality of the proceedings, the charade that surrounds the aid negotiation, which is amazing, even exasperating. This is because it is unnecessary and avoidable. Both sides know what is within the realm of possibility and there is therefore, no need for make-believe. There is no doubt about the desirability of the changes for which pledges are made. The question is over timing and practicality of lumping everything together.

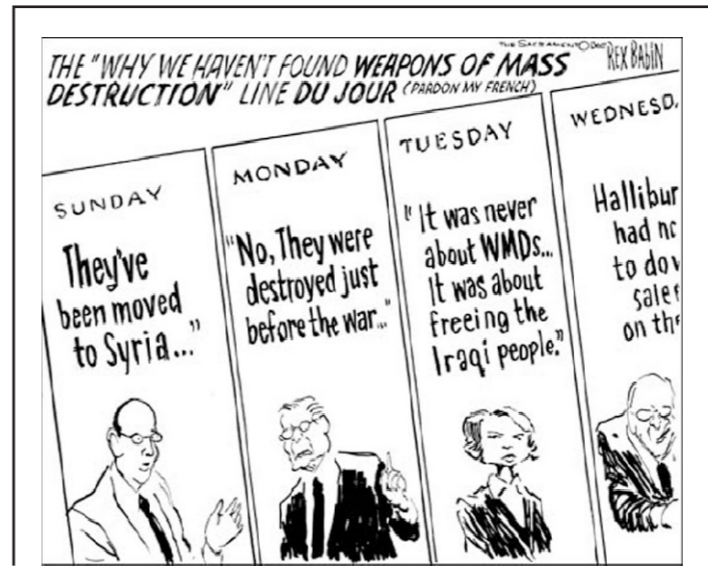
As expected, Bangladesh gov-

ties, reforming printing, publishing and distribution of text books, amend the Universities Order of 1979, formulate a strategic plan for higher education and introduce sector-wide system for public expenditure tracking. The list of changes and reforms is so long that the ministry of education will have to forget all other activities if these are to be fulfilled within a year. More or less same is the case with the reform programmes in other sectors. They are too many and wide-ranging and are simply not possible to be implemented in the

Finance Minister deserves commendation for whatever progress has been made.

In the backdrop of what has been achieved and remain pending, the donors took an overview of the situation and pressed for speed in respect of the remaining incomplete reforms. As pointed out earlier, the problem was with the style. According to a report in an English daily "donors rebuked the government for failing to improve governance, law and order and extortion". Rebuked? There must be some mistake. The donors are not teachers and Bangladesh government is not a student guilty of playing truant to warrant such a derogatory remark. As well-wishers, we expect donors to engage in constructive criticism and give advice in the annual consultation. This will contribute to good governance hugely, coming from knowledgeable and neutral quarters. If instead, fault finding is the focus and justification for reducing the volume of aid, then one cannot but look askance at such critiques. The tenor of negotiation and consultation from the donor side needs to be changed, both for civility and pragmatism.

The second reason why the negative approach through harsh criticism is wrong stems from the indirect role-played by some of the reforms committed in development. For instance, amending



University Order of 1972 is important and desirable but there is no urgency about it from the point of view of development. Same could be said about many other pledges made to satisfy donors' demands. But most importantly, it is not the list of reforms on the cards, but the absence of sequence in their implementation that is worrying. What is required is a detailed break up of the reform package with time frame covering short to medium term assigned for their staggered implementation. To oversee and monitor such an implementation strategy, a high powered committee should be set up with representatives from donors who will keep them informed regularly. This will make annual outpouring of acrimonious remarks (rebuks?) by donors unnecessary. With this dispensation there will be no reason for them to give the impression of having been taken by surprise at the turn of events. There will be no surprise and shock in reviewing progress of reforms if a single authority monitors their implementation. The government and donors have already formed three working groups on procurement, financial reporting and audit and training. What is required is a committee that oversees reform in all sectors.

While criticising government of Bangladesh the donors should not be blind to their own failures to deliver. According to a newspaper report, foreign aid disbursement during the first eight months of the present fiscal year dropped one-fourth compared to the same period last year. Time consuming and complicated procedures governing aid allocation, disbursement and reporting requirements have allegedly led to slow disbursement of aid. In addition to these, cross conditionalities of aid are also to be blamed.

Transparency in aid negotiation, characterised by criticism of government's failures, is welcome. It makes the government alert and the public informed. But reform programme itself should be pragmatic so that cases of failure or delay in implementation are few and far between. This will also produce a sense of deja vu in the annual meetings of BDF, but it will be of a different kind.

Hasnat Abdul Hye is a former secretary, novelist and economist.

The contempt of a verdict



MOHAMMAD BADRUL AHSAN

THE first time you saw the two pictures juxtaposed on the front page of almost any newspaper, you wanted to believe that their captions were misplaced. One picture had two young men in black vests looking jubilant and defiant, while other people were smiling in the background, one of them flashing a "V" sign. You would think they were the friends and relatives of the two victims, rejoicing the verdict that sentenced 16 people to death. The other picture showed a woman, a bearded man and a child holding their hands in prayer, their lachrymose faces contorted in anxiety and anguish. You would think they were the friends and relatives of the convicts who were devastated by the severity of the verdict.

It was not until you started to read the story that you reconciled the pictures with their captions. The convicts looked cheerful after the verdict as if someone had just told them a joke. Dressed in what resembled the working gear of a particular political party, they harangued in the court, hurled abuses at the Prime Minister and the Minister of Law and then left

the courthouse in the midst for cheering crowds.

Their behaviour only further confirmed that they had committed the crime they were sentenced for. Because they showed the streaks of psychic disorder, which could enable someone to chop down human bodies like firewood and then remorselessly deny it in spectacular defiance. There are dark cells in the basement of human minds, where deadly monsters are chained to emotional bedposts. At the slightest provoca-

Alecs, who tried to pull a fast one?

The questions can only bring diaphanous answers, which are as good as anybody's guess. Politics blindfolds truth like a prisoner and parades it in the dark alleys so that it will not be recognised. But no matter who did it, the fact remains that it happened. It's not unheard of revolutionaries, who reacted to death sentence with fiery speeches in the courtroom, because their moral outrage needed an instant outburst.

What was the moral outrage of

then cut their bodies into pieces would easily fess up to their offense. Neither did anybody expect them to behave like they did, not willing, not sobbing, but screaming and singing in mirth as though the verdict had placed them on top of the world.

Why did they behave like that? Was it an euphoria induced by political guilt? Did the politicians assure them that the death sentence was going to be commuted to a lighter one or even reversed, under this government or next?

a flip-flop, a kind of reverse flow when the water level in the feeder receptacle gets lower than that in the receptacle being fed.

So long the politicians have supplied crime to the criminals, and this time criminals have supplied politics to the politicians. We don't know if the politicians are ever going to recuse this reversal, if they are ever going to repent that Frankenstein tried to imitate its creator. The two convicts ranted against certain politicians, perhaps part of the script they were handed

Competition is healthy and it's only normal behaviour if someone wants to win. But desperate victory leads to psychosis, and there the two convicts wearing political uniform and the politicians who prompted them reached a moral equilibrium. If the convicts have shed the sign of sickly minds, so did their political allies, and what happened in the courtroom that day was a clear indication of immoral transaction between crime and politics.

"No! No! Sentence first -- verdict afterwards", screams a character in *Alice's Adventures in Wonderland* by Lewis Carroll, an English writer and logician. The civilized world would revile if a convict were sentenced before the verdict. One of the cardinal principles of justice is that no one is guilty until proven, and that is true if justice is not tampered with or verdict is not prejudiced.

Politics with criminal intent interferes with both, as does crime with political twist. One manipulates the verdict of the people and another manipulates the verdict of the court. In a republic, both are crimes against the people. The ululating convicts who looked like politicians only acted out the show on the stage. But we shall never see the politicians who are criminals, who conducted that show from the background.

The contempt of the verdict will continue long after the two convicts and fourteen others will be sentenced to death unless the elusive politicians pull the strings to save them in yet another contempt of that same verdict. If that happens, next time let us sentence the convicts before the verdict!

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CROSS TALK

"No! No! Sentence first -- verdict afterwards", screams a character in *Alice's Adventures in Wonderland* by Lewis Carroll, an English writer and logician. The civilized world would revile if a convict were sentenced before the verdict. One of the cardinal principles of justice is that no one is guilty until proven, and that is true if justice is not tampered with or verdict is not prejudiced. Politics with criminal intent interferes with both, as does crime with political twist.

tion, these monsters break loose and leap to the front of mind and outrageously disregard good sense and sound judgement.

We could rule out their behaviour as sheer madness if not for the political style, which they adopted to undermine the verdict. There are grisly tales of sordid plots hovering in the air, as to how the black vests were supplied to the two convicts in their prison cells as part of a political game. Fine, some quarters had made the two convicts don the black vests and act like lunatics in order to make political gains for themselves. Who were they? The government? The opposition? Or, just a bunch of smart

the two convicts, who were found guilty of double murder? Perhaps the uniform has its influence, and the vests prompted them to behave like demagogues, driving them to a frenzy that created sensation. They blamed it on the system, on the government, on conspiracy, trying to convince anyone who was listening that they had been wrongfully implicated in a crime they had not done!

So they made an obscene scene of their plea for innocence. Hardened criminals often don't admit their crimes and instead take their secrets to grave. Nobody expected that those who had the strong nerves to kill two young men and

Politics, like crime, has darkness in its heart, where impulsive men engage in compulsive behaviour to get what they want. In the event of the two convicts and their exhilaration, that darkness intensified and confounded politics with crime.

That is a shame. The politicians have always gone to jail, now the jailbirds are coming into politics. The politicians have resorted to crime, now the criminals are resorting to politics. The politicians have used the musclemen to save their careers, now it looks as if the musclemen have tried to use the politicians to save their lives. If you think hard, the strange behaviour of the two convicts has created

by their sponsor benefactors. They blamed the verdict on politics and claimed that it was nothing but a condition of power, which could change with the change of government.

Perhaps politics and crime excite each other because both thrive on the desperate passion to win. The politicians want to win at any cost, and they often defeat the enemy in order to destroy him. The criminals do the opposite, and they often destroy the enemy in order to defeat him. That is called instinct, the storm that originates in the genetic configuration of these men and assaults on the fringe of mind to ransack it.

ME peace road map - a non starter?

MOHAMMAD AMJAD HOSSAIN

IMMEDIATELY after the declaration by the President of the United States on the end of aggression against Iraq Ariel Sharon, the Prime Minister of the State of Israel, declared unilaterally to have talks with newly appointed Prime Minister Mahmud Abbas of the Palestinian authority to restart the stalled peace process. Ariel Sharon also offered unconditional talks with Syria, another neighbour of Israel. It may be mentioned that Ariel Sharon declared President Yasser Arafat as irrelevant. It was endorsed by President Bush, who refused to welcome Yasser Arafat at the White House while Ariel Sharon was accorded welcome six times by now. On assuming the newly created post of the Prime Minister Mahmud Abbas, a liberal Palestinian leader who opposed suicide bomb attacks against Israelis, pledged to crack down on illegal weapons. Ariel Sharon indicated at a recent Cabinet meeting of his intention to personally head negotiations with Palestinian prime minister to resume peace

process on the basis of road map.

As a part of his commitment to set up two states -- Israel and Palestine -- living side by side in security and peace, President Bush sent Secretary of State Colin Powell to discuss with the authorities in Israel and also with Palestinian authority in Jerico on peace road map. The Secretary of State called on Israelis to begin peace process while he directed Palestinian authority to destroy terrorist infrastructures before tangible steps are taken. He told them that the road map offers a way towards peace process. Colin Powell also offered helping hand to Palestinian authority to deal with security issue. Bypassing meeting with Yasser Arafat, who is an elected President of Palestinian authority, reflects the fact that Bush administration has been following the guideline given by Ariel Sharon. The Israeli prime minister spoke of destruction of terrorist groups like Hamas and Islamic Jihad, which did not accept the state of Israel. Moreover, Israel still insisted on the vital point that refugee Palestinians will not have the right to

return to their own homeland. The initiative taken by Bush administration to revive peace process in the trouble torn region apparently speaks of commitment made by President Bush before the aggression launched against Iraq. Arab countries with regard to the conflict between Israelis and Palestinian have criticised this stunt intended to make Arab leaders contented with because of America's double standard.

President Bush also offered to create US-Middle East free trade area within a decade. The free trade area generally brings benefit to industrial countries as they have wide variety of competitive products to offer. As consumer countries Arab states do not have much leverage.

On being pressurised by British Prime Minister Bush administration unveiled a plan in September 2002, which lays out a three-phase plan for establishing a Palestine State. It is known as road map to achieve peace in the region. The plan calls for an immediate halt to Palestinian violence, the Israeli

military's gradual withdrawal from Palestinian territories and an end to Jewish settlement activities in the West Bank and Gaza Strip. The United States developed this road map for the achievement of a Palestine State by 2005 with the United Nations, European Union and Russia.

Having noted the preconditions given by Israel and US Secretary of State for pushing peace process no one is certain that the proposed road map will meet with success. There are certain vital points -- which are missing -- needed for implementation of the plan. The road map does not include monitoring mechanism for the implementation of the plan. It has no indication for its destination. There is a serious lapse in the road map which relates to settlement of Jews in occupied territories. It urged upon the Israeli authorities to stop settlement of Israelis in the occupied territories. The prime minister of Israel extended his territory into West Bank and Gaza Strip, which caused serious dissatisfaction and irritant to the Palestinian authorities. It would have

been welcome move for Palestinians had the road map included a provision for dismantling Jewish settlement in the West Bank and Gaza Strip.

The efforts made by Bush administration after invasion of Iraq reminds me of Madrid peace conference sponsored by the United States and the Soviet Union on 30 October 1991 immediately after the Gulf War. The Madrid conference, which was described as a watershed, provided Israel for the first time face-to-face negotiations with Syria, Jordan, Lebanon and the Palestinians. But no tangible results were achieved. It was followed by OSLO peace treaty signed by Rabin, Prime Minister of Israel and Yasser Arafat of the PLO in 1993.

Since Ariel Sharon assumed power as the Prime Minister of the State of Israel, Camp David accord and Oslo peace treaty between Israel and Palestinians towards establishment of independent state of Palestine have fallen into oblivion. His policy for it for not to bring about secured border did not

produce any salutary effect so far. It may be recalled that as back as 1960's Ariel Sharon wrote about his goal. His goal was to create among the Arabs a psychology of defeat, to beat them every time and to beat them so decisively that they would develop the conviction that they would never win. Today Ariel Sharon, who reached higher political echelon from an army officer, proved his policy was wrong. The greater the aggression he has unleashed, the more his country and Israelis come under attacks from suicide bombers and snipers. His contribution towards Intifada (uprising) following his visit to a Muslim shrine in Jerusalem on 28 September 2000 holds the hard fact that military might will not be able to secure peaceful border. It may be noted that Palestinians considered the presence of Ariel Sharon in the compound of Al Aqsa mosque as a threat. The present Intifada is the second in nature, the first one erupted in 1987 with the blessing of Yasser Arafat. Today Arafat for all practical purpose could not control uprising.

It may be recalled that Ariel

Sharon as Defense Minister of Israel was held responsible for carrying out massacres of Palestinian civilians in Sabra and Shatila refugee camps in Beirut in 1982. It was again Ariel Sharon, a hardliner and hawk in Likud party, who did not welcome peace agreement Israel signed with Palestinian Liberation Organisation in May, 1993, known as Oslo peace agreement. Sharon described the agreement as 'national suicide' and identified Arafat as a war criminal. There is an interesting and significant development to the effect that Belgium Supreme Court in a judgement declared that Ariel Sharon should be put on a dock in the international war crime tribunal for massacring Palestinian refugees.

While Ariel Sharon dismissed the Palestinian elected leader Yasser Arafat as 'irrelevant', smashed his security services and announced Israel's intention to assume responsibility for its own security in the West Bank, suicide bombers from Hamas and Islami Jihad perpetrate more suicide bombings. Ariel Sharon's dilemma

in dealing with Arafat as 'irrelevant' and 'responsible' seems to make no logical sense. America's President George W. Bush also echoed the same feeling as that of Ariel Sharon with regard to Yasser Arafat. President Bush urged upon Palestinians to dump Arafat and replace him. Ariel Sharon's crack-down on Palestinians to prove Intifada they launched in 2000 was futile exercise, systematically destroyed infrastructure of Palestinians. In the process Ariel Sharon isolated Israel and America as well from the civilized world.

That the road map will remain non-starter can be seen from strong lobbying being conducted by an Israeli envoy Mr. Benny Elon, Tourism Minister of Israeli cabinet, who is opposed to the establishment of Palestine state west of Jordan river. A meeting of Israeli Prime Minister Ariel Sharon with President Bush on 20 May 2003 will follow this, possibly the seventh meeting since President Bush took over power. But to what effect?

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