

Does TIFA spell trouble?

Unilateral move may cause domestic instability

As time nears to the signing of a Trade and Investment Framework Agreement (TIFA) with the USA, one hears more about what it stands for and how it is going to affect lives of our people. Outwardly, TIFA carries the odour of a purely commercial undertaking, but it isn't sans political ramifications.

Of the three most populated Muslim nations, Bangladesh is the one (the other two are Indonesia and Pakistan) with a stable democracy, pluralistic political infrastructure, laissez faire economy and devoid of ethno-religious tensions. The US' post 9/11 political inclination hence finds Bangladesh as an ideal Muslim partner for multifarious collaborations amid a barrage of accusations relating its lowest trade interactions with the Muslim world.

While visiting Dhaka last week, US' assistant trade representative for South Asia, Ashley Willis, seemed to have acknowledged this fact. While conversing with the Bangla Daily Prothom Alo, Willis maintained, "Bangladesh plays important roles in the WTO among the Least Developed Countries (LDCs)."

He was however less optimistic of Dhaka's prospect for success in obtaining duty free access of a basket of goods into US market, unless-- as he sees it-- the proposed Middle East Trade and Investment Act is passed by the Congress. Willis advised Dhaka to lobby with the Congress to get the bill passed.

Trade concessions do constitute an integral part of every bilateral and multilateral trade agreement. Yet, the US expects Dhaka to play a constructive role in the WTO too-- by bridging perceptions among the LDC members and the US.

While Dhaka might resort to such undertakings on US' behalf, it must not be unmindful of its commitment to upholding the WTO regulations insofar as they relate to the legal requirements of the TIFA-like bilateral instruments.

Interestingly, Willis did not conceal his observation on India's regional trading pattern with her neighbours. "US trades more with India's neighbours than does India", he commented.

He also hinted of the US' resolve to get the stalled gas export and the container port building issues through. The first will allow US energy companies to regain invested bucks sooner if the extracted gas finds a major buyer in the region. The second will make available a modern port facility in the Indian ocean littoral and increase US' leverage for enhanced economic and military relationships in the region, including with India's North Eastern states.

These are issues that had hovered over our political horizon ever since the AL failed to respond positively to the signing of the US-proposed Status of Forces Agreement (SOFA). The gas export and container port building bids too faced opposition from the AL in particular.

Days ago, the AL threatened of incessant strikes if the BNP consented to gas exporting in compliance with the US desire. Besides the AL, people too seem to think that the US is asking for too much too soon from a nation that finds such issues too important to be rushed about and handled cavalierly.

Hence, unless the government and its main opposition come to a consensus on how to meet US's trade and investment demands, any unilateral move of the government to sign the TIFA may act as a potent recipe for domestic instability.

The scare of forged notes

Who is allaying it?

As if finding fake notes in the vault of Bangladesh Bank itself wasn't bad enough, we now have another shocker of a disclosure: many banks do not have money testers. Ever since the reports of fake notes appeared in newspapers there has been a creepy feeling that one might be carrying some fake notes anyway; so one would be naturally looking for safeguards in the banking system in the first place. The fact that 'none of the 3,482 branches of four nationalised banks have any fake note detectors' is more than enough to feel alarmed on that count.

So who should take the responsibility for the anxiety, fright and nervousness of the money users? If the cashiers at the banks can't detect the fake ones, how could we expect the ordinary people to do the same? Whose duty it is to identify the sources of fake notes and mop these up? Bank note forgery has been an entrenched crime; it has also acquired a level of sophistication to throw dust in the eyes of people.

We want the authorities to take firm steps with the help of detective and law enforcing agencies and, of course, with money testers in hand. It's time to separate the chaff from the grain. All fake notes that have intruded into the market together with those suspected to be in the banks will have to be flushed out. Though the police had limited success in catching those who had been selling fake notes, we would like to know why couldn't they get to the bottom of this illegal trade through them. This fraudulent business has to be wiped out; but the question is: how are we going to recompense the losses of those who carried some fake money without knowing they were doing so? They are left poorer for no fault of theirs. Some heads should roll.

An elastic limit to power



M ABDUL HAFIZ

AFTER having waged devastating wars -- first in Afghanistan and then in Iraq -- leaving in their gory trails deaths and destructions President George W Bush now wants to be cast in the image of a peace maker and nation builder. Haunted by his fast-falling approval ratings the president is now in dire need for a paradigm shift. With his military adventure, particularly in Iraq, growing sour and sordid by the day the Bush strategy for his reelection is undergoing a radical make-over. This is not without reasons.

American approval of Bush's handling of war in Iraq has already slipped from 74 per cent in April to 53 per cent today. For several weeks the press and other critics have accused the president of hyping the Iraqi threat to justify a war. The accusation has sharpened after the administration has recently admitted that the president's claim delivered last January in his state of the union address that Iraq was trying to buy uranium from Africa was based partly on forged document. Although, George Tenet, the CIA director opted to be a fall-guy for the Presidential gaffe by accepting the responsibility of allowing the bogus intelligence to appear in the President's speech the credibility and reputation of the President himself is no less dented and smeared.

The Americans also have the indignation of being dragged into a war unnecessarily waged in defiance of the UN, the international opinion and international law -- a war in which the US scored, at the best, a pyretic victory, when taken into consideration the commitment of 1,50,000 troops and a cost of \$1 bn a week and one of which General Tommy Frank said that it could go for another four years. An increasing number of Americans seem to have begun to view their President as a war monger who, they feel, took them for a ride with his canard of Saddam collecting uranium from Niger.

Now after having gone to war to remove the danger posed by Saddam's WMD it is highly embar-

assing if that danger proves to be a hoax. That's what has happened with the coalition forces' inability to find any WMD in Iraq the threat of which was fabricated and exaggerated by the neo-cons to justify a pre-emptive strike in Iraq. Mr Bush will continue to be dogged by the warped decision on war which is bound to take its toll in his reelection campaign. In the meantime congressional leaders are pushing for a full investigation into the controversial intelligence used by the President to make his case for the war. Some of the Congressmen are openly accusing the president of

US was able to cobble together an indigenous administration for Afghanistan to be headed by a pliant Hamid Karzai to loyally serve the US' interest in the country while Pakistan's President Musharraf is there to protect its vulnerable flank. No similar arrangement could be crafted for Iraq where the defiant Iraqis are openly protesting against the US' presence. Even 100 days after the fall of Baghdad peace is elusive and a total chaos prevails in the country.

There is no administration in place to provide basic services like

Peace can hardly be restored unless pre-conquest conditions are brought back in some form or other. The US which won the wars in both Afghanistan and Iraq decisively lost the peace and will seldom be prepared to pay the price for its restoration -- that is to unconditionally vacate the occupation in both the cases.

As for the nationhood it is sustained mostly by local dynamics in our clime and an externally-delivered attempt to create one is bound to fail. As regarded Iraqi nationhood if one was created by Saddam in a highly pluralistic society it is now in shreds. In a tribal society like Afghanistan some semblance of nationhood was crafted by its successive rulers with their ingenuity. But now the society is further splintered. The question of much vaunted rebuilding and reconstruction comes once the nation is in place. This is apart from marshalling resources for such Herculean task. Obviously, the nation building and reconstruction are non-starter in both the war ravaged countries.

Under the circumstances, Bush's desire to enter the next year's election campaign on the plank of grand peace maker and nation builder may remain unfulfilled. Yet he will be left with the centre-piece of his peace making bid to cobble together some sort of peace deal between the Palestinians and the Israelis -- of course, on the latter's terms. Therefore, a malleable Mahmood Abbas is painstakingly groomed as the 'leader' of the Palestinians while all efforts are on, concomitantly, to side line the only genuine and elected leader of the Palestinians, Yasser Arafat. That ominously points to the kind of peace deal that is likely to be struck. More ominous is the fact that the peace package aims also at somehow wangling Israel's recognition from as many Muslim states as possible. Bush's points-men from among the Muslim countries are already on the job. What a sweetener would it be to Bush's campaign next year to have a stream of Muslim states recognising the 'reality' of Israel!

This is only if things go as planned by the neo-cons. Things went hay-wire in both Afghanistan and Iraq. In spite of a smooth beginning the roadmap for peace also has started to have its own snags as anticipated by many. Bush may well win his reelection next year, but not in the image of either a peace maker or a nation builder. He has to bully and blunder his way as a warrior President.

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PERSPECTIVES

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during the Congress in giving approval for the invasion in Iraq.

After the bogey of WMD, another of the reason cited by Bush administration for launching an attack on a sovereign country has been effectively disproved as a recent congressional report categorically finds that there was no link between Al Qaeda and Saddam Hussain regime. This is a fresh blow to the credibility of President Bush and his British 'poodle' Prime Minister Tony Blair. Thanks to the shameful complicity of the US media which faithfully amplified White House propaganda, 75 per cent of the Americans were led to believe that Iraq attacked the US on 9/11 and was in league with Al-Qaeda as a result. Bush's highly censured war on terrorism with its failure to kill Laden was turned into a hugely popular comparing against Iraq. The congressional report justly nailed those lies.

However, the situation created by the US' failure to find the WMD or a link between Saddam regime and Al-Qaeda could possibly be overlooked -- at least within America -- if other war promises were kept, namely bringing freedom, peace security and democracy to the 'liberated' people of Iraq; improving the quality of their life and, of course, increasing Iraqi oil production, a covert objective of the war. The president seems to be drawing blank on all these counts.

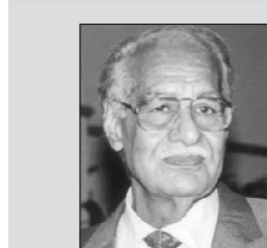
Even if the post-war situation in Afghanistan is no better than that of Iraq and the regrouping and resurgence of Talibans, defeated two years ago, have already started, the

war and electricity. The law and order that collapsed in the aftermath of the departure of the Baathists is yet to be restored. On the contrary, internal disorder has escalated resulting in myriad social crimes and utter insecurities -- particularly for women and children. As for democracy, the Americans simply do not know how to go about it in a society that has a feeling of being betrayed. After abandoning the idea of setting up an Iraqi administration they have just appointed a 25-member Iraqi council. But practically running the country remains securely in the hands of a non-Iraqi administrator, Paul Bremer. Caught in the throes of an armed resistance the country is now fit for anything but an US-delivered democracy.

General John Alizaid the new Centcom chief lately conceded that what the US was now facing in Iraq was a guerrilla type of resistance immediately bringing back the spectre of Vietnam which left 57,000 Americans dead. By now over 150 American soldiers and other personnel died in Iraq making the Iraq enterprise one of the costliest conflicts for the US in many years. At least one quarter of them were killed after George W Bush triumphantly declared the war closed on the May day. As the bodybags pile up the hearts sink in both Washington and London where the military brass must be re-thinking strategy for reversing the trend.

During the colonial days the peace was the conditions created after the successful imperial conquest which these days portends only the beginning of a fresh conflict.

The two-nation theory



KULDIP NAYAR
writes from New Delhi

INDIA'S partition is 56 years old. Still the controversy over the two-nation theory has not ended. Certain groups in Pakistan continue to harp on it. Fazlur Rahman, head of Muttahida Majlis-e-Amal (MMA), which embraces six religious parties, has said after his successful tour of India that he believed in the two-nation theory. Which two nations is he talking about?

It is true that the founder of Pakistan, Mohammad Ali Jinnah, propagated at one time that Muslims and Hindus in the subcontinent were two separate nations. He was then advocating a state where the Muslims would be in a majority unmindful of the fact that in any scheme of things more Muslims would be left in India. That was why Maulana Abul Kalam Azad differed with Jinnah and opposed the division. However, once the Congress and the British accepted the division of India, Jinnah himself redefined nationhood. He did not base it on religion.

In his speech as the Governor-General-designate, Jinnah said: "...you will find that in the course of

time, Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the state." What he envisaged was that people living in Pakistan, both Muslims and Hindus, would become one nation in the same way as Hindus and Muslims living in India would be. Religion would be a private affair, not part of the state.

religion alive. This gives them a point to play with the emotions of the masses. This can delude people who want their leaders to improve their economic conditions. It is the same convoluted thinking on religion which has made the Pakistan establishment to begin the country's history from the day the Muslims arrived in India in the eighth century. There is no explanation of what the Mohenjodaro, the Harappan and the Taxila civilizations represent.

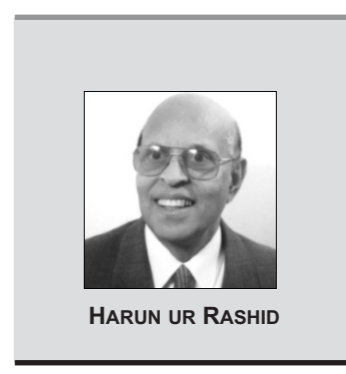
two-nation theory. The Pakistan establishment is thoroughly exposed when it demands the division of Jammu and Kashmir on the basis of religion. It does not bother that such a proposal might reopen the wounds of partition and the massacre in its wake.

The three Muslim MPs in the parliamentary delegation I led to Pakistan in the middle of June gave a warning both at Lahore and Karachi that Pakistan was more

Israel's great wall

BOTTOM LINE

It seems that Israel is creating a problem that will be an eye sore to Palestinians and unless the US, European Union, Russia and the UN put pressure on Israel not to grab illegally Palestinian lands through the construction of the wall, peace in the Middle East seems to hit another serious stumble and the "roadmap" to peace will be in jeopardy.



HARUN UR RASHID

ONE fact that seems to escape attention from the media is that like China's Great Wall, Israel is steadily building a 360-kilometer wall, consisting of concrete wall, barbed wire, electronic fencing, trenches and motion detectors that will separate Israel from the West Bank. It will be completed this year and will profoundly change the geographical and political landscape in the Middle East. The most annoying fact is that Israel is constructing the wall around the Jewish settlements on the occupied West Bank and thus changing the pre-1967 border between Israel and Palestinian lands. In other words Israel has grabbed illegally Palestinian lands and makes it permanent by erecting a wall on the West Bank.

Washington has not been happy with this Israeli action because it goes against the "roadmap" of peace. However Prime Minister Sharon refused to budge from his stand during the recent meeting with President Bush and confirmed that the construction of wall would continue. Sharon knows well that President Bush will be re-seeking Presidential election in 2004 and he cannot afford to annoy the American voters who strongly support Israel. It is believed that Washington's foreign policy is disproportionately influenced by Jewish lobbies and Christian Rights in the US.

The wall is the most ambitious attempt by Israelis to reclaim Palestinian lands. The obvious excuse has been that Palestinians would

not be allowed to easily enter Israel and the wall will separate physically Israel from Palestinian lands. However the idea of wall makes Palestinians unhappy because they will lose their lands permanently and Israel cannot do that under international law.

The effects of wall could be far-reaching. First the wall will further weaken the already severely damaged Palestinian economy since entry into Israel will be more difficult. Second, the wall could deepen Palestinian rage and enmity, prompting violating the ceasefire and launching attacks inside Israel. Third, it may prompt further attacks on Israelis overseas, like the suicide bombing last year of a Mombassa hotel filled with Israeli tourists and the accompanying attempt to shoot down an Israeli chartered plane.

It is intriguing to find that many of the 200,000 Jewish settlers who live in the occupied Palestinian lands oppose the wall for a simple reason. Once the wall is finished the Israeli army will no longer be able to provide protection to the settlers who have been living on illegal settlements (not authorised by Israel) in the West Bank. The Jewish settlers want to create the Israeli state from the Nile to the Euphrates. Once the wall is erected Israel has defined its border with the Palestinian lands and could spell the death of the attempt to make Greater Israel. The wall will create a de facto international border between Israel and the West Bank.

It seems that Israel is creating a problem that will be an eye sore to Palestinians and unless the US, European Union, Russia and the UN put pressure on Israel not to grab illegally Palestinian lands through the construction of the wall, peace in the Middle East seems to hit another serious stumble and the "roadmap" to peace will be in jeopardy.

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BETWEEN THE LINES

India's ethos is pluralism. Hindus and Muslims constitute one nation. The BJP is dividing the society. It is definitely playing into the hands of those in Pakistan who have an agenda other than that of Jinnah's. They want to pit Hindus and Muslims against one another all the time. This is their ethos. The BJP is no different from them.

There was no transfer of population in the partition formula. Hindus and Muslims were supposed to live in India and Pakistan as they did at the time of partition. It is, however, another matter that communal elements on both sides drove out the minorities, in Pakistan nearly all of them. Some 10 lakh people were killed and two crore uprooted from their country in the name of religion, Hinduism in India and Islam in Pakistan. Women and children were the worst sufferers. It was one nation when it came to barbarism.

Some quarters in Pakistan continue to sustain the old notion of two-nation theory. In this they find the justification to sustain fundamentalism. They want to keep the bogey of

This reflected a bias against the Hindus. Students are confused. This was contrary to what Jinnah said: "We are starting in the days when there is no discrimination, no distinction between one community and another, no discrimination between one caste or creed and another." With that kind of history and the propaganda of fundamentalists the obsession in certain circles that India represents Hindus and Pakistan Muslims has not gone.

Take the conclave of MPs from the two countries at Islamabad. The entire exercise depended on the BJP's participation. Had it said no, there would have been no conclave. The reason was obvious. Only the presence of the BJP underlined the

"interested" in the 8-lakh Muslims living in Kashmir than in 14-15 crore Muslims in the rest of India. I found that the argument had shaken people in Pakistan. The point was not lost even on religious outfits.

Though fundamentalism is still a strong force in Pakistan, yet in the same Pakistan, I heard during the tour the term "secular Muslim." Even if a preponderant majority did not affix secular to their name, they believed in a liberal, open society based on Jinnah's ideology: "You may belong to any religion, caste or creed that has nothing to do with the business of the state."

Unfortunately, the concept of the two-nation theory, the division between Hindus and Muslims, is

creeping into India's polity. There is a deliberate plan to saffronise the society. Deputy Prime Minister L K Advani feels no hesitation in saying that the BJP has been making Hindutva a poll issue and would do the same in the next election. The party's obsession with communal politics is evident from the manner in which it has reacted to the decision by the National Human Rights Commission (NHRC) to approach the Supreme Court for the retrial of

the Best Bakery case in which 14 Muslims were burnt alive. In this case, the trial court in Gujarat has exonerated the accused, the Hindus, for lack of evidence.

The BJP has dubbed the NHRC's action "anti-Hindu." The fact is that the commission has taken note of witnesses being too afraid to tell the truth. They have gone on record on this point. Gujarat chief minister Narendra Modi, who is involved in what happened in the state last year, has gone a step further. He wants the President of India to find out how many people were killed in the country during communal riots since independence and how many punished. Such a study would be welcome. But how does it lessen the

crime committed in Gujarat? And how does it square with the remark that the NHRC is "anti-Hindu?" It reflects only the BJP's communal bias. The worst part is the scant respect which the BJP tends to pay to the institutions. The party's statements on the Babri Masjid are not only contradictory but ominous. It says that the temple would be built on the site where the Babri Masjid stood before demolition. At the same time, it says that the dispute would be solved either through negotiations between the Hindus and Muslims or by the court verdict.

How can one trust the BJP? Today the BJP has accused the NHRC of being anti-Hindu because of its decision to approach the Supreme Court on Gujarat. Tomorrow the BJP will dub the court anti-Hindu if it decides that the Masjid was not built by demolishing a Hindu temple. Already there are newspaper reports that the excavations carried out by the Archaeological Survey of India at the site under court orders have not yielded any evidence that the Masjid was built after destroying a temple. India's ethos is pluralism. Hindus and Muslims constitute one nation. The BJP is dividing the society. It is definitely playing into the hands of those in Pakistan who have an agenda other than that of Jinnah's. They want to pit Hindus and Muslims against one another all the time. This is their ethos. The BJP is no different from them.

Kuldeep Nayar is an eminent Indian columnist.

OPINION

For a corruption-free country

MOHAMMED IMAM UDDIN

THE ruling party of Bangladesh claimed in its election manifesto that efforts for development and the people's welfare would never be successful unless the rampant corruption existing in state machinery and social life was eliminated. For this purpose, the party made commitment for appointment of an Ombudsman within the shortest possible time and the establishment of an independent and autonomous constitutional body styled as Anti-Corruption Commission, by reorganising the Bureau of Anti-Corruption.

Poverty is a major problem of the country. Corruption is the main obstacle to poverty alleviation and development. The lion's share of foreign aid and development allocations is eaten up by it. It can be said that the country's life force is getting

exhausted due to corruption. The government, the policy makers, professionals, civil society and the general public all wish to see the country free from corruption.

Various limitations of the Bureau of Anti-Corruption were revealed through the investigative research of Transparency International Bangladesh (TIB). The research findings concluded that no effective measure could be taken for combating corruption if the anti-corruption institution is not independent. An anti-corruption commission free from government influence is needed if steps are to be taken against all categories of people involved in corruption. The two major political parties of the country are also pledge-bound to the nation on this issue. A positive response has already been apparent on the side of the government regarding the setting up of an anti-corruption commission. On 10 July a draft bill

was presented to Parliament on this issue.

The demand for an independent, neutral and effective anti-corruption commission for curbing the all-pervasive corruption in the country is a long-standing one. TIB has been striving hard to propagate the justifications for this demand and to bring it to the notice of the government.

TIB has prepared an amended organisational structure in the light of the existing organogram of the Bureau of Anti Corruption, taking into consideration the opinions of various quarters. It dwells on the composition of the Commission, its legislation, the process of recruiting Chairman and Members, the qualification and tenure of the Chairman and Members of the Commission, their salary-allowance and other facilities, etc.

The second chapter of the working paper also makes prescriptions

about the organisational set-up of the existing Bureau of Anti Corruption in the light of the proposed framework. These include the operations department, case registration team, case working team, corruption investigation team, legal team, corruption prevention department, etc.

The third chapter discusses the functions, responsibilities and legal powers of the proposed Anti Corruption Commission. It describes its tasks and duties, legal jurisdiction, sanctioning authority, external interference in its functioning, the power to take action against false, concocted and motivated complaints, mechanism for bearing the cost of cases, the power of examining bank accounts and taking stock of properties, arrest of the accused during submission of charge-sheet, terms of punishment for elected representatives, members of law enforcement agencies, officers of

civil service of the rank of Deputy Secretary and above, required powers for bringing back money smuggled out of the country, etc.

The fourth chapter sheds light on maintaining a check and balance in the workings of the Commission, its budget, taking action against internal corruption within the Commission, evaluation of the Commission's performance, submission of reports by the Commission, public relations, litigations, etc.

The draft framework for an independent Anti-Corruption Commission, as proposed by the TIB, suggests that it may be formed with one Chairman and two Members. The President would appoint the Chairman and Members on the basis of recommendations put forward by Constitutional Council.

The Constitutional Council would comprise of one representative each from the Prime Minister and the Leader of the Opposition; they

would nominate two other members after discussion with the Chief Justice. The Constitutional Council would have a total of five members. The Chief Justice would preside over the meetings of this Constitutional Council. The Council would nominate through consensus those persons whom it considered qualified for the positions of Chairman and Members of the Commission; but they should all be at least 50 years of age. The Chairman would enjoy the rank and status of a Judge of the Appellate Division of the Supreme Court while the Members would be equivalent to the Judges of the High Court Division. Subject to stipulations in the Constitution, the Chairman and Members would be appointed for a tenure of five years.

The Chairman and Members of the Commission would grant permission for undertaking inquiry, filing cases and submission of charge-sheets against all levels of

officers and employees and people enjoying VIP status; the decision of the Chairman would be final in these matters. They would not require approval from any other person and there would be no external interference. If anyone gives wrong information or submits false, concocted and motivated complaint with the object of harassing somebody, then he would be identified and awarded maximum jail-term of five years and fined Taka two lakh. Generally, both the giver and taker of bribes as well as its instigator would be punished, if proved; besides, the expenses of the trial would be elicited from them.

The proposals made by TIB certainly deserve due attention of the government. Besides, opinions of those experienced on the structure of the commission should also be sought. The viewpoints of the general masses may also be taken into cognisance with the help of the mass media. Arrangement should

be made reposing sanctioning authority on the commission so that it can decide independently on legal measures. Keeping the people informed about the workings of the commission through the mass media and make arrangements to ensure its accountability. Above all, there should be clarity regarding the independence, efficiency and effectiveness of the commission as well as the extent of its jurisdiction.

The country would be able to make great strides in tackling corruption and establishing good governance if the commission is formed keeping it above political considerations and if it is allowed to function independently.

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