LATE S. M. ALI

**DHAKA THURSDAY AUGUST 28, 2003** 

## Two Ctg boys rescued

Some success at last. Police still have a lot to do

HE police have finally rescued the two boys abducted in Chittagong nearly a week ago. The news brought relief not only to the families but also to people who, for obvious reasons, became rather skeptical about the role and efficiency of the police.

When negative news abounds, this tiding about police success is undoubtedly heartening. They took two suspects to custody and could reach the den of the criminals on the basis of their confessional statements.

That is precisely how the police are expected to work. But the fact remains that businessman Jamal Uddin Ahmed could not be rescued till yesterday, more than a month after his abduction. The police top brass raised the hopes of people by saying that they were on the verge of a breakthrough. They also hinted at gathering vital information about the kidnappers. But the hopes have been dashed.

So the police have a lot of work to do to prove themselves effective vis-a-vis the kidnappers. The first thing that they must ensure is thinking and acting ahead of the lawbreakers. A closer study of the recent incidents will surely reveal that intelligence failures are by and large responsible for the slow progress in resolving the cases. The criminals are equipped with modern communications gadgets and are in a position to gather information about the likely maneuvering of the police. The law enforcers seem to have been outwitted by the criminals.

The police are acting only after a crime is committed. It is not known why the surveillance teams of police fail so miserably to anticipate what criminals are going to do in some particular areas. For example, kidnapping at the port city is nothing new; yet the police are handling the situation in a routine manner having apparently learned little from past incidents.

There are other bottlenecks, too, which should not be overlooked. The marked tendency to play to the gallery with loud claims to progress in investigations and the wide publicity these receive through the media often proves counter-productive as the criminals are alerted thereby to go into hiding. This is something that all concerned would do well to bear in mind.

## Split-second gallantry thwarts bank robbery

Close-circuit TV monitoring can beef up security

HE manager, Exim Bank, Eskaton branch in the capital proved to be a cut above others on Tuesday. When facing a mortal danger even the most obvious tool for safety may be lost sight of or at best approached with a trembling finger in an incapacitated state of panic. None of this happened with manager Anwar Hossain. He kept his wits about him in spite of sensing and sighting a first-track run-up to a sensational bank robbery. It was a sequence by sequence unfolding of a horrific story: one of the gangsters standing guard at the ground floor entrance; the snatching of a guard's shotgun; and the ring leader gesticulating at the bank officials and clients to huddle into a small dining space. At this point, the bank manager pressed the alarm button setting the bell ringing at the ground floor to send the SOS across. When people rushed into the bank premises, the gang fled thick and fast. Prompt police action followed, the cops seizing the micro-bus the gang used and arresting the driver who would gave them valuable leads to the robbery attempt.

The manager's courageous and timely step saved the bank vault and also perhaps some human lives. Next to the bank manager, credit goes to the shopkeepers, people on the street and the police for responding collectively to the challenge.

The alarm bell played the pivotal role in foiling what could be a massive bank dacoity. But there was an element of providence to it in that there was no electric load-shedding at that point in time! It is essential therefore that every bank has an auto-generator for emergency power supply. Given the mounting incidence of bank robbery in the country, it is imperative that we do a stocktaking of security arrangements in the banks and financial institutions and then bridge the gaps. The night time surveillance should be as fool-proof as the daytime precautions. Close-circuit television monitoring should be installed in all financial institutions.

## Laws and customs can help resolve water dispute

M. SHAHIDUL ISLAM

HE Indian decision to divert waters from the Brahmaputra revived an old controversy that seemed to have dissipated after the signing of the Ganges treaty in 1996. Experts believe the diversion will badly impact the economy and the ecology of Bangladesh; dent prevailing goodwill; collide with conventional laws and customs relating to water sharing: and, create another bad precedent-far worse than the Farakka barrage should India chose again to disre-

gard our profound concerns. The Brahmaputra diversion plan was not a part of the Indian agenda during the last Joint River Commission (JRC) meeting held in Dhaka in January 2001, although the two nations agreed to discuss and resolve water- sharing- issues in the JRC while the bilateral body was formed in 1972. The commissioning of the Farakka barrage by India in 1974 mangled the JRC's efficacy for years. But Dhaka is learnt to have prepared to raise the Brahmaputra ssue in the next JRC meeting to be held in New Delhi on September 29-

The Brahmaputra diversion project is a brainchild of the Indian National Water Development Agency. The agency maintains that the diverted waters will be used to irrigate 135,000 square miles of armland as well as to produce 34,000 megawatts of hydroelectricity. Given that the construction of large dams to divert natural flows of waters has often resulted in massive collateral damages elsewhere n the world--including in the Farakka-- the project has already drawn flakes from the civil society, media and environmental groups of both the countries. It thus has the smell of a new crisis in the offing.

#### Dissecting a dispute

In the past, Dhaka and Delhi have had rare meetings of mind with respect to water dispute settlement. The constitution of the JRC aside, the Prime Ministers of India and Bangladesh acknowledged in their

joint declaration of May 16, 1974 that shortage of waters during the dry season does impact negatively the navigability of the Kolkata port and the water-based civilization of Bangladesh, River demarcation too was agreed in 1974, but left undecided due to the international law's recognition of the mid-stream of bordering rivers as standard international boundary.

Dhaka also thought the adverse impact of the Farakka barrage on Bangladesh had been recognised by India due to the commissioning of three consecutive studies by the two governments since 1977 (1977,83 and 85) to discuss modalities in

1970s, Dhaka even carried the

Ever since, enough waters flew

through the Ganges and the

Brahmaputra. The Indian gain from

the Farakka, in the first place, remains

marred in controversy as yet and the

costly barrage stands tall as an idvllic

piece of engineering ingenuity. Stud-

ies show it had done precious little to

improve the expected navigability of

the Bhagirathi and Hoogli rivers. The

navigability of the Kolkata port too had

In Bangladesh, the Farakka

decreased further over the decades.

barrage has been protested,

derided and often blamed for the ills

caused by water shortfall in the

Ganges and its tributaries during

every dry season. Particularly over

the last few years, people and the

intelligentsia from the Indian Bengal

had shown more empathy with

Bangladesh's concerns as the intra-

state rivalry for waters inside India

life and death due to the Ganges

and the Brahmaputra accounting for

The issue hinges on the margin of

intensified.

Farakka dispute to the UN.

80% of water inflow of Bangladesh. And, the dependence of more than 80% of Bangladesh's 20 million rice these two international rivers made it hard for our farmers to dispense with the shortage of water so badly

## Their success, our sor-

The Brahmaputra diversion plan is a mega project worth about US\$40 to largest and most expensive water

presumed to be monumental. Initial estimate reveals it will flood more than 3.000 square miles of land and displace 3 million people off their ancestral land

### Regional dimension

Of the 53 rivers that traverse through India into Bangladesh, only the Ganges waters are governed by a bilateral treaty signed on December 12, 1996. The treaty is valid for 30 years and it contains a mechanism to share waters during the dry season covering January 1 to May 31. 37% of Bangladesh's total land and 33% of its population are totally dependent on the Ganges waters alone. India had treated us badly inside India. The damage to Bangladesh thus occurred in a new front: loss of territory to India along the banks of the Muhri and some other

#### Rivers have laws

Sovereign nations have the right to shape their geographic features, excepting water bodies that transcend national boundaries and impact upon the lives of co-basin inhabitants. The Brahmaputra traverses 2900 km over 606,000 sq. km. land of China, Bhutan, India and

Viewed from this standpoint, few rivers in the world would qualify as internationally as does the

Brahmaputra waters. A multilateral approach is hence more befitting if the Indian need for diversion is deemed as so acute. Setting up of joint river basin commission may also be contemplated to avoid any clash of interests of the co-basin beneficiaries.

#### Law and precedents

Then, there are existing laws, customs and precedents that nations must comply with to resolve disputes arising out of any water- sharing scheme. A 1925 treaty between Norway and Finland reads, ' no measures may be taken in the territory of the contracting states which, to the detriment of the other states without their consent, might involve changes in the natural regime of the latter's waterways.' The boundary water treaties between the US and Canada follow similar quidelines and customs

The Salzburg Resolution of the Institute of International Laws (1961) states that 'the right of a sovereign state to use the waters of a shared river is limited by the right of utilization of other states interested in the same water. 'As well, the Helsinki rules of 1967 and the International law commission's second report of 1986 prohibit coriparian states from altering the flow of international waters. Helsinki Rule also talks of equitable appor-

tionment of beneficial uses. The general commentary of International Law Association (ILA) states, any use of water by a basin state whether upper or lower, that denies an equitable sharing of uses by a co-basin state, conflicts with the community of interests of all basin states.

Dhaka must hasten to make an official proposition to India invoking such legal guidelines and India must seek collaborations from the beneficiaries of the Brahmaputra waterincluding China and Bhutan--to undertake a multilateral project that would cater for the rightful interests of all the parties.

Author and columnist M. Shahidul Islam is a senio

## growers on waters flowing from

needed to subsist and survive.

rows

125 billion. It will take at least 14 years to implement, making it the project in the world. The World Bank likely to collaborate with the

undertake a multilateral project that would cater for the rightful interests of all the parties. sharing common waters. Amid the project, according to reports. If with the Ganges waters until the last 'changed' political ambience in the implemented, it might bring some

Dhaka must hasten to make an official proposition to India invoking such legal guidelines and India must

seek collaborations from the beneficiaries of the Brahmaputra water--including China and Bhutan--to

existing sorrows. For nearly three decades, the flow of the Ganges was much less than what we needed and deserved. The Brahmaputra's diversion will withdraw waters from the mainstream to the hundreds of reservoirs and a 600 miles long canal. It will divert up to one third of the flow of the Brahmaputra and the other common rivers toward southern India. Figuratively, the total amount to be diverted is 173 billion cubic metres a vear: which will be consumed by Indian states of Uttar

success to India but will add to our

Pradesh and Karnataka. Given that the diversion would redraw the hydrological map of the region and have immense ecological and social consequences, it might degenerate into a major bone of contention in an era of enhanced economic and political collaborations. Experts opine that the project would endanger the agro-based life of about 100 million people in Bangladesh by impacting upon their ivelihood in a demonic manner.

The impact of it within India too is

accord. We're hardly ready to receive a similar treatment respect to the Brahmaputra. Water sharing disputes had

unleashed major conflicts in many regions of the world. Nations even went to war to ensure equitable supply of waters from the upstream; lying beyond geographic boundary. Mindful of such consequences, India and Pakistan signed the Indus water treaty in 1960 to stipulate the rights and obligations of the two countries with regard to the use of the Indus waters. In our case, the first Ganges water treaty of 1977 had sailed through rough waters. Meanwhile, India's water management strategy had included construction of a number of groin and embankment in many bordering

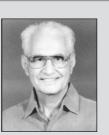
This led to the drift of waters in many Bangladesh rivers away from the natural stream, including in the Muhri of Feni, Kushiara of Sylhet, and Ichamoti of Satkhira. The Muhuri border is not yet marked, but the river had burst its banks and created islands, which had fallen

Brahmaputra. International laws also treat rivers in two broad categories. Rivers passing successively through or between the territories of two or more states are called 'successive rivers'. And, rivers running along the territorial boundaries of two or more states are called 'contiguous rivers.

The Brahmaputra is a successive river while our bordering rivers like the Muhuri are contiguous. Any dispute relating to both the categories can be resolved by complying with the provisions of international laws. Law requires disputant states to negotiate in good faith, failing in which the matter may be brought to the UN's attention pursuant to Article 33 of the UN Charter, Bangladesh tried this particular course of action in the late 1970s when the water dispute was brought to the attention of the UN.

Hence, the lawful rights and interests of co-basin states must be recognised by India in devising any water development plan to divert the Brahmaputra waters. China, Bhutan and Bangladesh deserve, as legitimate parties, to partake in any

## A pessimist does his duty



M B NAQVI

IVII societies of both India engaged.

dental differences Wide popular desire for peace and better relations, with more exchanges, is now well established on both sides; not point in overemphasising it. It should now be a given one. There is however no sign that

any government is actually moving the direction of reforging the 'normal' ties. Pakistani authorities have managed to explain that by normalisation they mean the state of relations that obtained on Dec 12, 2001 -- a day before the attack on Indian Parliament. There is no thought of going back any further. The Indian government seems to

Look at the record of hard work the two bureaucracies have put in since April 18 last. Positive achieveplaced: it hopes to raise the Ram Mandir issue and hopes to win 2004 Vajpayee's, it is hoped, occasional votes. Indian establishment is in the

out, explained and sold first of all to

A more hard-nosed, if not cynical, explanation of the situation is that both Pakistan and India are horses that have been taken to the water but are not drinking it the way the third party expected --- or perhaps it foresaw how they would behave. Both are going through the motions of trying to achieve normalisation, with obvious spiritual listlessness. At this rate, it will be hard for the two sides to manage the attendance of

Insofar as Islamabad is concerned, it has all but returned to the core issue of Kashmir receiving more urgent attention, though other issues might be discussed simultaneously -- as a concession. It is still Kashmir first and last. If it does not get any satisfaction on Kashmir, it will be happy not to make any progress on other issues, including trade if it can help it. This is a prescription to stay deadlocked with India all along the line. That does not worry

anything? It suits India to terrorise most Kashmiris. Pakistan should cooperate with India in ending gunfires in Kashmir. Let politics be relied upon in a growing democratic ambiance in Pakistan, India and Kashmir. Let Pakistan allow India's liberals and human rights activists to strive for making the political rights of Kashmiris real. Whatever progress the Kashmiris make in asserting their human rights, it will have to be with the consent of the Indians.

#### If so, Pakistan's course should be aimed at genuine reconciliation and friendship with India with view to (a) enabling Indian democracy to extend and be more than skin deep, and (b) let's embark on a course of true democratisation at home and strip the Army of its political privileges. Let Kashmir's emancipation, as also of Pakistanis and disad taged Indians, be the common task of the peoples of India and Pakistan. It far more unites the Pakistanis with the Indians than divides them and let a free Kashmir be a bridge between them. Europe has shown that political boundaries and traditional sovereignties can be preserved while making the inter state friendship

deep as possible. One is here indicating an alternative line of thought. This is a course at 180 degrees to what Pakistanis have fruitlessly pursued; any futile insistence on no change in the course of action will be costly, the least of which will be continued backwardness and poverty of the masses. All alternaive lines of thought point to better relations with neighbours, regional cooperation and less ardour in serving the sole superpower as an imperative, irrespective of where India may be going. If necessary a policy of peace and friendship can be imposed on India. But a lot of hurdles that litter this road to peace will have to be removed, some of which, like the nukes, are huge.

and cooperation as extensive and

MB Naqvi is a leading columist in Pakistan.



and Pakistan spoke loudly and clearly in Islamabad on August 10 and 11. They want an end to the sorry chapter of mistrust and conflict that describes the history of last 56 years. True, many are not onboard: they include the two concerned governments and even more importantly the civil and military establishments that write the agenda for the governments. These establishments are powerful vested interests that thrive on the cold war and arms races that the two countries have constantly been

These vested interests are not driven by political commitments. It needs to be investigated how the vast expenditures of unending arms race enrich the top layers of civil and military bureaucracy in Pakistan and top rank political leaders and bureaucracy in India, both civil and military. Ever attended a lavish dinner by an arms manufacturer's local representative and have you noted how the star of the evening was an important general? Among the invitees would be his friends and former colleagues, with more than a sprinkling of journalists who write on security matters. That is a minor facet of lobbying which in later stages graduates into private sessions where details are settled including who gets what with inci-

have accepted this willingly enough.

polls. There is perhaps some doubt about the incumbency factor. If the delphic pronouncements about making friends with Pakistan look like bearing fruit, there will be the statesman-like image of the next Prime Minister that will garner new happy position of not being pushed by the present situation and if it can gain anything on trade relations with

# PLAIN WORDS

All alternative lines of thought point to better relations with neighbours, regional cooperation and less ardour in serving the sole superpower as an imperative, irrespective of where India may be going. If necessary a policy of peace and friendship can be imposed on India. But a lot of hurdles that litter this road to peace will have to be removed, some of which, like the nukes, are huge.

ments are (a) reappointment of ambassadors; (b) some visas to each other; (c) release of imprisoned seamen on either side who should not have been jailed; (d) the resumption of bus service. Talks about air links are to begin 131 days after Vajpayee's initiative. Rail link between Lahore and Delhi is still not on the horizon despite the statements some months ago that both railway systems were ready to resume service. There is no mention of sea link between Karachi and Bombay or rail link between Sindh and Raiasthan which will help and facilitate a majority of inter state travellers. Mighty hard work, you would say.

The conclusion is obvious. Both governments are happy with things as they are. Their politics has flourished during the cultural and political standoff. And one is not talking of last 20 months alone. Military rule is so much the stronger and more entrenched by the military confrontation of 2002. Insofar as BJP Government is concerned, who does not know how it flourishes luxuriously on unfriendly references to Muslims and Pakistan. The party is well

Pakistan, it will be good too. One does not know what drove

Mr. Vajpayee to make the second

peace effort in April last. He is certainly an astute politician who has to win the general election next year. But he is also aging. He might well have a vision for his India in which reconciliation with Pakistan might play central role. No one should dismiss his initiative as being tactical or mainly election-related. One does not know him. One will therefore confine oneself to just one view that he is a wilv politician trying to achieve his return to power. One does not deny there might be a genuine desire to befriend Pakistan for the greater glory of India. Nor should Pakistanis sneer: so long as his is not a clever-by-half scheme simply to get something from Pakistan without giving equal value, there should be no quarrel with how much greatness he wants for India. In partnership with Pakistan, India's greatness will add to former's own greatness. Let's keep our minds open regarding this possibility; as of now it is no more than a theoretical possibility. After all, Mr. Vajpayee's vision, if any, needs to be worked Mr. Vajpayee in SAARC's Islamabad summit. It would be odd if the rail and air links are still being discussed and modalities agreed while Mr. Vajpayee arrives in Islamabad on Jan 3rd and 4th. Not that he is likely to travel by rail or take a PIA or IA flight; government leaders have fleets of aircraft to

choose from. It is to be conceded that speed of normalisation can scarcely be faster than what a particular government's core constituency will tolerate. But governments know a thing or two about manufacturing consent and consensus, if they so like. That's just the point: 'if they so like'. There is far too scanty evidence that Islamabad, or for that matter New Delhi, is anxious to take quick actions in pursuit of the limited normalisation of Dec 12, 2001. There is absolutely no thought of a genuine friendship inside the governments; not many people in authority want to go beyond that limited normalisation. Their ideas about what is needed or should be desired does not include a people-to-people reconciliation with a view to revamping the budget-making priorities in both counIslamahad But it should -- and because of Kashmir itself. One advances two major propo-

sitions: Kashmir cannot be wrested from India by military means. The second is Pakistan cannot always remain a garrison state, ready every minute to fight. It is totally pointless. If Kashmir has no military solution, Pakistanis should turn their attention to other matters: trade, regional cooperation, education, especially of females, health and transferring funds from defence to civilian sectors. These things are objectives in themselves and not a means of improving the bargaining position. By behaving normally and achieving universal matriculation level education -- vocational and technological and attacking poverty frontally, Pakistan will not be obliging anyone

but itself. If Kashmir is not to be had by the war fighting readiness of Pakistan's armed forces, let there be new thinking about how else can Pakistan make progress in the objective of enabling the Kashmiris to win their right of self-determination. Ask whether little guns in the hands of Kashmiri youth have achieved

## 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.

## A request to the **Education Minister**

I would like to draw attention to the fact that the college students (HSC) of the English medium are suffering from the lack of English books. The HSC syllabus is vast and they need to translate all the subjects from Bengali to English and that is a very difficult task. The terms of Physics, Chemistry and Biology are in Bengali and they are bound to read the Bengali books. Where there are several Bengali books for each subject, there is not a single book in English on these subjects. It has been five years since the system (HSC in English medium) has started, but it is a matter of great

publish English books. As a result these students are lagging behind in the competition. The HSC exam is a very important one So I request the education minister to intervene in the matter and take measures to help the students. AAfroz, Dhaka

regret that no step has been taken to

**UN farce** Preposterous and outrageous, the

way some people talk! Occupation has been given the name 'reconstruction' in Iraq.

Kofi Annan says the UN people were targeted in Baghdad 'without provocation'. True, no sane person can enjoy the violent death of oth-

them to be there? And what is 'provocation' by the way? How did Kofi Annan's UN react when the weapons inspectors begged again and again to be allowed to continue their AKM Mohiuddin, Lalmatia, Dhaka

ers. But the question is who asked

Might is right

The US considers it as the utmost authority and is continuing its process of aggression in Iraq in the name of peacekeeping. But they are just playing with fire. And they are only trying to legalise their activities.

The UN members could raise their voice against this aggression. And we all expected that they would

realise that it is high time to stop all kinds of aggression. Otherwise it will be too late. Saumitra Sarder Piklu LLB, Final Year, Jagannath Hall, DU

But they did not. I hope they will

Finally a hope for justice After five long agonising years we finally heard that a verdict will be

Shazneen rape and murder case. Most of us who have been following the case have been aghast at the delay and counter delay that has taken place over the last five years. One wonders why and how an

given on September 2, on the

apparently open case, where the guilty confessed to the crime could take so long. However, we are very pleased that even if late, the conclusion is near and hope that justice will be done. This case has brought into focus many factors related to the vulnerability of our young girls. Such as: young girls lack the minimum security and are not safe even in their own homes. We have also learned that getting justice is extremely difficult and that some serious reforms are needed in our justice system. The lack of a system of quick disposal of cases of rape and violence against girls and women has given the perpetrators a sense of immunity. Violence contin-

ues unabated with most of us watching helplessly. Just today's newspaper (August 25)reports at least four cases of either rape or murder of young girls. Adding to this horror are reports that while the victim is punished (The Daily Star on page 8) by being threatened or even flogged the perpetrators walk about freely and with impunity.

There are certain cases out of many that draws the attention of the entire nation. Shazneen is one such case. This is perhaps because of the age and the innocence of the victim. Perhaps because it feels so wrong, so unfair and unjust and also because of the feeling that this could have happened to anyone of us.

That is why as a mother of a 15 year old I want the protection of our girl children. One way of doing this would be to expedite all pending cases of similar nature so that justice is done and real culprits are given their due punishment. Shabnam Hossain

Gulshan, Dhaka

## Freedom fighters and terrorists

It is clear that Mr. Elahi (letter, DS August 24)supports the UK-US coalition and their invasion of Irag. When the coalition forces killed innocent Iraqi people, specifically Iraqi children and women, then he did not say anything. But as now the

rights and are trying to get rid of subjugation from the so-called democratic countries, Mr. Elahi is claiming that Saddam's supporters are trying to regain power. Actually who are terrorists, the Iraqi people or UK-US led coalition force? Have Iraqi people no right to fight with the real trrorists who come only for Iraqi If people of any country fight for freedom, would they become terror-

ists? If so, then Bangladeshi people

Iraqi people are struggling for their

are also terrorists because they fought for freedom in 1971. Right? Will Mr. Elahi tell us? Mamunur Rashid

Premier Cement, Dhaka