

Israel committing war crimes

Say no to military adventurism

By accusing Israel's latest military atrocities in Lebanon as war crimes, Amnesty International has said something that the saner people of the world have been saying from day one. In the report - "Deliberate destruction or 'collateral damage'?" Israeli attacks against civilian infrastructure", the London-based human rights group said that the Israeli army and airforce had deliberately targeted civilian infrastructure in the name of attacking Hezbollah militia hideouts inside the country, thereby causing wanton destruction of property and loss of civilian lives, including that of numerous children. We are appalled to find out from the report that, "There was an Israeli policy of deliberate destruction of non-military targets. Israel's assertion that the attacks on the infrastructure were lawful is manifestly wrong."

We understand the human rights group started its research into the nature of the attacks right from the beginning and collected information and relevant images from all possible authentic sources before concluding that many of the violations, both indiscriminate and disproportionate, fall within the category of war crimes. In support of the accusation, the think tanks pointed at the extensive destruction of power and water plants as well as transport system essential for food and other humanitarian relief. This they claimed was an integral part of a military strategy.

The worst part of the sordid story is, despite vivid satellite images and media coverage of the destroyed buildings and human loss that flooded the world media channels from the very outset, Israel's killing machine did not show any intention to stop its rampage. It went on and on dropping lethal bombs on residential areas and pounding villages with artillery shells, all in the name of fighting an enemy that was perhaps microscopic when compared with the size of Israeli military. If such deliberate destruction and killings do not meet the definition of war crime then what does?

We fail to comprehend how long-lasting peace in the Middle-East can be ensured with a trigger-happy Israeli military continuing to bully its neighbours. The superpowers must make its leaders appreciate the potential of peaceful coexistence for the holistic development of the entire region.

Minimum salary for RMG workers

It brooks no delay to be fixed

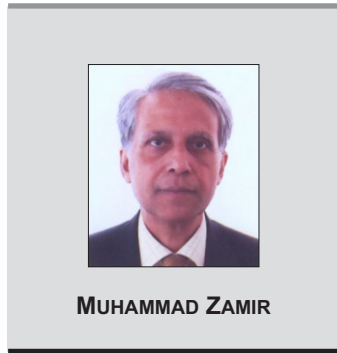
THE leaders of the garment workers at a discussion meeting held recently has threatened to resume agitation if their demand for fixing Tk 3000 as the minimum monthly wage is not finalised soonest. The existing basic salary for a garment worker is Tk.900, which has been in vogue since 1989. Considering the unprecedented rise in the prices of essentials and the sheer decline in money value over the years, the demand of the workers seems not only rational but justified.

On the other hand, we find that the rationale so far produced by the owners against fixing the minimum wage at Tk 3000 is not only inadequate but also extremely unclear. One of the reasons cited by the owners that 75 percent of the factories will have to be closed down should the minimum wage be fixed at Tk.3000, appears to be an excuse because the point remains unelaborated. To us it appears that there is a missing link, and that too a weak one, in the logic being produced by the owners and their representatives. It is common knowledge that many of the factories that are today categorised as sick are the products of the negligence and mismanagement by the owners.

On the contrary, it is much to the credit of workers that they continued to work under debilitating conditions for over a decade. For long the owners have reaped extraordinary profits by grossly neglecting the very basic rights of their workers.

It is also not understandable as to why the owners are dragging their feet in implementing the other conditions as already agreed upon and provided for in the tripartite agreement signed between the BGMA, leaders of the garment workers and the administration nearly three months ago following the major outbreak of agitation staged by the workers. This clearly demonstrates a lack of will and commitment on the part of the owners in particular to resolve this crisis any time soon.

We strongly feel that the owners should sit down with the relevant government authorities and the leaders of the workers once again and once for all resolve this frightfully contentious issue of national interest. It will not be out of place to mention that alongside the country as a whole there is much at stake here for the owners too and hence failure to resolve this crisis in the RMG sector is not an option.



MUHAMMAD ZAMIR

SECURITY Sector Reforms is a topic that has remained controversial. Although it has not been embraced by all donor states, yet, it is seen by some recipient countries as a vehicle for imposing Western values. Nevertheless, special focus is being attached to this issue, in the current international scenario, because an unreformed security sector is considered as a major obstacle to sustainable peace and reform. It is also being recognised that this must be part of a holistic approach towards peace-building, in addition to the establishing of rule of law and economic reform.

This factor is therefore being emphasised by international organisations and Western donor countries that have begun to "mainstream" peacebuilding in their external policies. Similarly, the United Nations has also reinforced its capacity by establishing a Peacebuilding Commission.

The international community has had a long history of engaging in post-conflict peacebuilding but efforts directed towards Security Sector Reform (SSR) have been relatively new. This posture is based on the belief that SSR should now be a central focus in applying the principles of accountability, transparency and the rule of law.

I believe that global security has become increasingly "collective, cooperative and multifaceted." Holistic solutions are

needed, where the UN, as a global player can play a more integrated role with regional groupings in peacebuilding.

Last year, there were 17 major armed conflicts in 16 different places, all of them "intra-state" conflicts. Against this backdrop, the demands for the international community to act have increased dramatically. Re-establishing a stable and secure peace is the aim -- not just the cessation of

stay for the long haul. A long-term coherent approach is required to make SSR work. The UN's Peacebuilding Commission will help to develop this.

In this regard, the launch of the Peacebuilding Commission has been one of the most significant outcomes of last September's UN World Summit. It now provides the framework for coordinated action, including with civil society -- whose contribution in developing

such a framework and improving security sector governance. One can only comment that it will be an ambitious goal, given the diverse and complex nature of the 191-strong membership of the UN. It might however be useful for Slovakia to rely on Article 54 of the UN Charter which emphasises the importance of regional organisations for maintaining global peace and security, given the regional dimensions of many current con-

when the latest EU Summit in June, under the Austrian Presidency, indicated that security was a precondition for development. It asserted that SSR could also be an important "toolkit" in European Security and Defence Policy (ESDP) missions by providing a series of achievable objectives, and engaging local actors with EU initiatives by allowing them to serve in advisory and mentoring roles on the ground.

The international community has been involved with SSR efforts for quite some time. It has figured not only in Haiti, Afghanistan, East Timor, Iraq, and Democratic Republic of Congo but also earlier in the Balkans.

SSR has been a key tool for assisting with the transition from conflict to peace. It requires long-term engagement, but the international community has often suffered from 'engagement fatigue,' as happened in East Timor, where it moved out before the job was done. We have recently seen the unfortunate effect of such withdrawal in East Timor. Contrary to Bosnia, Sierra Leone or Kosovo, the military role was not widened in the post-conflict mission in East Timor and the Democratic Republic of the Congo. It did not go beyond securing the environment, and did not deal with traditionally non-military areas such as the fight against organised crime and healing the ethnic divide. We have seen the unraveling of East Timor and persistent trouble in the DR Congo as a consequence.

Bangladesh, presently the largest contributor to the UN Peacekeeping Forces, has been elected to the newly established 31-member UN Peacebuilding Commission. I believe that we will have an important role to play within this Commission.

I have written this article today from that context, I can only hope that our Ministry of Foreign Affairs in conjunction with our Ministry of Defence and the Bangladesh Institute of International and Strategic Studies (BISS) will take suitable steps and start their homework in this regard. We should be ready to provide to the relevant authorities in the United Nations and to the Security Council the necessary support and guidance.

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POST BREAKFAST

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hostilities, but also the dynamic management of human, political and economic development.

SSR is now used to describe a range of activities, from development assistance and security policy to democratic reform. The concept is driven by recognition that an unreformed security sector is a major obstacle to sustainable peace.

In this context, it would be useful to highlight that peacebuilding generally involves three principles:

1. Local ownership: SSR initiatives must engage with the local community, using NGOs and individuals as bridges between governments and people.
2. Context is everything: There is no generic SSR model. It has to be adapted to local needs, respecting cultural patterns and engaging with recognised traditional sources of authority, where appropriate.
3. Cooperation and coordination: Effective SSR is a long-term job and those involved have to

SSR has, in some cases, exceeded that of government bodies and academia, and should be more fully exploited.

Within the UN system, SSR has gained in relevance and effectiveness. It is now considered an essential element in any stabilisation process. The Security Council has also highlighted the need for adequate attention to be paid to SSR in future, drawing on best practice. Consequently, the UN Secretariat is currently establishing a Peacebuilding Capacity Inventory.

These steps demonstrate that SSR is very much on the UN agenda and it is in a position to develop the necessary "holistic" approach to peacebuilding. However there still appears to be no common understanding, and even less, a comprehensive policy framework, to guide SSR programmes.

Slovakia, the forthcoming Security Council President, has pledged to use its Presidency to lead UN discussions on develop-

ments. Their expertise and resources could make them particularly valuable partners.

For example, the new Organisation for Economic Cooperation and Development (OECD) guidelines for SSR could be useful. It correctly stresses that local ownership is crucial for success. Multilateral organisations, in my opinion, would be better placed than individual states to support SSR because of their more transparent nature and also their ability with regard to capacity-building.

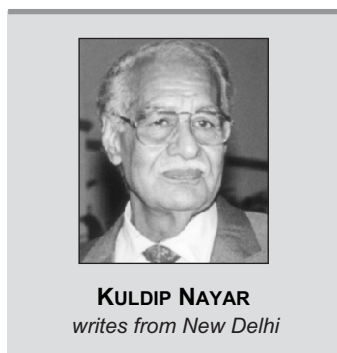
The relative importance of SSR within the EU Agenda has underlined this aspect. There is consensus within the EU that SSR has to be an increasing component of its dialogue with third countries. Elements of what is now considered SSR (e.g. rule of law, governance support and human rights) are not new to the Union, and are now being used as standards to help third countries align themselves with the EU.

As such, it was not surprising,

This was agreed upon because a consensus surfaced that a "holistic approach" was needed (which should include components like strengthening civil society, disarming, demobilising and reintegrating ex-combatants). This was a positive step in the right direction.

Lord Ashdown, former EU Special Representative in Bosnia and Herzegovina, has come out in support of this idea and recently stressed that more thought must be given to the widening of the scope of the "holistic" approach being recommended for SSR and peacebuilding. He has also brought up three other important elements -- the reform of police and judicial system in post-conflict regions, the creation of employment opportunities and reducing factors that can generate corruption (for example, decisions with regard to customs duties). This approach appears to be most suitable and probably needs to be followed more vigorously, particularly in Afghanistan and Iraq.

A disappointing judgment



KULDIP NAYYAR
writes from New Delhi

It is a disappointing judgment, although the Supreme Court has taken five months to finalise it. Probably, the word 'perverse' is more apt because the five-judge bench has opposed what is wanted, reasonable or required.

True, the court has upheld the parliament law which has done away with the residential qualification for a member of the Rajya Sabha (the upper house) and which has introduced open ballot in place of secrecy in voting. But in the process, the court has changed the very complexion of the Rajya Sabha. The house does not have to have members who ordinarily reside in particular states. The Rajya Sabha is no more the Council of States but a council of freelancers from anywhere, with little link with the state which is returning them through its assembly.

The constitution framers were particular about the link, a meaningful tie. Former President R Venkataraman, who was a member of the constituent assembly, recalled that Dr B.R. Ambedkar,

who piloted the constitution, clarified that a candidate to the council of states should be a resident of the state concerned, but a candidate to the House of People needs to reside only in any parliamentary constituency. The Supreme Court sees no merit in the elected member being from the state "because the electorate that is electing him is required by law to do so." It is a strange argument to justify the election of an

even ordinary residents? The Supreme Court feels satisfied as long as the representatives to the council of states are "citizens of the country." If there is no residential qualification, logically all the 250 Rajya Sabha members, excluding the 12 nominated ones, can not only be from one state but from one city. Surely, the Supreme Court would not want that. There is no option to the domicile requirement.

when it says that right to elect "is neither a fundamental right nor a common law right, but pure and simple, a statutory right and not a constitutional right." At the same time, the court says that right to elect is fundamental to democracy. I find the two contentions contradictory. How does a country stay democratic if right to elect is not something basic or fundamental? That right differentiates democracy from dictatorship. It

racy. Even the constitution provides, under Article 19(1) (a), the freedom of expression. The Supreme Court has depended on the argument that political parties find it difficult to stop corruption in secret ballot. The open ballot will change the mode. Money will go to the leader, not to a member. How is the open ballot more transparent when a political boss has ordered who will vote for whom? But then the court is more concerned with the discipline within a political party than the norms of a free and fair voting. The Supreme Court's plea for open ballot system has made a mockery of guarantees, given in all the international covenants, that the voting will be through secret ballot.

It is sad that the Supreme Court judgment has opened the doors to the Rajya Sabha to money bags, the mafia or the unwanted. The house will be a hunting ground for those who have clout, or deep pockets. Political bosses are now free to bring their favourites from any nook or corner of India. The constitution had laid down that only 12 members will be nominated to the Rajya Sabha. Now the whole house will be nominated by political masters.

BETWEEN THE LINES

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outsider. The point at issue is not who can be elected but who can represent the state. Obviously, a person who normally lives in the state should be preferred to a freelancer. The first is familiar with the state's culture, problems and its aspirations. The second has an address in the state and may not know even its language.

Take the case of Karnataka and Tamil Nadu. The two states have a running dispute over water. Will a person who is a resident of Karnataka represent the state's interest better or the one who belongs to Tamil Nadu but has been sent by Karnataka to the Rajya Sabha? That is the reason

The Supreme Court's argument that federation is not territory related takes the cake. A federation is a formation of a political unit out of a number of separate states, or districts, which retain control of their own internal affairs. The key words are: separate states controlling their own internal interests. The entire justification of a state goes if it does not have its own people, sons of the soil, their own ethos. How do freelancers constitute a state? Agreed that "the residence is neither a constitutional factor nor a constitutional requirement," but who embodies the state, definitely not those who are not

The Supreme Court's new title of "revising house" for the Rajya Sabha brings down its status and stature. The Rajya Sabha is an independent house, with its own duties and obligations. Its role is not secondary to that of the Lok Sabha. All bills, except the ones relating to money, can be introduced in the Rajya Sabha. In that case, the Lok Sabha becomes a revising house. In matters concerning the state, the Rajya Sabha comes first. All questions relating to the central services, and the like, are initiated in the Rajya Sabha. It is second to none. I express my inability to make out what the Supreme Court means

cannot be anything else except fundamental if the society is to function freely.

The Supreme Court is weakest in its argument when it defends open ballot in place of the right of secrecy of voters. It says that "the right to vote in secrecy is not correct since the constitution has itself, provided for elections by secret ballot where it thought it fit to do so." In a democratic structure, the constitution does not have to spell out where the ballot will be secret. It is understood that the voting to the elected positions will be secret. Open ballot offends the conduct of free and fair election, a basic feature of democ-

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True, the Supreme Court has dismissed my petition but my point has many takers. My view is a challenge to the intelligentsia and future generations which, I believe, will correct the error which the court has committed. The Supreme Court is final but not infallible.

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OPINION

State of economy and an unfortunate episode

KAZI ALAUDDIN AHMED

BECCARS cannot be choosers" is a very common observation popular with the affluent thriving mostly on easy money. This phrase has, of course, a tinge of sarcasm aimed at the poorer class of people in the society who can ill-afford the luxury of a better living and yet try to be choosy at times. When such a phenomenon pervades the entire national perspective it is all the more pitiable. We may recall that decades ago US Secretary of State, Henry Kissinger, described Bangladesh as a "bottomless basket." Indeed that rude, uncouth and ruthlessly negative reflection was in itself a terrible blow to our aspirations. To firmly belie such an uncharitable statement our national political leadership had to draw up a comprehensive plan for rapid economic

development. It had also to find a way to undo the damage already done. But unfortunately, at that point of time our own resources had already been utterly depleted.

The process started off in a half-hearted manner because of lack of internal resources. The political situation within the country continued to be fluid for quite sometime since the gruesome murder of Bangabandhu Sheikh Mujibur Rahman and other leaders. It demanded a stable government that could ensure foreign investment. In less than six years President Ziaur Rahman was also killed by some disgruntled army men. Ziaur Rahman replaced temporarily by Justice Sattar. The Army Chief, during and after Zia, General Ershad took over power in March, 1982. He ruled the country for nine years, approximately, and was eventually overthrown on

grounds of corruption, moral turpitude, oppression, repression, murder of civilians and umpteen other vices.

Throughout this one and a half decades, from August 1975 (15 August to be precise) to the end of 1990, the economy of the country limped on. Nevertheless, we saw the emergence of quite a big number of the neo-rich awaiting the opportunity for fruitful investment in the industrial, commercial and service sectors. Some of them new used their own contacts abroad for joint collaboration in setting up industries. Yet many opted for readymade garments and knitwear industries, based on imported fabrics, for ultimate export to Europe and America and to the Middle Eastern countries. Since the first phase of a democratically elected parliament under a neutral caretaker government, in 1991, till now, despite much political

unrest and bombing incursion of a group of religious extremists, the overall economic situation of the country has not been bad enough to cause despair. We can find a corroboration of this statement from the ever-rising interest of foreign investors to make substantial investment in different sectors here.

Against the backdrop of the aforesaid scenario we have got to make a dispassionate appreciation of the most vital, and catalytic, role that the Board of Investment (BOI) can play. From an organisational point of view its control by the Prime Minister's Secretariat has been a real handicap. This may be abandoned in favour of a fully autonomous entity to be more proactive. The role of the Board of Investment can be very much identified with the effective role that its chief, the Executive Chairman actually plays. The

present incumbent, Mr Mahmudur Rahman, was not selected from the typical bureaucracy. He is a product of the private sector having a proven record of success.

It is known to have been his personal initiative that fetched us a very big proposal for investment. Likewise, he was instrumental in attracting a good many potential investors for registering with BOI. Many of them were not ultimately successful, yet his own efforts cannot be underestimated. The failure cannot be solely his, rather it is also of the policy/decision makers.

That's how he was recently caught off guard by an investigative report made by the Centre for Policy Dialogue (CPD). This report was claimed to have been made on the basis of numerous data provided by Bangladesh Bank, World Economic Forum,

and research findings. The BOI Chief was evidently very upset and bitterly annoyed. He took the CPD revelation as a deliberate, and purposeful, attempt at slandering the 'image' of the present government. As a technocrat incumbent, for all practical purposes, it would have been better for him to refrain from being so overtly impulsive. Even if he was right in the logical sense, putting in his own arguments, he damaged the otherwise respectful 'image' that he had built about himself. Things went to the extent of personal vilification of the CPD trustees in an uncouth manner. Even his filing a suit of defamation in the court on a 'misquoted' report was very, very, unfortunate. Yet in spite of the controversy, he must have been disappointed with the observations of some of the senior ministers. They disowned the entire pro-

ceedings as being his 'personal' matter.

Instead of allowing himself to be overtaken by a sudden emotional upsurge, it should be possible for the Executive Chairman of BOI to invite the CPD representatives for a direct dialogue on the authenticity of their research findings. That could afford a far stronger base to reject their report. It could also grant him an opportunity to pin-point CPD errors in the data, and in the process of their findings. It is our misfortune that we have been proffered a re-affirmation of the great saying "emotions are masters, intellect the servant".

In any case, the wordy exchanges between the two contesting parties have had one thing in common, that foreign investment in our country was being slowed down. And among the palpable reasons would be

our global status as the most corrupt country. Other shortcomings are the rigmarole of the bureaucratic process, indecision of the policy makers (Tata's investment proposal e.g.), terrorist activities, political unrest etc. Notwithstanding these physical hurdles everybody shall agree that the macro-economic status of the country has gained notable mobility, our industrial, agricultural and export sectors have been able to achieve sizeable growth. That does not however absolve us of our concurrent responsibility to be watchful about the threats against our national economy. None, either in the government or outside, should be allergic to the statistics-based reports and make personal invectives.

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