

Code of Conduct

It is good news that the EC-drafted 27-point code of conduct has an endorsement from all the major political parties. When the contending — often bitterly rivalrous — parties agree on the various guidelines to be followed by them for smoothly holding a free and fair election, it certainly augurs well for the democratic process. A good beginning is always welcome and makes the task so much the easier for completion. It should not, however, give a false sense that there is scope for relaxation at any point before the election is over.

The fact that all the major political parties not only gave their consent to the code of conduct but have actually contributed to its formulation, makes the code an inviolable agreement which has to be honoured. For all practical purposes, the code of conduct has become an article of trust between the political parties and the voters. The underlining point is to turn the whole election process into a rational, fair and unhindered competition.

What we need now is a public announcement from all the parties that they fully endorse the code of conduct and that they stand committed to abiding by the same. The next thing that comes in order of importance is to take effective measures by the party hierarchies to percolate this message down to the bottom of their organisations. The do's and don'ts have to be followed in their letter and spirit. Let the onus be on the parties to uphold the agreed principles and norms.

Here is a test case for the parties' commitment to democracy. The more transparent a party becomes during the electioneering, the greater endorsement by people it is expected to enjoy. A strong monitoring system must be in place to inform the people as to which party is blamable for a breach of the code of conduct, if any. That way the people will be better equipped to make their own judgement on both the parties and the candidates.

We must remember that the EC cannot solely be responsible for implementing the code. In fact, the responsibility lies fully and solely with the political parties.

Empowering the Pollsmen

Teachers drawn from various levels form the mainstay of the conduct of general elections. From no other single profession can you get so many at once and capable of doing the needful with so much fairness and competence. In any democratic nation what the teachers do at the polling centres could be a delightful diversion for them. Not so in Bangladesh. The centres often enough are taken over by pirates looting ballots and stuffing boxes with them and the centre locale do turn into war exercise zones. What are the teachers and other officials in charge of the centre supposed to do against this?

It is good that the teachers have taken their problem to Chief Adviser Muhammad Habibur Rahman and placed before him a number of very wise recommendations. Presiding officers must be duly empowered to prevent violations of their centres by gangs and to ensure smooth and unhindered voting and an atmosphere congenial to the exercise of their right. This empowerment should be made by giving them magisterial powers of arresting and summarily punishing trespassers and carriers of arms.

We support this sensible recommendation. In fact the presiding officers should be enjoined to keep the centres clear of all not discharging election duties. As things are now, the officers hardly feel bold enough to ask anyone to clear out. The empowerment and a judicious use of this should heal the centre chief of such beleaguered mentality and help him effectively preside over the day's proceedings.

But how can the presiding officers put into effect their powers without an armed posse of adequate strength? The teachers' recommendation is that elections be held on different dates in different zones to help government mobilise maximum security at all polling centers.

While it is necessary that there be enough armed personnel to ensure trouble-free polling and its follow-ups, staggering the election over different days may not at all be advisable. Results or even rumoured results of the first day of polling will tend to influence voting on the subsequent days. The chance of better mobilisation of security personnel on different days would offer a golden opportunity to parties to concentrate on smaller areas and influence voting undesirably.

The government must exhaust all of its resources, if need be, to properly man the polling centres against all kinds of violation. And this has to be done without staggering the polls.

We are happy the teachers have spoken out at the right place and at the right moment.

Meeting Forest Emergency

Mercifully the fire that raged for two days in the Sundarbans has been brought under control. Preliminary reports say that only 200 acres were burnt down and the damage is not extensive. We might count ourselves very lucky if two days' fire has caused so little damage. Hats off to the various agencies and individuals who lent their hands in this most daunting fire fighting effort.

The situation certainly could be worse and we might have ended up with a catastrophe. However, here is a warning served by this incident for us to raise the level of preparedness against a large-scale bush fire — like the ones that occur in Australia or the USA. Do we have the equipment and trained personnel in place to fight such an inferno? Certainly not. The Sundarbans spreading in the south and south-west of the country are a unique mangrove forest protecting the country from very many natural onslaughts.

The nation earns a huge income from the Sundarbans. From its annual revenue receipts let us set aside a small portion to create a fund for meeting the emergencies such as the one that we just experienced.

Foreign Policy No Substitute for Domestic Issues

by Mohiuddin Ahmed

Q UITE early in the election campaign the major political parties — particularly BNP — have focused on foreign policy issues. BNP has tried to present itself as the defender of independence and sovereignty while accusing that its opponents would sell out the country. It is a false start for there are more pressing domestic policy issues which need to be addressed by all the major political parties contesting the election. It is often said that politicians pick up foreign policy issues when they have little credibility to offer on domestic policies. For a small country like Bangladesh foreign policy is a less important issue — and whatever importance it has derives from its domestic implications. Foreign policy can be important for major powers — such as USA — which have to play a global role.

Constitutional and ideological basis of foreign policy: The fundamentals of our foreign policy are enunciated in the Constitution. Broadly these include the following principles: respect for sovereignty of other countries, peaceful settlement of international disputes, respect for international law and the principles of the UN Charter; renunciation of use of force in international relations and disarmament; right of self-determination for all peoples; and support for oppressed peoples in just struggles against imperialism, colonialism or racism. [Article 25(1)]

The above principles were incorporated in the original Constitution adopted in 1972. A new ideological element was added in 1977 aimed at promoting relations with Muslim countries. "The State shall endeavour to consolidate, preserve and strengthen fraternal relations among Muslim countries based on Islamic solidarity." [Article 25(2)]. The amendment was effected through Proclamation Order No. 1 of 1977.

Our foreign policy has evolved within these parameters. However, there are occasions when the government had to take sides in conflicts among friendly countries. For instance, in the Gulf War we took sides with Kuwait though the Constitution enjoins us on the task of consolidating and strengthening fraternal relations among Muslim countries. The ideology has to be pursued with a sense of pragmatism.

For a small country like Bangladesh foreign policy is a less important issue — and whatever importance it has derives from its domestic implications. Foreign policy can be important for major powers — such as USA — which have to play a global role

countries; Kuwait was outside the sphere of influence of USSR and close to Saudi Arabia. He visited Japan also which is currently the largest source of bilateral aid.

USA and China were against the Independence Movement of Bangladesh. They saw our movement in the context of global political hegemony. Cession of the eastern province would weaken Pakistan, a close ally of USA as well as China; newly-independent Bangladesh as a member of USSR-India sphere of influence would tilt the balance of international power against both USA and China. Relation with USA, China and Saudi Arabia did not normalise or improve until after assassination of Bangabandhu. However, the US public opinion and Democratic Party leadership showed deep sympathy for our independence movement; normalisation of relationship was only a matter of time. It is unlikely that Bangladesh would be admitted to OIC or get close with Kuwait if Saudi Arabia opposed too stubbornly.

The most significant innovation in our foreign policy in the post-Mujib period is SAARC which owes its origin to President Ziaur Rahman. It aimed at improvement of rela-

tions among the member-countries and reduce tension among them. According to many, a hidden agenda was to join together to overcome Indian influence in the region which derived from its size as well as location in the region. SAARC does not reject closer relation with India, rather it provides a new forum for enhanced relation between all member-countries including India. SAARC attains enhanced significance in the post-Cold War system of international relations. The rigid division of the Cold War into two blocs led by two super powers is being replaced by a more complex mosaic of relationship. According to Henry Kissinger — a pragmatist and believer in gun-boat diplomacy — the new international system will have at least six major powers — the United States, Europe, China, Japan, Russia, and probably India — as well as a multiplicity of

countries, removal of which would still be insignificant; more importantly, the inputs for *jamdani* excepting labour are mostly imported — perhaps some from India. On the net export of value addition is much too small relative to the magnitude and complexity of the problem.

Statesmanship and responsibility: The BNP leadership did not pick on these issues; they chose issues which are emotionally surcharged and presented them in confusing problem. They referred to threat to sovereignty of the country and the so-called treaty of slavery (*golamr chukti*), both representing sentimental aspects of the same phenomenon — i.e. threat from India and convenience of some parties or leaders to act as India's quislings. These statements raise serious questions of statesmanship and administrative responsibility.

The treaty is not easily accessible to the public. If it is a

political debate. We suggest that the following be considered for inclusion in the Code of Conduct:

First, no politician and candidate can use any information in their favour or against their opponents if they had access to it while discharging their official responsibility. This is only enforcing the rule of confidentiality which already exists. However, if the information is not secret and they want to use it, the Commission must ask the government to publish it and make it easily accessible to the public.

Secondly, if any candidate and politician infringes the confidentiality principle, they should be liable to punishment including disqualification for Parliamentary election.

Thirdly, the Commission should invoke the constitutional provision which makes people having allegiance to foreign states ineligible for membership of Parliament. [Article 66 (2)(c)]. Anyone who levels such allegation against any candidate, political party and leader in any manner explicit or implicit should be called upon to prove it; failure to prove the allegation should be made a punishable offence and render the person making the allegation ineligible for Parliamentary candidature.

Finally, public statements and speeches must conform with the foreign policy position stated in the party manifesto and election manifesto. Every political party has the right to declare the foreign policy it wants to pursue, subject to conformity with the Constitution. If its public statements are in conflict with the position stated in the manifesto, it is misleading public opinion which is contrary to responsible and transparent election campaign.

On all these scores, the Commission may issue warning to the candidates and politicians to start with; for some of the major leaders may come under the mischief of this conduct rule and election will be so much meaningless without their participation.

Khaleda Zia had been Prime Minister and Defence Minister for five years. During this period she never felt any threat to sovereignty of the country nor had to put the defence forces on alert not to speak of having them face the enemy troops. There were border skirmishes involving border forces and smuggling. These, however, cannot be construed as threats to sovereignty. If we go back further in history, there never was an occasion when the Government of Bangladesh had to deploy or even put the defence forces on alert to defend our sovereignty. Invocation of the so-called slavery treaty and threat to sovereignty lacks credibility, given the experience of the country and Begum Zia's conduct of foreign policy while in office.

There is an insidious communal dimension to this posture in regard to domestic politics. This appeals to a hard core but small group of people still trapped in the ideology of Muslim separatisms or two-nation theory based on religious belief, though it had become a historical anachronism long before its concrete repudiation by emergence of Bangladesh as an independent nation. This misconceived ideology also provided the rationale for the atrocities committed on us in 1971. The position is invidious; makes the Hindu minority feel insecure which intensifies if drummed up too much. Already, the Chaknas of the Hill Tracts are a focus of international attention for judging our treatment of the minority; the picture gets bleaker if the Hindu minority is added to the list. That explains why no political party — including Begum Zia's BNP — uses this card while in office; but out of office does not care if it can't get a few votes.

Costly mistakes in foreign policy: The pronouncements of the political parties — especially their leaders — will influence our future foreign policies. The cost of mistakes can be high. Populist campaign may win some votes, given the inadequate information and vague formulation of views. But this will also determine how much trust others can place in our leadership. It is important for political relation as much as for creating confidence in foreign investors. Begum Khaleda Zia's statements indicate a weak grasp of the sensitivity of foreign policy. Five years as Prime Minister and the high pedestal of the SAARC Chairperson made little difference to her capacity to comprehend the complexity of foreign policy issues, given a choice between crude appeal for vote and the subtlety of international relations, her political instinct tilts in favour of the former. In this context, the following read from Henry Kissinger may induce some subtlety among our contending leaders:

"There is a vast difference

between the perspective of an analyst and that of a statesman... The analyst can allot whatever time is necessary to come to a clear conclusion; the overwhelming challenge to a statesman is the pressure of time. The analyst runs no risk. If his conclusions prove wrong, he can write another treatise. The statesman is permitted only one guess; his mistakes are irretrievable." (Diplomacy, 1995, p. 27).

Less than Half a Loaf, but Something

A FTER waiting several years for US military equipment that it had already paid for, there now seems to be some light at the end of the tunnel in Pakistan's quest for actual transfer of some of the equipment to this country. After the sanctions mandated by the Pressler Amendment came into effect in 1990, successive Pakistani governments have been fighting a continuous battle to obtain 1) mainly the F16s parked in the Mojave Desert for which it had already paid \$658 million, 2) the package of equipment including P-3C Orion aircraft, Harpoon missiles, AIM-9L sidewinders, etc. for which it had already paid \$368 million, and 3) equipment of various categories worth \$284 million, the money already having been paid, but which the US government considers significant upgrade in the same manner as it does the F16s.

Sponsored by US Senator Hank Brown, the Brown Amendment was signed into law as part of the 1997 Foreign Operations Appropriations Bill. This is essentially a "Clarification of Restriction on Pakistan's that allows equipment already paid for (other than F-16s) pursuant to contracts or cases entered into before Oct 1, 1990 to be transferred to Pakistan. Sponsored by this success, something that Ambassador Ms Maleeha Lodhi can be rightly proud of, the anti-Pakistan and non-proliferation lobbies lost no time in inventing new excuses to delay deliveries. Over a 100 news items appeared in the US press in March 1998 about the alleged supply of "ring magnets" from China to Pakistan meant for use in uranium enrichment. Despite the flimsy evidence at hand, the US administration seriously considered sanctions against both China and Pakistan.

The anti-China lobby which had been militating against the "junk" to be given to the country as a sop to the critical requirement of F-16s for the Pakistan Air Force (PAF). Part of this is misconception derived from the equipment that Pakistan had sent for repairs, retrofitting and modernisation, which, in fact, can really be classified as almost junk after all these years in storage. On the other hand, the P-3C Orion aircraft is capable of acquiring targets at 150 km and launching Harpoon missiles at 120 km range, i.e. from outside the radar range of Indian naval warships, and as such an important piece of military hardware that is a must for our vastly outnumbered and outgunned Navy.

President Clinton informed Pakistan Prime Minister Ms Benazir Bhutto through US Assistant Secretary of State Robin Raphael that despite obvious "problems" he intended to implement the Brown Amendment. One should be grateful for small mercies. Pakistan should thus get delivery of a package of US military equipment that it had already paid \$368 million for, i.e. 1) 8x P-3C Orion aircraft, 2) 28x Harpoon anti-ship missiles, 3) 360x AIM-9L Sidewinder air-to-air missiles, 4) 18x C-night sighting and targeting kits for

Cobra helicopters and 5) 24xM 198 towed howitzers. For weaponry that would continue to be held captive by US because of non-proliferation sanctions mandated by Pressler, Pakistan would get a refund of \$284 million.

The US Federal Reserve Bank will release a cheque to Pakistan for \$124 million, followed in June by \$160 million or so in foreign military sales (FMS) credits. This welcome development notwithstanding, cases worth US\$ 750 million remain in dispute. Or this amount \$658 million is for F-16s and about \$60 million for spare parts, missiles, etc. for the Brooke and Garcia-class frigates earlier released to Pakistan and then later rescinded in the package allowable under the Brown Amendment.

In the package considered deliverable, \$24 million worth of night sights, etc. for the Cobra gunships are taken to be a significant military upgrade and such remain contentious equipment which may never be delivered as "junk".

The Defence Consultative Committee (DCC) of the cabinet met in full strength on April 18, 1996 to consider the action to be taken about the disputed equipment or the \$750 million amount thereof in lieu, whether to take legal action against the US in either US Courts or the International Court of Justice at The Hague. The Statute of limitations running for six years, the Pakistani establishment has been worried that it would expire in September this year if one

escalation. When Admiral Sirohey, then Chairman of JCS, was asked in 1991 whether the money he was then seeking for submarines had greater priority than other equipment on the critical list for the Armed Forces, he opted for equipment for Services other than the Navy.

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counts the period from October 1990 when the sanctions were applied. However, legal experts are of the opinion that the default on the contract took place in October 1993 when the first aircraft were due to be delivered and such we still have time till 1999 to pursue the legal option if we so choose.

The US government does not seem to have any intention of handing over the F-16s in the Mojave Desert to us but the Benazir government seems to be anxious not to embarrass President Clinton by taking the US Administration to court when he has been so forthcoming towards Pakistan, critics are of the view that there is some dark unexplained reason for not pursuing the legal option, given the advantage or logic and facts on our side.

The darker side remains very much a matter of speculation and/or speculation to support the contention that the present Government of Pakistan (GOP) has not really been interested in acquiring the F-16s. This school of thought contends that Benazir government is actually interested in purchasing Mirage-2000s at between \$80 to \$90 million per aircraft at 3 times the value of the F-16s and as such did nothing more vigorous than mere lip-service. When Mian Nawaz Sharif visited France as PM in 1992, Mirage-2000s were being touted at \$35-40 million each (fully loaded) and the steep rise to more than double of the value is said to be because of the commissions involved and not the normal

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AS I SEE IT

Ikram Sehgal writes from Karachi

Despite the many obstacles raised by powerful lobbies orchestrated by the Indians, friends of Pakistan within the US Administration and Congress have been mobilised by Ambassador Lodhi and her team to convince President Clinton that the commitment to Pakistan must be kept so as to bolster the sagging mutual relationships in a region that needs Pakistan as a moderate counter-balance.

Within Pakistan, cynics remain very vocal about the "junk" to be given to the country as a sop to the critical requirement of F-16s for the PAF. Part of this is misconception derived from the equipment that Pakistan had sent for repairs, retrofitting and modernisation, which, in fact, can really be classified as almost junk after all these years in storage. On the other hand, the P-3C Orion aircraft is capable of acquiring targets at 150 km and launching Harpoon missiles at 120 km range, i.e. from outside the radar range of Indian naval warships, and as such an important piece of military hardware that is a must for our vastly outnumbered and outgunned Navy.

While Pakistan already possesses Harpoon ship-to-ship version, the radar range of Pakistan naval platforms are about the same as for their Indian counterparts, therefore the induction of the air-to-ship version will be quite a force-multiplier for the Navy, for the PAF the sidewinder missiles air-to-air missiles, 4) 18x C-night sighting and targeting kits for

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