HE Agreement on Trade

graphical denominations, in-

dustrial designs and models

and unpatented know how or

undisclosed information). In

respect of each of these the

Agreement prescribes mini-

mum standards including the

duration of protection which

countities must provided WIPO

Conventions are recommenda-

tory. The obligations which the

WTO Agreement imposes on the

other hand are mandatory.

They accord a right to a member

country of WTO to invoke the

dispute settlement procedures if

it considers that the other coun-

try has failed to abide by its

obligations. It is important to

note in this context that the

Agreement imposes obligations

on countries to ensure not only

that the laws and regulations

are in conformity with its rules

agreement was being adopted

that its rules would require ma-

jor changes in the developing of

intellectual property regimes in

countries. The problems in

changing over to the system

would be even more serious for

the least developed countries.

For instance the Agreement's

rules governing patents, require

that patent protection for a pe-

riod of twenty years should be

available to all products. A

number of developing and least

developed countries provide for

shorter periods of protection of

pharmaceuticals and chemi-

cals. Few of them do not even

permit patent protection in

these sectors. Most of these

countries do not have systems

for the protection of plant vari-

eties and other live forms. In

other areas of intellectual prop-

erty rights, such as copyrights

It was recognised when the

but also that they are enforced.

Related Aspects of

Intellectual Property or

#### LDCs and Agreement on TRIPS

# Understanding the Implications

by Dr Iftekhar Ahmed Chowdhury

It is good to have free and open exchange of views on both the policy approach which the least developed countries could adopt and the practical steps they could take to prepare themselves gradually for accepting the discipline of the Agreement when the transitional period ends in about seven years or so from now.

Agreement on TRIPS as it is commonly known, is one of the In the situation, to provide sufficient time to change over to main components in the the new system, transitional package that now constitutes the WTO system. period of five years has been allowed for developing coun-The work on the developtries and of eleven years for the ment of international rules least developed countries. This governing intellectual property period expires in the case of derights (IPRS) has been on for

over a century. The Agreement builds on the Conventions developed by WIPO by incorporating most of their provisions. It covers both categories of intellectual property: literary and artistic (copyrights and neighbouring rights) and industrial (trade marks, patents, geo-

The Agreement recognises that developing countries would require technical assistance to prepare themselves for the changeover to the system. Such assistance is being provided

and trade marks, there are dif-

ferences in their systems and

those prescribed by the Agree-

both by WTO and WIPO open exchange of views on both the policy approach which the least developed countries could adopt and the practical steps they could take to prepare themselves gradually for accepting the discipline of the Agreement when the transitional period ends in about seven years or so from now. The policy approach that could be adopted by the least developed countries would, in my views, have to be determined by two important considerations First, the change over to the new system should not be merely the legalistic exercise of bringing the national laws in various areas in conformity with the provisions of the WTO law. It would be necessary to examine whether the flexibility available under some of the provisions of the TRIPS Agreement could be used to meet some of the concerns which are being expressed about the adverse effects which the full implementation of the rules may have on their trade and economy. Secondly, we would bear in mind that some of the provisions of the Agreement are due for review in 1999. The Agreement itself is due for major review in the year 2000. It may be possible for the least developed countries to take advantage of these reviews, to secure clarifications or even amendments that could result in a solution to their problems, and in meeting their

concerns. In both these areas

WIPO could play a crucial role.

Against this background, I provide an overview of the main concerns of the least developed countries, and the adverse impact which the adoption of rules of the TRIPS Agreement, particularly the monopoly rights which it confers on the holders of the intellectual property rights, could

pment and on environment.
Patenting of Plant
Varieties and Other Live
Forms

Implications for farmers of the monopoly rights for seeds: in the area of patents, the Agreement imposes an obligation on member countries to grant patents for all "products or processes, in all fields of technology". This provision is subject to a very strictly worded limited exceptions. They include "plants varieties". Art 27.3 of the Agreement, which lists these exceptions, however. provides that where a country decides on excluding from patentability "plant varieties" it must provide protection either by a system which is sui generis or by a system which is combination of sui generis and the patent system.

Now, sui generis is a Latin phrase meaning "of their own kind". By providing for this, the drafters wanted to encourage the countries which excluded plant varieties from patentability, to provide protection through the Convention of the Union for the Protection of New Varieties of Plants (UPOV) which grants exclusive "Plant Breeders Rights" (PBR) over seeds and new varieties of plants. Originally, UPOV recognized the farmer's "privilege" to use for planting seeds saved by them at harvest and to informally exchange them with other farmers. In 1991, however, the Convention was

amended to create new rules

limiting strictly farmers right to use their harvested seeds. The revision also allows governments to grant both PBR and patents not only for seeds and genetic materials but also for whole crops.

In most of the industrialised world, where farmers depended for a large proportion of their requirements on "commercial proprietary seeds", they have to pay royalty if the seeds from harvest are used for replanting. In most of the developing countries, particularly the least developed ones, on the other hand farm saved seed accounts for over 80 per cent of the total seed requirements. About 20 per cent of the requirements, particularly in the form of improved seed varieties, is provided by government seed breeding farms. It is, however, likely that as a result of budgetary constraints, governments may have to reduce financial support to public seed production. The increasing availability on commercial basis of wide variety of seeds may facilitate such decision. Any such seeds obtained either by government agencies or by farmers directly. would be however sold by transnational corporations. subject to the condition which limit the rights of farmers to use seeds saved from harvest for replanting, in accordance with the provisions of UPOV.

Unethical practices in development of seed varieties: The saga of development in trade in seeds and proprietary rights does not end with the increasing possibility that farmers are not able to use seeds saved from harvest. Recently a patent was obtained on a technique that genetically alters seeds, so that "they will not germinate i planted second time". Accord ing to the inventor, the technique can be applied to any plant. In other words, if the patent is commercially exploited, the seeds that would be

available on commercial basis would be increasingly those that can be used for planting only once.

Serious implications of the failure of the Agreement to recognise that right of Community to the accumulated knowledge: The recent other developments relating to patenting of plant extracts since coming into force of WTO Agreement on TRIPS are equally alarming. For centuries parts of plants their roots, barks, leaves, flowers and fruits are being used as medicines, for reliving pains or for treatment of fever, infections and other complaints. They are also used for other purposes such as insecticides and herbicides. The knowledge of the community of these varied uses is not recorded in any documented form but is a part of the heritage. This knowledge of "food giving capacities of plants as well as their life support qualities" is passed on from mouth to mouth, and from one generation to another.

The Community and the farmers should therefore have some proprietary rights for this traditional knowledge. The WTO Agreement on TRIPS does not recognise such rights. The results is that with the coming into force of the Agreement there is a mad rush on the part of pharmaceutical, chemical, and other companies to secure patent rights for plant derived products that have been traditionally used in developing countries for medicinal and

other purposes. Recent examples of plant products from Asia to have received proprietary rights, are patents granted in the West for extracts prepared from the bark of 'neem' tree. Such extracts are being used in South Asia and in the region for centuries for medicinal purposes. However in granting the patent for the extract prepared by the company the patent office had accepted the company's claim that extracts produced by them constituted an "invention" as the barks were pretreated which resulted in ensuring a higher de-

Another example is "Basmati" rice. A Western company has been able to secure property right to market certain type or rice produced in that country as "basmati" rice. To many, the grant of such a right appears to ignore the fact that traditionally the term "basmati" is being applied only to varieties of rice produced in certain regions in the South Asian subcontinent. As noted earlier it has been

possible for companies to ob-

tain patents in such cases as the Agreement on TRIPS does not directly or indirectly recognise that the community has a proprietory right to its accumulated knowledge. The approach of the Agreement is in direct conflict with that of the Convention of Biodiversity which was negotiated under the auspices of the UN more or less at the same time as the WTO Agreement and at which negotiations I had the privilege to lead the delegation from Bangladesh. The Convention specifically recognises the sovereign rights which States have over their genetic resources and urges them to adopt appropriate legislations laying down the basis on which they wish to grant access to their resources. The Convention further determines the principle that in all cases where outside agencies wish to have access to genetic resources, they should obtain prior informed consent from the State where those resources are located. These provisions in the Biodiversity Convention complement the work done by FAO on the development of the concept of Farmers' Rights to the genetic re-

Implications of rules permitting patenting of micro organisms: The TRIPS Agreement has not only encouraged big companies to obtain patents for products which are traditionally used by the communities for medicinal purposes, but has also opened a floodgate of applications for the patenting of live animals and other products produced by applying genetic engineering and biotechnology. Broadly speaking these two technologies involve manipulation of living organisms to make commercial products.

sources in their countries.

Article 27.3 which, as I have noted earlier, permits countries, if they so wish, to exclude from patent ability plant varieties, specifically provides that the exclusion does not apply to micro-organisms and to non biological and microbiological processes. These provisions are intended to make it obligatory on countries to grant patents to biotechnology and genetically engineered products.

Motivation for biotechnological research: profits and not
development: In the past the
bulk of the research on introducing new varieties of seed and
improved methods of cultivation was carried out by the governmental research organisations or semi public international agricultural research
centres. The results of the research was generally made

available to farmers in developing countries free of cost through government financed extension services. For budgetary and other reasons governments are withdrawing from research. Consequently, the responsibility of carrying out research in the agricultural field has devolved mainly on the chemical, pharmaceutical and food corporations. Their main aim in undertaking such research is to maximise their profits. Patents and other intellectual property rights en-shrined in the TRIPS Agreement provide them with the useful tool for achieving this objective.

Development of substitutes for commodities exported by least developed countries: Thus the direction of the biotechnological research carried out by these companies is increasingly towards the development of substitutes for agricultural commodities exported by developing and least developed countries. The enzyme technology is being used to produce maize based starch sweetener (HFCS) as a substitute for sugar and high value cocoa butter substitutes on the basis of plant or animal derived oils and fats. Increasingly it may become possible to produce coffee and cocoa by applying cell culture methods. The prospects are simply bewildering. Imagine the fate of workers in Sylhet tea gardens, and the economic impact on Bangladesh, if it becomes possible to produce tea by using such methods! As capacities for production of such substitutes get established these developments would have serious implications for foreign exchange earnings of the developing and least developed countries which are heavily dependent for exports of such com-

Effects on environment: Equally serious are the consequences which the products developed by applying biotechnology could have on the environment and the health of the people in the third world. For instance the research strategy of chemical companies is not to improve the resistance of cultivated plants against pests and diseases, but to enhance the tolerance of plants against pesticides produced by these companies. This certainly guarantees additional sales of pesticides of chemical companies. But what are its effects on environment? is it not increased pollution of soil and drinking water from the increased use of chemicals and the emergence of "superbugs" that are immune to pesti-

#### Patents and

Pharmaceutical Products

I have referred earlier to the impact which the adoption of the TRIPS Agreement would have on the prices of pharmaceuticals in third world countries. At present most of these countries, including Bangla-

desh, grant protection

processes and not to products. This provides at present the industries in these countries the possibility to produce the patented product by adopting in other production processes, without infringing the rights of the patent holders. The TRIPS Agreement by requiring these countries to give patent protection to both processes and product, would make it illegal to produce any patented pharmaceutical product, by using alternative production process or method. The Agreement also requires all countries to provide such protection for a period of twenty years.

Because of this, the implementation of the Agreement is expected to increase prices of pharmaceuticals sold in the developing and least developed countries.

WHO Resolution: Taking into account the adverse implications which the WTO TRIPS Agreement could have both on availability and prices of drugs in developing countries, the Executive Board of WHO had presented for the consideration of the General Assembly, a resolution which specified how developing countries could in adopting their national legislations implementing the TRIPS Agreement take advantage of the flexibility available under its provisions to ensure that prices of drugs do not increase. In particular the resolution suggested that in their national legislations the developing

— provide for grant of compulsory license to interested manufacturer in the country where the patent holder is not establishing manufacturing facilities and is abusing his monopoly position by charging unreasonably high prices, and — permit parallel im-

The legal concept of parallel imports is complex. In broad terms and in simple language it means that a patent holder who under the law has exclusive right to import, cannot prevent imports being made from another country of the patented product, if he legally allowed it

to be sold there at lower prices. The Agreement permits compulsory licensing subject to certain conditions. Its provisions specifically exclude parallel imports. In other words it leaves it to the countries to decide whether or not to allow parallel imports. Even though the recommendations in WHO resolution were thus in broad conformity with the rules of the Agreement, the resolution could not be adopted in the General Assembly session, because of the pressures on the industrialised countries by their pharmaceutical industry. It has been referred back to the Executive

Board for reconsideration.

(To be concluded day after tomorrow)

The author is Ambassador and Permanent Representative

tions in Geneva.

of Bangladesh to the United Na-

## Iran-Afghanistan Political Stand-off

#### Is there Any Sign to Defuse the Crisis?

HE war of worlds between the two Islamic countries does not bode well for the region and for the Islamic world. The rapid escalation of tension between Iran and Afghanistan is disturbing to all Islamic countries. Pakistani Foreign Minister's trip to Tehran with a letter from his Prime Minister to President Khatami of Iran demonstrates that Pakistan has a great stake in making peace between Iran and Afghanistan, since it allegedly supported the to control Talibans Afghanistan. Furthermore Iran is reported to have blamed Pakistan for its negligence in not intervening the Talibans to

protect the lives of 11 Iranians. The greatest concern appears to be that any conflagration between Iran and Afghanistan will have spill-over effects on the neighbouring countries of the region as Iran and the Talibans of Afghanistan are on opposite sides of the divide in Islamic sects - Shia and Sunni. Most of the countries in the region including Pakistan are inhabited by both sects of Muslims. Iran is the predominant Shiite country while Sunni Muslims are in minority. Iraq has a large Shiite population in the south, though it is ruled by Sunni Muslims. Pakistan has also a minority Shiite population. The Uzbeks and Tajiks in Uzbekistan and Tajikstan Aghanistan's northern neigh-

bours) are Sunni Muslims. Any

armed conflict between Iran

by Barrister Harun ur Rashid

The US have concerns on the situation because any armed conflict might put the world's power balance at risk. Newspaper reports suggest that the US has commenced its talks with Iran on the rising tensions over Afghanistan.

to erupt sectarian conflicts in the neighbouring countries with devastating consequences. The greater part of Afghanistan is mountainous with several peaks over 19,000 ft in the central region. The conventional war with tanks and artillery will not have much advantage in such terrain. Neither the British nor

much advantage in such terrain. Neither the British nor the Russian could subjugate Afghanistan, primarily because of its rugged and unhospitable land. Some defence analysts believe that any war would be long drawn in Afghanistan as the combatants who could hide in mountainous caves cannot be eliminated. The country is an ideal place for guerilla warfare which may continue for years together.

There is a view that Iran who fought almost 10 years war with Iraq (1980-89) may not be prepared to embark on a war with Afghanistan for a long haul. Whatever economic progress Iran had been able to make after the war will be placed in jeopardy. The question is: Will Iran take the risk? One possible answer could be that while it may not embark

on direct armed conflict with Afghanistan, it proposes to check the Islamic orthodoxy and influence of the Talibans. A view prevails that Iran must be co-ordinating its action with Russia and other Central Asian Republics as to how to bolster the anti-Taliban Northern Alliance to fight against the Talibans. Iran's massive stationing of troops on the border of Afghanistan is likely to engage all the attention of Talibans on the border, leaving weak defences within Afghanistan. The weakening of Taliban defences within the country could provide an opportunity to the Northern Alliance to gain strategic areas in Afghanistan from where they would be able to take full advantage against

Meanwhile the UN Security
Council on 15 September condemned the slayings of the Iranians and called for the UN to
participate in the investigation.
It demanded that the Talibans
fully respect international humanitarian law and human
rights. The Secretary General
asked the three governments (
Pakistan, Saudi Arabia and

United Arab Emirate) that recognised the Taliban's government to intervene and persuade the Talibans to respect the rights of all people in Afghanistan. The three countries are reported to have agreed to do during a meeting with the Secretary-General. The Talibans have now realised their blunder in not protecting the Iranians when they captured Mazar-I-Sharif on 8th August last. They have also requested the UN's intervention to defuse the situation.

The US have concerns on the situation because any armed conflict might put the world's power balance at risk. Newspaper reports suggest that the US has commenced its talks with Iran on the rising tensions over Afghanistan. The US is reported to have requested the UN to organise a meeting under the "six plus two" format, which refers to Afghanistan's six neighbours-Pakistan, Iran, China Tajikstan, Uzbekistan and Turkmenistan-plus Russia and the US. During the on-going UN General Assembly session. it is expected that the UN would be able to organise such a meeting soon. Although the risk of armed conflict looms large, the initiative of the US provides an opportunity to

We hope that the diplomatic moves by the US and the UN are successful to maintain peace and security in the region.

The writer is former Bangladesh Ambassador to the UN in Geneva.

#### Letter From America

### Shame on You, V. S. Naipaul!

Dr. Fakhruddin Ahmed writes from Princeton

As far as Naipaul is concerned, every third world or Islamic person is a "wog" (westernized oriental gentleman). Do not be fooled by the neutral meaning of the acronym when spelled out. It is an extremely derogatory term. Unfortunately for Naipaul, in spite of his fame and knighthood, as far as the British common folks are concerned, he too is an unwelcome wog!

A FTER reading Columbia University Professor Edward W. Said's fascinating scholarly essay on V. S. Naipaul, "An intellectual catastrophe", featured in The Daily Star on September 12, the writer feels compelled to add his two cent's worth.

As V. S. Naipaul was growing up in Trinidad, according to his own account, once his friends were debating who the best cricketer ever was. Sheepishly, the natives said it was probably one of their own, the late Sir (later Lord) Leary Constantine. Of course Naipaul had no doubt that it was the Aussie, Sir Donald Bradman. There can be no question that Bradman, with a test average of almost 100 runs per innings, was better. But Naipaul berated the natives' small mind for choosing Constantine over Bradman.

bindfallalle is better that Shakespeare, it takes nothing away from the genius of Shakespeare or adds nothing new to Rabindranath's aura. It only shows partisan affection for one of their own. (Studies have shown that in the US, whites tend to vote for whites, and blacks for blacks). To Naipaul, this was symptomatic of a much greater malaise; the reason why the third world is destined to remain third rate. That captures the essence of V. S. Naipaul: the West is all good, the East has not much reason for existing! In spite of his brown skin colour, Naipaul never considered himself a native; in his mind he was always a Saheb.

Born a self-hating Hindu, Vidiadhar Surajprasad Naipaul went to Oxford in 1950, and never returned. Set in the third world, his novels always take a patronizing and pessimistic view of the third world. One of his more noted non-fiction is "India: A wounded civilization" (1977). But the Indian civilization does not evoke hostility from the West; therefore, Naipaul switched his attention to something that does — Islam. In the aftermath of the Iranian revolution in 1979, he wrote the infamous "Among the Believers: An Islamic Journey" (1981),

in which he made the sacrile-

gious statement that five daily prayers in Islam are "unneces-

Unfortunately for Naipaul, was his nemesis Salman Rushdie, who got much more notoriety for Islam-bashing.in "Satanic Verses" (1989). Not to be outdone, Naipaul has made a two-pronged counter-attack: first with the theory that the wounding of the Indian civilization was carried out by Islam, thus trying to patch things up with fanatic Hindus; and second, with the book Professor Said so superbly reviews: "Beyond Belief: Islamic Excursions Among the Converted Peoples. With "Among the Believers". Naipaul attempted to draw attention to himself with some "sidal" nudity. When that did not work, he decided to go for frontal nudity with "Beyond Belief." Let us be absolutely clear: the shame he exposes, is

his own! Kenneth Starr's entrapment of President Clinton. Naipaul goes out and talks to "converted" Muslims, and then ridicules them with what they said. Naipaul's thesis, which Professor Said so aptly summarizes is: "The West is the world of knowledge, criticism, technical-know-how and functioning institutions, Islam is its fearfully enraged retarded dependent, awakening to a new, barely controllable power ...the life that had come to Islam had not come from within." In other words, the world's one billion Muslims are buffoons! Muslims should refrain from dignifying Naipaul's vitriol with comments. Such books will enrich the gutter of civilization. If Naipaul does not desist from carrying out his crusade against the Muslims on behalf of the west, however, every Muslim country should con-

It will be a mistake for the Muslims to dismiss Naipaul's latest attack on Islam. Naipauls and Rushdies do enormous damage to the third world and Islam — they validate western prejudices. Naipaul and Rushdie know who their masters are. They would never dream of writing anything critical of the West, Judaism or Christianity.

There is a fundamental difference between the integrity of Aleksandr Solzhenitsyn and Edward W. Said, and the sycophancy of Naipaul and Rushdie. When Solzhenitsyn criticized Stalinist and post-Khrushchev Soviet labour camps and prison systems, starting with "One day in the life of Ivan Denisovich" (1962) and ending with "The Gulag Archipelago" (1973), he was not trying to please the West He was attempting to doc-

West. He was attempting to document a literary alternative to the conventional history of the Gulag that he knew the Soviet Union would never allow anyone to record. Aleksandr Solzhenitsyn, the 1970 Literature Nobel Prize winner, was charged with treason on February 12, 1974 and expelled to the West the following day.

During his seventeen years sojourn in the West, Solzhenitsyn, a Cossack, settled in a place that reminded him of his homeland, northern Vermont in the US. He did not say what his hosts wanted to hear. Instead, he criticized the Western decadence and obsession with democracy and individual liberty at the cost of everything else. The West shunned him. Solzhenitsyn did not care, preferring to remain true to him-

Edward W. Said is the world-renowned Professor of English of the very prestigious Ivy League. Columbia University, in New York City. He was a member of the Palestinian National Council, but broke with Yassir Arafat on the issue of peace with Israel. He believes Arafat has sold out to Israel.

As the very (Christian) Palestinian Professor in America's most Jewish city, Said has been subjected to enormous abuse, especially by one Israeli agent, masquerading as a columnist of the New York Times, A. M. Rosenthal. If Said did the equivalent of a slave praising slavery and sold out the Palestinian cause, he would have been transformed into a national hero in America and Israel. But Edward Said has always stood his ground, and never gave an inch. He is vilified by right-wing Jews, respected by the Jews on the left, and is a hero to those who understand the catastrophe the Palestinian people have been living under for the last 50 years.

Solzhenitsyn and Said have not sold their souls. That is why Solzhenitsyn could return to Russia after all these years and become the conscience of the nation (he favours the independence of Chechnya). That is why Edward Said is a human rights hero all over the world, including Israel. Can anyone imagine Naipaul returning to Trinidad, or Rushdie returning to India-Pakistan, and being welcomed with open arms? We all have one soul to treasure, or sell!

As far as Naipaul is concerned, every third world or Islamic person is a "wog" (westernized oriental gentleman). Do not be fooled by the neutral meaning of the acronym when spelled out. It is an extremely derogatory term. Unfortunately for Naipaul, in spite of his fame and knighthood, as far as the British common folks are concerned he too is an unwelcome wog! For most of the 1980s, Naipaul was touted as the best prose writer in the English language. One could also say in the same breath that Hitler was the best orator of his time!

America has a pathological hatred for traitors — even those who betrayed the Soviet Union for the benefit of America. Deep down the West knows that Naipaul and Rushdie are just that — cultural and spiritual

Naipaul, himself proves

that his theory is bogus. There is inherently nothing wrong with the third world mind. Forty years is too little a time for the third world and the newly independent Islamic nations to catch up to the West. Just look at Russia, a second world nation, currently headed towards third world, ten years after the fall of communism. Too bad, Mr. Naipaul will not be there to witness it, but in the next hundred years or so, the third world may change place with the first. Therefore, that a writer of Naipaul's stature could write such a "stupid, idiotic and boring" book, is beyond belief!

# South Asian Refugees Want to Return Home with Dignity by Mahesh Unival

R EPRESENTATIVES of refugee groups from across South Asia have urged regional governments to facilitate their return to their countries of origin with "justice and dignity."

A three-day meeting of refugee leaders from Bhutan, Myanmar, Sri Lanka and Afghanistan and NGOs and activists championing their cause said this will be possible only after a "permanent and peaceful" solution to the conflicts which forced them to flee their homes.

homes.

Moreover, the countries
"from where we come must have
democratic and just form of

The meet also criticised the UN High Commissioner for Refugees (UNHCR) for not doing enough for them. Realising that they cannot depend on regional governments and international organisations alone, the displaced people have agreed to set up a Forum of Refugees for South Asia which will be run by

"We express our concern that while the number of refugees and their problems are increasing, the assistance and help of the UNHCR to the refugees is declining," said a resolution adopted at the end of the meet which was organised by the New

Delhi-based Other Media and the South Asia Forum for Human Rights.

Among other things the refugees have demanded an increase in the current financial assistance being given them by the UN body, which they say has become inadequate because of the rising living costs in South Asia.

They also complained of a lack of transparency in the UNHCR procedure for ascertaining refugee status and said that this is at times denied them. Soe Myint, a Burmese refugee, said that his compatriots who have taken shelter in India's northeastern border state of Mizoram are not being recognised as refugees.

Besides the 15 refugee representatives, nearly 30 NGO representatives and activists from Bangladesh, Bhutan, India, Nepal, Pakistan and Sri Lanka attended the meet.

A major cause of the problems facing refugees in the host nations is the lack of national laws regulating their status. "This is a major shortcoming which is the biggest obstacle to improving the living conditions of refugees," Chowdhury R. Abrar of Dhaka University, who is studying refugee and migratory movements, told India Abroad News Service.

Afraasiab Khatak of the Human Rights Commission of Pakistan said the lack of a national law or policy on refugees has worsened the plight of about two million Afghan refugees living in Pakistan which he described as a "great"

human tragedy."

"We would like the UNHCR and international agencies to pay more attention to their condition. International aid for the Afghan refugees has dried up," he told IANS.

Khatak told the meeting that the Pakistani government had forcibly closed schools and health clinics being run by Afghan refugees in Peshawar after the American missile attacks on terrorist training camps in Afghanistan. Although the government said these were illegal, the Commission suspects that the motive was "political."

Bal Bahadur Mukhiya, who teaches law in Nepal's Tribhuvan University, and S.K. Pradhan, a Bhutanese refugee activist, said the question of sending home the nearly 100,000 Bhutanese refugees living in camps in eastern Nepal cannot be solved without India's help.

The Nepali-speaking Bhutanese, who have fled their homes alleging cultural repression, transit through Indian territory on their way to Nepal. Kathmandu and Thimphu have held seven rounds of unsuccessful talks so far to resolve the issue.

The activists complained that some 15,000 to 20,000 Bhutanese refugees living in India are not recognised as such by the Indian government and are not given any assistance by the UNHCR.

The plight of Tamil refugees from the ethnic conflict in Sri Lanka also figured in the discussion. Academic Shivachandran from Jaffna said enough attention was not being paid to the problems faced by women and children in the refugee camps.

of worry that with the flight of more and more Tamil males to other countries, especially in the West, had given rise to a gender imbalance. "We don't have enough men for the girls to be married," she pointed out.

She said it was also a matter

According to estimates tables at the meeting, 70,000 Tamils from Sri Lanka are living in 133 refugee camps in the India's southern coastal state of Tamil Nadu.

—India Abroad News Service