

The Daily Star

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Trade with India

Ice is melting. But just, India has come only part of the way to signal meeting our huge trade deficit with that country. Complete duty-free access of our exportables, meaning zero-tariff entry into the Indian market, remains a far cry. Yet what has been cleared at the just-concluded talks between Indian Commerce Secretary PP Prabhu and his Bangladeshi counterpart Alamgir Faruq Chowdhury looks like an ice-breaker. The hitherto rigid and almost wholly barren pattern has been broken. In the first place, a deck-clearing approach is perceptible from the fact that the meeting has been held at all after six years of a time-lag, the last one having taken place in 1992. Furthermore, it has not gone the way of earlier talks producing very little by way of any specific decision to reduce the yawning trade gap. This time the meeting between the commerce secretaries stayed focused on substantive issues of trade deficit and ways to curb it with the result that the agreed minutes speak of concrete steps forward.

The withdrawal of all non-tariff barriers is certainly a breakthrough. This marks a change of attitude, a change of heart, so to speak, in that a major bureaucratic roadblock is being put away. Bangladeshi exporters would no longer need to take out licences from the Indian authorities, they can straightaway open LCs from Dhaka and do business with their Indian counterparts.

This, coupled with the withdrawal of all quantitative restrictions from every single Bangladeshi product since August last and further reduction in the duty slab by 15 to 20 per cent on top of the previously reduced level of 35 to 40 per cent should start increasing our flow of goods to the Indian market.

The reason why we have been insisting on a zero-tariff access to India on a non-reciprocal basis is simple: a desperate situation needs a desperate remedy. In this context, the question of Indian investment comes along. In stark contrast to Indian's massive trade presence in Bangladesh, of which smuggling forms a hugely worrisome part for our small economy, her investment in Bangladesh has been minuscule. But the field is wide open for India in the textiles, pharmaceutical, leather and machinery sectors, to name only the major prospective areas. Joint venture projects are welcome, and with buy-back arrangement they would be an icing on the cake. Indian Commerce Secretary PP Prabhu himself thinks that Bangladesh which has achieved an export growth of 13 per cent this year — way above the neighbouring countries' performance in this area — beckons Indian entrepreneurs to invest in Bangladesh.

When we ask for zero-tariff from India the question that inevitably figures is: how prepared are we to 'flood the Indian market' with our goods, the agenda we vociferously hold so close to our heart? Let's face it, our export base is narrow. 70 per cent of it is made up by the readymade garments sector leaving room for, in fact, an impelling message that we keep our eggs in more baskets than one. India could perhaps grant us zero-tariff rightaway, thereby daring us to flood its markets with our products.

Indian commerce secretary on return to New Delhi said that Indian goods sell heavily in Bangladesh because of their low prices. For us the cue to take is: we should bring down our costs of production by raising the level of efficiency.

The signs shown by India to open up to Bangladesh are welcome, to say the least. Significantly, they did not allow sensitive issues like transit and gas sale to cloud their vision at the talks. Also, they seemed cognizant of an anti-Indian feeling breeding unnecessarily among business circles in Bangladesh from the growing trade imbalance between the two countries. Let's tidy up this mess, and fully.

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Human Rights: A Searching Reappraisal

by Dr M Rafiqul Islam

There is a long road to be covered in order to render the contents of the Declaration universally acceptable. There is a deep abyss between the solemn theoretical proclamation of human rights in the Declaration and the reality of gross and persistent deprivation, with impunity, of basic human rights all over the world.

assumed obligation to enforce human rights in their territories.

The Declaration has consistently been inspiring the growth of an ever-growing body of international human rights instruments both within and outside the UN. The 1950 decolonisation declaration, the 1965 discrimination elimination convention, the 1966 international covenants on human rights, the 1970 declaration on friendly relations, the 1975 Helsinki accord, the 1979 convention on women rights, the 1989 convention on children rights, and the European, American and African human rights conventions and charters are few of many contemporary examples.

The acceptances of the Declaration by so many states accords it considerable moral weight. Many of its provisions now enjoy a binding legal status in the form of fundamental rights in the constitutions of many UN members.

The omissions and contradictions of the Declaration have received ample scholarly attention. Some major ones are explained below.

What are human rights? Ever since their inception, human rights have defied any precise definition. Relentless search for a definition with wide support and sufficient precision has produced no desirable result. Quite consistently with this trend, the Declaration has afforded no definition either. In my opinion, such a definition is neither possible nor necessary for the operation and implementation of human rights. Let me explain human rights from a minimum threshold perspective. Human rights are fundamental to our nature without which we cannot expose ourselves as human beings. These are requirements that allow us fully to develop and exercise our human attributes and qualities, such as intelligence, conscience, and spiritual needs, including our immunities and privileges as human beings. All these are based on mankind's quest for establishing human dignity and worth. They transcend far beyond the comfort and conveniences that science and technology can offer. Human rights inherently belong to us as human beings. They are inalienable in that we carry them with us wherever we go. Before these rights, nationality sinks into the background. States can neither create human rights for the benefit of their citizens, nor can they destroy these rights. In other words, they are not subordinate to the will of states, which have simply recognised their existence and

their underlying principles is that if duties were performed properly, rights would be fulfilled automatically. Its provision (Art 16) guaranteeing voluntary choice of marriage partners runs counter to the practice of arranged marriages, which is an integral part of many traditional systems of the world. The Declaration also seeks to universalise a particular form of government constituted through western style democratic elections notwithstanding the fact that international law favours no particular form of government, and that not part of the world is free from monarchies, dictatorships, one-party rules and single-candidate elections.

The effect of indiscriminate transposing western values and traditions on non-western states has created an extraordinary crisis in the status of the Declaration as a universal document. Since it suffers from cross-cultural legitimacy, it may not be seen as setting multicultural standards of human rights. Human rights are value laden and culture specific concepts, which vary from society to society, tradition to tradition, and civilisation to civilisation. The influence of values and culture on human behaviours is immense. The observance of human rights may be maximised by setting their cultural legitimacy standards.

Individual human beings may be more inclined to observe human rights if sanctioned by their own cultural traditions and perceived values. The meaning of cruel, inhuman or degrading treatment is different in Islamic culture than cultures based on secularism or humanist approach. Saudi Arabia abstained from the final vote on the Declaration and Iran refused to accept it provisions, which are in their opinions at odds with Quranic prescriptions. Human rights devoid of their cultural legitimacy in a given context are likely to be misunderstood, thereby militating against their effective implementation. Whilst it may be possible to argue that these are generic terms for the human race, they do not necessarily reflect the very different experiences that women confront in accumulating and sustaining property, wealth and reputation in real life situations. Hence, the "human" envisaged in the Declaration is seen to be gender specific rather than universal.

Economic rights embodies in the Declaration are seemingly western capitalist in thought. Despite its operation for 50 years, the Third World is indisputably encountering a crisis in economic development. The wealthiest 20 per cent of the world's population is 150 times better off than the remaining 80 per cent in the 1990s. The world economic growth has not brought about any real benefit to the overwhelming majority of Third World countries. Many of them are sandwiched and suffocated between radical liberalised, deregulated and export-driven industrial economies on the one hand, and the IMF-World Bank structural adjustment programme on the other. This Third World poverty amidst plenty may be attributable to the lack of any credible wealth distribution mechanism in the

capitalist system. The free market economy and its bi-product, the privatisation, have created a risk-free global market for MNCs. In a free market imperative where the dogmatic economic rationalism is the decisive factor and competition is its final arbitrator, the cherished values of the society and the interest of its poor and weak components are bound to be lost at the untrammelled pursuit of self-interest and profit margin, a covert ideology of the survival of the fittest.

Moreover, such a preference legitimises the industrial capitalism as the sole source of economic rights and means of eradicating global poverty irrespective of the fact that the system in its wake produces a stable pattern of widespread malnutrition and starvation in the Third World. It only wages war against poverty but not against lopsided distribution of wealth and undue enrichment. This recognition in the Declaration seeks to universalise the economic values and experience of the industrialised north, which monopolises the right to write the rules and contents of economic rights of the world, with no or very little inputs from the non-industrialised south.

Hence, the preference accorded in the Declaration to the principle of free market capitalism as a means of realising economic human rights is grossly oversimplified an unrealistic, a narrow and short-sighted solution to a manifestly complex problem. Indeed, the persistent problem of economic marginalisation of the south and the inability of the north to redress it have led many apologists to argue that the economic human rights contained in the Declaration are meant for the north, which will never allow the south to enjoy those rights. The impact of economic globalisation is enormously cataclysmic for many Third World countries. The proclaimed economic rights must be brought into closer conformity with the economic reality in the Third World. Hollow promises and cosmetic reforms in the status quo is likely to be self-defeating for the Declaration, which may lose its anchor even further in the Third World.

There is a long road to be covered in order to render the contents of the Declaration universally acceptable. There is a deep abyss between the solemn theoretical proclamation of human rights in the Declaration and the reality of gross and persistent deprivation, with impunity, of basic human rights all over the world.

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LETTER FROM AMERICA

Deceptive Calm on the Western Front, as the Holiday Season Rolls in

Dr. Fakhruddin Ahmed writes from Princeton

What Kenneth Starr never understood is that the American people elected a flawed, but brilliant Bill Clinton to the Presidency twice. They never elected Starr to anything.

America has finally persuaded the Kosovars to accept autonomy for the time being. Not much fighting is expected until the snow starts melting in the spring. Serbs who want to leave Kosovo cannot do so; in the supposedly same nation, the Serbs are forbidden by law from selling properties to the Albanians in Kosovo! According to the New York Times, Milosevic is on his last leg. Last week, he purged his most loyal lieutenants — a sign that the Balkans may finally be rid of his Butcher. See you in The Hague, Slobodan!

Gaza international airport, where Israel has forbidden President Clinton to land next week, opened with much fanfare. Simultaneously, Benjamin Netanyahu ordered construction of more Jewish housing on the West Bank. Last time Netanyahu gives an inch to the Palestinians, he gives a mile of the West Bank to Jewish zealots, to placate them. Every time a Palestinian so much as gives a Jewish settler a dirty look, Netanyahu stops implementation of the Wye accord, and demands that Arafat meet more of his outlandish conditions before further withdrawal. Having grabbed the world by the scruff of its neck thanks to the USA, Netanyahu can jerk it whichever way he pleases. What else is new?

Republican George W. Bush Jr., the former President's eldest son, reelected Governor of Texas in a landslide last month, visited Israel last week. That makes it certain that he will run for the President in the year 2000. Every candidate seeking US Presidency has to make the pilgrimage and pay their respects to Israel. They do not have to visit Britain, France, Germany or any other country; it is foolhardy for a

candidate to be seeking the US Presidency without being in the good book of the Israelis. Just ask the Texas Governor's dad! Vice President Al Gore, the Democratic front runner, is so pro-Israel that he may as well call Jerusalem his second home! I shall put my money on another declared candidate, former Senator Bill Bradley of New Jersey, a fellow Rhodes Scholar. News only get better for Israel. There are indications that President Clinton is seriously considering pardoning Jonathan Pollard, who spied for Israel against the USA.

In America, Henry Hyde's House Judiciary Committee very quickly abandoned its unsuccessful search for Presidential crimes in the 1996 Democratic fund raising. There is a general feeling among the legislators that Clinton's sexcapades are not impeachable offences. Articles of impeachment may

or may not pass the house floor; however, according to conventional wisdom, impeachment is dead in water upon arrival at the Senate. Rank and file House Republicans are putting intense pressure on their leadership to wrap up the impeachment inquiry before Christmas. More worrisome news for the Republicans: according to Newsweek, their darling, Kenneth Starr, is considering quitting by spring of next year.

Starr has good reasons to want to quit. Although he is allowed to see his investigations through to completion, the Independent Counsel statute itself is set to expire at the end of June next year. There is absolutely no chance that it will be renewed. This well-meaning statute was enacted in the aftermath of the President Nixon-era Watergate scandal to protect the nation from abuses by government officials. Instead, overzealous prosecutors such as Starr, with little oversight, have used the statute as a partisan weapon. This week, former Agricultural Secretary Mike Epsy, an African-American, was acquitted of all 30 charges of bribery, misuse of office etc. by a jury. The independent counsel in this investigation had spent 17 million dollars over four years to come up with a dry hole! What Kenneth Starr never understood is that the American people elected a flawed, but brilliant Bill Clinton to the Presidency twice. They never elected Starr to anything.

With the price of oil at an all time low in the recent decades, the Saudis are not in a strong position economically. The ailing King Fahd of Saudi Arabia and the ageing President Assad of Syria do not inspire strong leadership of the kind they provided in the earlier conflicts with Israel. The best one can hope under these circumstances is that for the Israeli and the Palestinian leaderships to act in a statesman-like way, rise to the occasion and deliver the peace accord they both are signed up to and their nations deserve it of their leaders. Their people have lived for far too long under the shadow of war, harbouring deep hatred against each other now to squander away the real opportunity for peace the international community has now provided them with and the massive economic aid guaranteed to flow in both directions once the peace is restored by a self-righteous nobody (Starr)!

The most amusing news to come out of Bangladesh recently was the Prime Minister's proclamation that she would never call hartal again, if and when in opposition. Forgive the analogy, but this is like someone who made a fortune running a house of ill-repute, picketing it for moral reasons! It is contemptuously cynical, and self-serving. The Prime Minister's party introduced to Bangladesh the culture of non-stop hartals, to the tune of close to 200 days. It was the most important vehicle on which the PM rode to power. To pretend to be reformed, now that she is at the receiving end of that strategy, is to inflict insult to the intelligence of Bangladeshis. As the greatest abuser of the people through hartal in the history of Bangladesh, the ruling party has forfeited the moral authority to talk about the evils of hartal. Regrettably for the ordinary Bangladeshi, the other shoe has to drop. Once the opposition has utilised hartals to its maximum advantage and gotten even, only then can the people's demand for banning of hartal as a potent political weapon be seriously entertained!

In this sense, President Clinton's visit to the area should be a harbinger of peace and prosperity and therefore must not be delayed and should go ahead as arranged. At this point in history, Clinton's visit is rather a milestone in the Middle East's troubled history. Salam, Shalom.

Friday Mailbox

Does honesty pay?

Sir, Now that time is close (probably April 1999) to the Mayoral election, Mohammad Hanif in one of his recent exclusive interviews has been only too discreet, honest and valiant! He has admitted his failure in making the Dhaka city terrorist-free blamable to the present government for not paying any heed to his request in regard to handing over the police force to work under him. Hanif claims he had no proper knowledge about the mosquito menace prevailing in the city. Therefore, he admits since mosquitoes remained in the past and also exist at present and they would remain in the future too! And no-one would be able to eradicate the mosquitoes — ever.

And he finally says that he has nothing more to gain! The question to him is: has the time come to make Dhaka city free of stinking garbage and the unwholesome atmosphere which nearly makes us faint?

Mujibul Haque

Mirpur Road, Dhaka

Open for all?

Sir, Dhaka, the densely populated capital city of Bangladesh now seems to be a land of open urinal. People all over the city are becoming alarmingly saucy as they do not hesitate to urinate in an open place. It is hard to imagine how a member of a cultured society can do giving a shock to others' conscience. If this nonsense can't be punished by law, then the law should take other course of action.

I'd like to ask the mayor of the Dhaka city whether it is his duty to ensure sufficient number of public toilets?

Arun Kumar Biswas

329, Jagannath Hall, DU

From hartal to nowhere

Sir, What KZ told to diplomats and donors (DS-Nov 18). This is true, if some discipline prevails. But the 'topic of the week' (DS-Nov 27) is what many of us desire.

Prior to 1996, anti-hartal thought and ideas did appear in most of English print media. But then most of the well circulated vernacular dailies and weeklies favoured hartal, publishing write-up of intellectuals and focusing with photographs showing how 'hartalists' were supporting the law enforcers etc. In my opinion like any other government of any country, our government has to function well to make the country hartal-free. If there is good governance, then why is there a need to protest?

A R Choudhury

Uttara, Dhaka

Gas pipeline

Sir, Our attention has been drawn to a news items "Villagers abstract okay's gas pipeline installation" in Sylhet published in DS on 29/11/98. It is stated that several thousands people were demanding and demonstrating gas pipeline in the area. Golapganj than is very reputable in greater Sylhet. People has damaged vehicles of the company and tense situation is prevailing in the area. The demand for gas and LPG is really a necessity due to higher price of fuel.

So, we urge the attention of the concerned minister, secretary, and local MP to mitigate the demand early to prevent the grievances of the local people. The firing demand should end with ashes.

M Ali

Dhaka

Use of coins

Sir, Of late there is virtually no use of coins in Bangladesh. As denotation of coins have lost its normal value. I am positive that nothing could be bought with 5, 10 or even with 25 paisa. I don't see any reason why Bangladesh Bank should spend money and energy in order to circulate coins in the capital market. Most impractical practice can be seen when a person goes to bank in order to pay utility bills. It is usual practice that if bill comes in odd figure inclusive paisa, in that case bill payee either should have required changes or has to compensate as the banker concerned would say that he does not have change in order to entertain bills.

Then the main problem starts. Bill payee on the one hand wants to pay the bills (could be last date of payment), on the other hand the banker refuses to receive the bills having no changes with him.

Abul M Ahmad

Dhaka

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