Stopover Pakistan

In Field Marshal Slim's "Unofficial History", each chapter had a moral, detailing his life from a subaltern to a Field Marshal. The chapter one likes best is "Never take counsel of your fears". Despite our doomsday-sayers there is no need to panic or to go off the deep end. Putting it bluntly, if the American people were really aware of what is happening in Kashmir, would they countenance continuing the present US policy?

cluding Pakistan as a firm destination our situation became rather untenable, given the geopolitical scenario we could not afford that Pakistan be deleted from his stopovers. With India in full cry on the diplomatic and media front to keep Pakistan excluded from Clinton's itinerary, the possibility of life in a diplomatic black-hole would have had far-reaching consequences and complications. We may not be better off than we were before "the visit" but such a diplomatic snub would have put us in a far worse situation than we are presently in. To top it all, the contrast of governance by a military regime with that of the "world's largest democracy" made it that much more important. Our bargaining position with the Americans thus weak, it was to be expected one would pay a price for the privilege. The exercise in essence became Catch-22, to the credit of the military regime they succeeded in keeping damage control within acceptable limits, even though we did lose a quantum of self-respect in having to listen to hometruths publicly.

The intelligentsia was braced for public humiliation in being read "the riot act" apropos a "made in India" (to quote Ms Nasim Zehra) US foreign policy. The message was far milder, in relative sum a plus for Pakistan. The US President not only acknowledged Pakistan as being the bridge to China but praised our role in the proxy war in Afghanistan that downed the Soviet Union. In almost the same breath, he disabused us about one of our favourite fantasies, that come what may the US would never abandon the "just cause" over Kashmir! The US has been sensitive to India's reactions as far back as 50 years, even before US Secretary of State John Foster Dulles convinced President Eisenhower to sign off on Sep 30, 1953 for US military aid to strengthen Pakistan as a cornerstone against the southward spread of Soviet-brand communism. During the US imposed embargo on military arms and equipment to both India and Pakistan in the wake of the 1965 war, India had the luxury of continuing weapon supplies from the Soviets, our supply lines choked because we were totally dependant on the US. China bailed us out as it has on

It was not till 1982 that aid started pouring into Pakistan the Indians of innocent vil-

many occasions since.

NCE the US President an- after the Russian invasion of Afghanistan. Even then, we were only kept us off the US nuclear sanctions list in the 80s by President Reagan's certification that we were not a "nuclear and tion". For some reason it is tion of true facts, the American believed that Republicans are more favourably inclined to Pakistan, President Nixon's tenure was sandwiched between two Democrat Presidents John Kennedy and Jimmy Carter, both romantically inclined to India's "democratic" credentials despite the fact that Socialist India remained a Soviet ally in all but name all these years. As soon as the Afghan war wound down in 1990, President Bush withheld the required certification and the Pressler Amendment sanctions kicked in. At the same time the leopard started changing its spots, India re-discovered the US and viceversa. US has been fairly consistent in the pursuing of its

lagers on our side of the LOC is a daily affair yet we have dismally failed in getting the western media to faithfully report

people will certainly react, after all despite Britain being a traditional ally they decried the British heavy handedness in Northern Ireland. Did not the images of the "Intefada" in Palestine sway American public opinion despite the US love-fest with Israel? Economic compulsions may be paramount to US government considerations but public opinion will be shaped by the electronic and print media in western drawing rooms, all these perceptions taken together shapes US government

Despite President Clinton and the Pakistani CE seeming to have developed instant rapport, there was disagreement about a time schedule for a reit should be. We in Pakistan turn to democracy. We have to

AS I SEE IT

Ikram Sehgal writes from Karachi

have lived in the misconception be governed by our own imperaof "our principled stand" all those years, burying our head in the sand rather than facing cold reality and going the pragmatic

own sovereign interests, it is as

In the post-Cold War period, ideological concerns have given way to economic imperatives. US primary concerns now are nuclear non-proliferation and terrorism, the new US policy initiatives also require China tions that would wait out that to be "contained" as an emerg- timetable and we would be back ing economic and military to square one. How many of blind eye to the atrocities being democracy and how many allow perpetrated on a massive scale by the Indians against Kash- istan even under a military miris, on a people the Indians regime) to operate? Could Prescall their own citizens, yet it is ident Clinton give the same live China that is singled out on the address to the population of "human rights" buzzword. Can anyone equate the situation in Kashmir to any region of China? Bill Clinton's admonishments to respect the LOC and not attack civilian targets in Kashmir apply equally to India and Pakistan even though militant attacks against civilians inside held Kashmir are rare, to do so would be counter-productive to the indigenous uprising which depends greatly upon a supportive local population. Why should Kashmiri militants burn their own sanctuaries? However artillery targetting by

tives, prime among them being accountability so that we do not repeat the bitter experience of bad governance. The mandate and the mode of the Local Bodies elections is a step in that direction, a road map to the return of genuine democracy. If Pervez Musharraf were to give a timetable, the politicians and bureaucrats would create condipowerhouse. The US turns a America's allies have true a free media (such as in Paksome of its closest allies? This suggests the self-confidence and credibility of the military regime, despite disclaimers by Madeleine Albright and sundry

> it did give them "legitimacy". It is all very well to lecture Pakistanis about what is good for them, more than a 100 other countries (including India) need to be given the same advice. US President Clinton has the best means in the world to know much more about what is happening in Kashmir than what the US publicly professes to know, one leaves it to the US conscience to be fair and equi-

table in revealing all that they know. Would the US have us believe for a moment that what is happening in Kashmir, Assam, Nagaland, Manipur, Mizoram etc has any relevance to democracy? India's "democracy" is best on display in the largest Indian State Assemblies of Bihar and UP where elected representatives are open to sale very publicly, is such a democracy to be taken seriously? We almost became a failed nation because we tolerated flaws in our democracy, the manifest aberrations in India's democracy e.g. nepotism, corruption, manipulations etc will eventually bring the whole edifice down, as it almost brought us down. The bigger they are, the harder they In Field Marshal Slim's

"Unofficial History", each chapter had a moral, detailing his life from a subaltern to a Field Marshal. The chapter one likes best is "Never take counsel of your fears". Despite our doomsday-sayers there is no need to panic or to go off the deep end. Putting it bluntly, if the American people were really aware of what is happening in Kashmir, would they countenance continuing the present US policy? Clinton's stance in South Asia was alien to the individual American character that supports the underdog in standing up to a bully, that gives weight to truth over lies, that recognizes the legitimate right of every people to freedom, that never accepts tyranny in any form. Americans individually or collectively as I have been privileged to know them over the years will never forget a friend who has stood by you in time of trouble, above all Americans accept merit as the ultimate qualifier. In the face of such hometruths the latest US policy will not stand. We have to do our homework with respect to countering Indian propaganda, within Pakistan and without we have to use the best talent to do that effectively.

The White House and US Congress are important, the will of the American masses is far more important and we have to take our case on Kashmir directly to the American people. It is the American people who have made the US what it is today, will such people turn their faces away from the horror being perpetrated in held Kashmir? Six hours in Pakistan and/or six days in India notwithstanding the facts are on our side, very much like Lady Macbeth India cannot hide the blood being spilt in Kashmir forever.

Safety in Biotechnology

by P. Balakrishna

What is foreseen, however, is that this proto-

col, by setting out internationally agreed stan-

dards, takes important steps towards ensuring

that humans use this enormously powerful

fit of humankind and our environment.

implications such GMOs might

have on environment and hu-

the burgeoning expansion of

trade in GMOs. Governments

therefore proposed to regulate

trade in GMOs, on top of others.

This was envisaged to enable

them to restrict trade in GMOs

on environmental or health

grounds, and set rules on liabil-

ity and labelling. It was

thought that such a move would

protect the interests of both

consumers and produces, and

set limits to activities of the

ever, several questions re-

mained unanswered at that

time and countries agreed to

disagree, resulting in the break

from remaining unadopted,

countries met in Vienna in

September 1999 only to realise

that there is still a political will

to develop and adopt the proto-

col and agreed to meet in Mon-

treal during January 2000 to

Key Issues and

Concerns

negotiating blocks existed

among the countries discussing

Canada, Australia, Argentina,

Uruguay and Chile). This group

liked to exclude commodities

from the agreement, which

meant 90 per cent of GMOs

would be excluded from the

coverage of protocol. The group

also requested a "Savings

Clause" which would protect its

'rights' under other interna-

tional agreements, in particu-

lar, the World Trade Organisa-

countries including China).

This group wanted to ensure

tion (WTO).

the protocol. These are:

From the beginning several

a) The Miami Group (USA,

In a bid to save the protocol

down of the protocol.

multi-national companies.

TANUARY 28, 2000 is a remarkable day in the history of biotechnology, not be cause there was another invention or creation through the technology but because the day heralded an international agreement on how to practise and promote safe biotechnology. This was made possible by the adoption of the international protocol on biosafety called the Cartagena Protocol

on Biosafety. man health. The 1990s also saw The protocol will constitute part of the Convention on Biological Diversity (CBD), the most comprehensive international agreement for the conservation of our living environment. The CBD arose out of negotiations at the historical Earth Summit which brought together heads of states from 138 countries around the world in 1992 to Rio de Janeiro, and represents the political will to conserve our nature and natural resources. The convention has been signed by 174 countries so far. To implement the CBD, countries have begun to meet to discuss specific issues covered by the convention, and the resulting agreements are called protocols which then become part of the larger conven-

The Cartagena Protocol on Biosafety is one such protocol. It focuses on the issue of biosafety (safety in the use of biotechnology and resulting products), and arose out of worldwide concern over adverse of GMOs, labelling of GMOs and impacts of biotechnology on environment as well as human health. Simply defined, biotechnology is the process of isolating and transferring genes from one organism to another. Whilst in nature, only members of a species are able to successfully reproduce (the process by which their genes are passed on to the next generation) and produce healthy offspring, biotechnology allows us to transfer specific genes from a member of one species to members of an entirely unrelated

The problem with biotechnology, however, lies in certain risks to the natural environment and humans that, in some instances have arisen and in others may arise. For example, look at possibilities of adopting scientists are unsure whether the protocol, with modificainserted genes such as those for tions. The January meeting is herbicide resistance will escape history, now. from genitically modified (GM) crops into wild relatives of that species. This would give rise to super-weeds which would upset the delicate balance between species in their natural habitats. Conclusive answers can be obtained only through extensive controlled field tests. Though such tests are being conducted, the results are yet not conclusive.

History of Biosafety Protocol

Discussions on the biosafety Protocol began at a time when the world was beginning to appreciate these divergent potentials of genetically modified organisms (GMOs). Enormous investments in biotechnology. particularly from industry and that too in developed world, raised the eyebrows on whether it is safe to 'play god' and what that the protocol covers all GMOs. It also wanted the exporting countries to get consent from importing countries prior to shipment.

c) The Compromise Group (European Union, Switzerland, Norway, New Zealand and others). This group was willing to negotiate and come to compromises on the clauses. The basic concerns of the

countries include basing the protocol on a precautionary principle, on the premise that uncertainties of technology and science should not be an excuse to postpone action.

In 1995, countries who are Another concern has been parties to CBD agreed to develop the possible role of trade and an international biosafety WTO in the finalisation and protocol, which would facilitate adoption of the protocol. The enhanced safety in biotechnol-'Free Trade" option of WTO ogy including exchange. An came for a major discussion open-ended ad-hoc working group of experts was established while negotiating the protocol. This is because, under WTO and in 1996, which met four times between 1996 and 1999 to derelated trade agreements the procedure is that in order to revelop the protocol. Several isject a product, the importing sues like Advanced Informacountry must prove that it is tion Agreement (AIA) enabling unsafe. Without clear evidence. countries to be notified of and hence approve or refuse imports it can be very difficult for a country to refuse a product, even if they feel that it poses potheir products, liability and tential risk to humans and encompensation, risk assessment vironment. This means the and risk management were disburden of proof lies with imcussed. Though contentious in nature, considerable progress porter. Countries negotiating the protocol wanted this burden has been made during this peto be laid with the exporter. riod. In 1999 parties to the CBD met at Cartagena to discuss the What the Protocol Says final version of protocol. How-

and Means? The Carragena Protocol on

Biosafety, which will soon be tabled for signature by countries, emerged as a compromise document between the 'haves' and 'have-nots' of the technology. Some features and meaning of the protocol are:

i) One of the emerging areas of use of GMOs is the pharmaceutical sector. The protocol shall not apply to the pharmaceuticals for humans. Though this is agreeable at an international level, countries may wish to have their own regulations and legislation to oversee such imports.

ii) The Protocol is essentially based on the precautionary principle. This principle states that where the existing scientific information is insufficient for making decisions with adequate certainty, or in other words, if there is room for significant doubt over the impacts of a particular activity, then that activity will be postponed until adequate scientific information is collected. This is in accordance with the principles of CBD itself.

iii) The protocol shall not restrict the right of countries to take action that is more protective of the conservation and b) The like minded group sustainable use of biodiversity (LMG) (over 100 developing but in accordance with other existing international law (s).

iv) The advance informa-

sitate labelling of the products when being transferred, so that transit countries are aware of the products inside the contechnology wisely and cautiously for the benetainment.

Countries wishing to use GMOs for direct uses such as food or feed or for processing should inform its decision to do so to the biosafety clearing

tion agreement procedure shall

not apply to the transboundary

movement of GMOs destined for

contained use. This will neces-

vi) Countries wishing to import GMOs for direct use as food, feed or for processing should inform the biosafety clearing house its intention to do so. In the absence of a domestic regulatory framework, the countries should undertake a risk assessment and decide on its decision within 270 days. Failure to do so does not imply

consent or refusal. vii) Risk assessment will be carried out by the party of import and may require the exporter also to carry out the risk assessment. The cost of this assessment shall be borne by the exporter if the party of import

so requires. viii) Labelling of GMOs with a clear identifier as 'may contain' is essential. Separate provisions exist for handling. transport, packaging and identification of GMOs intended for direct use, contained use and those for intentional release. However, the details are still to be worked out on what the 'label' should contain.

ix) Countries shall adopt appropriate domestic measures aimed at preventing illegal transboundary movements.

x) Though liability and redresses are contained in the protocol, countries have agreed for a four-year period within which such rules and procedures can be established.

It is gratifying to see the hard work of several countries resulting in the adoption of this protocol. Though the protocol has international binding status, it is important that individual countries develop their own national regulations/legislations to handle GMOs. Such national guidelines can be in accordance with this protocol or may contain specific provisions deemed fit to address issues like socioeconomic impacts of biotechnology, good laboratory practice, notification procedures, risk assessment and risk management procedures and others.

It is however agreed that the protocol is still vague about certain issues like the 'may contain' clause in the labels, costs of risk assessment, levels of protection under national regulations, relationship with WTO. It is hoped that all these will feature in the forthcoming negotiations of the implementation of the protocol.

What is foreseen, however, is that this protocol, by setting out internationally agreed standards, takes important steps towards ensuring that humans use this enormously powerful technology wisely and cautiously for the benefit of humankind and our environment The author is associated with IUCN.

Corruption and Incompetence Slow Down Progress to Prosperity

by MZ Rahman

TOT many in Bangladesh than the telephone department. trust police as an honest and efficient law enforcement force. Complaints against state-run telephones are in plenty. Anything owned and run by government goes terribly slow. Allegations of corruption are widespread.

The rape and murder of Dinajpur girl Yasmin by some patrol policemen was enough to northern town. Since then policemen have been accused of being involved in a number of rapes and murders in their custody. The death of a young unitody of Detective Police is a glaring example. Soon after, the body of another man was found inside the rooftop water tank at the DB office. Notwithstanding the police investigation there are still many who have pointed fingers to a police guard in the rape of minor girl Tania ety.

at a court premises. The public in general is becoming increasingly impatient with the poor quality of police services. People are also being affected adversely by the virtual breakdown of law enforcement and the increasing level of law-

Why blame the police only? Now-a-days almost nothing moves and citizens do not get what is due to them unless they bribe the relevant people.

A good example is state-run telephone system. There are subscribers who get fat bills officials of banks, financial ineven if they have not used the stitutions and service deliverphones. If a telephone becomes ing bodies like PDB, DESA, 'dead' it takes days to restore the Titas. Department of Environline. But so-called "tips" can ment, are engaged in corrupt

perform near miracles. tial services is also no better sources.

Government's performance

in providing public services is quite unsatisfactory with corruption gradually creeping into every sphere of life. A vast majority of the people are virtually handicapped in their dealings with the bureaucracy for lack of knowledge about their rights as citizens.

Women - particularly those nance," said a lawyer working trigger widespread rioting at the who are poor and uneducated -are at an even greater disadvantage in gaining access to services controlled by a maledominated bureaucracy.

Neither the law enforcers versity student Rubel in the cus- nor the sector corporations. which provide most of the utility services, bother much about the problems of consumers. News Network, has recently

conduced a study on public administration and tried to assess the extent and enormity of corruption and its impact on soci-Besides finding out the con-

straints affecting efficiency of public service, the study also tried to identify reasons behind widespread corruption which affects almost everything in the

Lack of appropriate legislation and abuse of power have left consumers largely unprotected against hazardous products and disreputable services. There are authorities to

lodge complaints, but they also hardly pay heed to any of them. It is widely alleged that some practices, abuse of power and The situation at other essen- even misappropriation of re-

bodies like the Bureau of Anti-Corruption have reportedly failed to perform their responsibilities due to loopholes in the judicial system, ineffective laws, political interference and social pressure. "But this situation, if allowed to continue unabated, will seriously undermine and negate good goverwith the High Court.

The government has undertaken some measures to curb corruption among public officials. But these measures have not so far produced any desired result due to limited nature of such actions compared to pervasiveness of corruption in the society.

One of the most important factors in the spread of corruption is the growth in political graft. It is not uncommon for political leaders, having invested relatively large sums in their election campaigns to take advantage of rent-seeking opportunities once they gain

The culture of graft has now filtered down to each layer of the society and administration. What worries one today is its alarming spread affecting not only the high-ups but all citi-

Although it is very difficult to quantify the economic cost of corruption, but there are identifiable transaction costs and delays to particular business activities. It diverts resources, causes considerable inefficiency in public administration, leads to higher costs and delays in public projects.

The helpless sufferers of rampant corruption in public

Even the anti-corruption life hardly figure in its philosophical discourses. But one can easily taste it when one goes to public offices like PDB. WASA, T&T, Railway, Airlines, Passport Office and Corporation and Education Board.

The visitors will first be confronted with agents, brokers or middlemen having alleged nexus with the officials who waylay the visitors to those offices to fleece them to their last penny

"Now-a-days bribes and payment of "speed money" have become facts of business life in Bangladesh and if one wishes to play the game at all, one has to play by some unwritten rules," said an World Bank report (Government That Works, 1996) revealing some unseen statis-

of the utilities are unable to keep up with applications for connections and long waiting period is common unless one is willing to pay the going price for jumping the queue. The initial speed money must be followed by periodic payments to ensure uninterrupted supply and prompt attention to repairs, particularly for utilities subject to frequent breakdowns.

Successive governments have taken some isolated actions, but they have failed to make any breakthrough.

Most programmes to eliminate corruption have concentrated on better enforcement of | town of Porbundar agree. They the rules and procedures — an | approach intrinsically flawed by its dependence on the incorruptibility of the enforcing agents and hampered by the weak legal system.

Fishworkers Forecast Rough Seas as a Political Storm Blows up Souparna Lahiri writes from Vanakvada village, Diu, India

AKISTAN'S seizure of two

Indian fishing boats and the arrest of 24 fishworkers is a reminder of a long-running tit-for-tat battle between the two countries.

More than 700 fishworkers have been arrested and jailed since 1993, for crossing an invisible line: the maritime border in the Arabian Sea. Because of a long-standing territorial dispute, there is not even a maritime agreement.

dents of the area, in western According to the study, most | India, say they increase whenever there is a crisis between Islamabad and New Delhi.

So the timing of the 30 December seizure by the Pakistani Maritime Security Agency was probably no coincidence: it accompanied the furore over the hijacking of an Indian Airlines plane, which India blamed partly on Pakistan. "Every time relations be-

tween India and Pakistan take a plunge, we suffer," complains Lakhanbhai Punja, a boat owner in the Indian village of Vanakvada on the island of

Coast guards in the port also admit that arrests by one They were shipped home along mani emphasises that in the side are usually followed by ar- with 34 others in 1997, thanks rests by the other.

pletely arbitrary and in violation of the rights guaranteed and non-government organisaunder international tions. - News Network | covenants," says Father

Thomas Kochhery, leader of In- Ram, was also captured in 1994. dian fishworkers and founder of the World Forum of Fishworkers and Fish Harvesters. "Innocent people, in search of a livelihood, are incarcerated in captivity for years while their families back home suffer in penury and poverty." Says P. V. Khokeri, a leader

fishworkers are the victims of diplomatic rivalry. We have be-Arrests are routine, but resi- come pawns in the game the two countries play.' Few have experienced the problem more than the people of Vanakvada. Their lives follow the ups and downs of bilat-

of the fishing community in the

Indian state of Gujarat: "Our

and Pakistan. Members of at least 60 families from the village have been captured while fishing at sea. Many have spent years in Pak-

eral relations between India

Manji Dayar, 18, and Nanji Murji. 12, still remember the day in 1994 when they were captured, together with other villagers in two boats. After three days in police custody they were transferred to Landhi jail in Karachi before ending up in a shelter for juveniles in Karachi. largely to the work of the South "These arrests are com- Asian Labour Forum, an alliance of regional trade unions

Another fishworker, Raja ments.

with 17 others. He was released three years later. But his son, Dhiru, who was also arrested, escaped from the juveniles home in Karachi and has been not heard of since. His wife Ramila mumbles with a vacant look, "I have got back my husband but lost my son. Life for us will never be the same again."

Between March 1997 and May 1999, some 600 fishworkers have been released by the two sides. This was made possible not only by the Labour Forum initiative, but also because of a thaw in India-Pakistan ties at the time. Positive signals emanated from both countries and there was a genuine urge to mitigate the suffering of the

fishworkers. But their release took place as part of an 'exchange protocol', a device opposed by trade

"The Labour Forum has pointed out that exchanges of detainees will not guarantee the cessation of arbitrary arrests and illegal detention," says H. Mahadevan, deputy general secretary of the All India Trade

Union Congress. Indian lawyer R. Venkatraabsence of a maritime agreement, India and Pakistan must resolve the issue in accordance with the United Nations Convention on the Law of the Seas and other international agree-

The Law of the Sea states clearly: "Arrested vessels and their crews shall be promptly released upon the posting of reasonable bond or other secu-

It also stipulates that, unless specifically agreed by states concerned, penalties for violations of fisheries laws and regulations must not include imprisonment or any form of corporal punishment.

The villagers of Vanakvada must now be wondering whether there is more trouble ahead, given the serious deterioration in relations between India and Pakistan as a result of the December hijack.

Pakistan is under military rule while India is waging an international campaign to declare Pakistan a terrorist state.

Unlike their governments, however, the fishing communities of the two warring nations have come closer in a shared spirit of livelihood and broth-

"We, fishworkers of India and Pakistan, have no problems among us. We have no conflict, we are friends. This is a problem of power, of state, of coastguards, of navies," said a statement by Vanakvada fisherfolk. "If we meet each other in the ocean we greet each other.

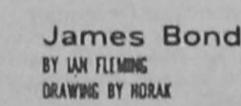
The author is an Indian journalist specialising in labour Issues.

Garfield ®















we share food."