

Thailand offers a nice trade basket

Entrepreneurs must diversify products and excel in quality

THAILAND'S decision to exempt duty from 40 different types of Bangladeshi products offers both opportunities and challenges. The opportunity springs from the product variety contained in the list, which include jute, leather, ceramic and pharmaceutical products. Excepting the pharmaceuticals, Bangladesh's traditional export items—like jute, leather and ceramic products—now have a convenient entry and full participation in a 59 million strong consumer market in one of the thriving ASEAN economies.

The challenge comes mainly from Dhaka's poor performance with respect to bilateral trade with Thailand. The trading pattern of the immediate past is indicative of our fundamental drawbacks insofar as the volume of export to Thailand is concerned.

While Dhaka's import from Thailand has increased manifold over the years—rising from \$78.76 million in 1996 to \$201.2 million by 2002—the export to Thailand has had a checkered history. Bangladesh's export to Thailand rose from \$12.05 million in 1996-97 to \$45.24 million in 1999-2000. It plummeted dramatically in 2002 to \$27.88 million only.

This state of flux occurred in the midst of Dhaka's predominance in exporting jute, leather products and ready-made garments into Thai market. The Thai authorities have given a second chance to Bangladesh to improve upon its traditional exports by keeping the same items in the current list of duty-free products too.

What remedy can one seek in light of the enumerated scenario to bring about a semblance of symmetry in the bilateral trade of the two regional neighbours? Option one would be that, Bangladeshi entrepreneurs might choose to export more of their pharmaceutical products to Thai markets while not forgetting to improve qualitatively upon traditional products like jute, ceramic and leather goods.

Knowing that that alone may not suffice to tilt the balance of trade pendulum in Dhaka's favour, our entrepreneurs might choose another option to export more consumer products—cosmetics and beauty products, for example—for which Thailand currently spends nearly \$8 billion annually from a \$178 billion strong GDP. Exporting consumer products also seems more 'viable' due to Thailand's other major imports being capital goods and raw materials, which we too import as heavily as does Thailand.

Dhaka also must capitalize on another positive sign; the inclusion of 9 types of ceramic products in the list of duty free items. Bangladesh has fared better in ceramic exporting over the last two decades, but it must be mindful of the increased competition of ceramic products that has burgeoned in the intra-ASEAN markets. In this case too, Bangladeshi entrepreneurs will do themselves a better service by excelling in qualitative edges over the others.

The most important aspect of the Bangladesh-Thai enhanced economic cooperation is Thailand's expedited initiative in such matter, which manifested itself long before Bangladesh's immediate neighbors were willing to offer such a lucrative economic package to Dhaka.

By granting this privilege, Thailand seems to have offered Bangladesh a commercial bridgehead in the ASEAN. Dhaka must take extra care not to squander such an opportunity.

OSD culture

Can we afford the luxury of so many idle officers?

NO fewer than 355 government officials have been made officers on special duty (OSD), which means they have no job to perform. The skilled and experienced senior officials have virtually become sinecures and in most cases they do know when they will be brought back to active service— that is, to positions with specific job description.

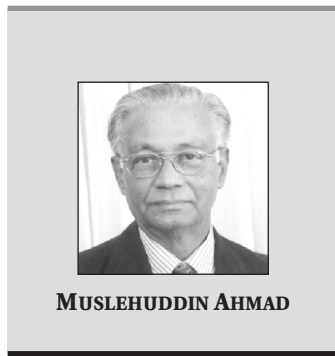
Appointment as an OSD was always a stopgap arrangement in the past which the officials usually got in between two assignments or after a long absence from service owing to leave, foreign training etc. Of course, officials facing charges of corruption and breach of service discipline were also made OSDs. Finally and vaguely, unavoidable reasons also accounted for the officers remaining without any job for a period usually not exceeding a few months. But there have been government officials acting as OSDs year after year!

In most cases, the officials are not facing any specific charge or investigation against them. So successive governments apparently applied the rule of administrative expediency while placing the officers on special duty. Allegations are there that officers holding political views not looked kindly on by the government of the day were made into OSDs. It is precisely here that the OSD issue unfolds a dimension antithetical to the basic spirit of permanent bureaucracy. The government will come and go but the bureaucrats who serve the state, not any particular government, have to stay and remain active unless they have been found guilty of grave omissions and commissions.

If any segment of officials is put in a limbo on 'political consideration' it amounts to politicisation of the bureaucracy. It could also have a demoralising effect on the officialdom, apart from being a pointless loss of the service that they could render to the state.

We believe the OSD culture should not be extended beyond the limits set by service rules; for, only a bureaucracy free from political influence can function with objectivity and neutrality.

Saddam's sons and grand son killed -- but under what law?



MUSLEHUDDIN AHMAD

THE Administrations of the U.S. and the U.K., the great democracies and human rights champions celebrated the extra-judicial killings of Saddam's two sons—Uday and Qusay and a minor grandson as the 'great' day for 'new Iraq' (Blair said) and obviously for them too. But those of us who have nothing to do with the unhealthy politics of Bush, Cheney, Rumsfeld, Blair and Saddam feel that it was indeed a sad day for the civilized world as it would never support killing of even a criminal without putting him through an internationally accepted judicial process.

Uday and Qusay were playboys—yes. They were debauchees—yes. They were the killers—probably yes as many Iraqis say so. But they must not have been killed just the way the occupying forces did. In any case, what was the fault of the minor grandson who was also butchered by the same forces? Indeed, who gave the occupying

forces the authority to kill people regardless of their crimes, without proper trial? Even Milosovic has been going through an internationally accepted legal process. The occupying forces would do the same if they find Saddam. There is already a bounty of \$25 million on Saddam's head. But again, the question is—under what law? If civilized people do such things without showing any regard to international law, then the whole world will plunge into lawlessness and terrorism will take over.

attack on Iraq. Was there any UNSC resolution for such withdrawal of Weapons Inspectors? With Weapons Inspectors of different nationalities still on Iraqi soil, the U.S. would have thought twice to launch the attack. At least there could have been some delay and that would have given some chance to several UNSC members which were opposed to war to detect the lies on weapons of mass destruction (wmd).

Lies about weapons of mass destruction are being unearthed

weapons of mass destruction could be found in Iraq even months after the war, President Bush said—these weapons were looted or were transferred to a neighboring country—Syria. When these could not be proved, now the stand is that Saddam had a program on weapons of mass destruction if not the weapons themselves. The latest appears to be that Saddam had dream of producing weapons of mass destruction. So he had to be removed because he could be a threat to Israel, the US and the UK

Iraqis). The killing of Saddam's sons brought some celebration among some Iraqis who suffered in their hands, but many others demonstrated anger over such gruesome murder of Uday and Qusay and his minor son by the occupying forces. There was already a quick retaliation—3 American sons against 3 Iraqi sons. Two of the Iraqi sons were infamous but the little grandson became the victim for no fault of his.

The Arabs' reactions appear to

a biological weapons scientist and Scientific Advisor to the British government due to the alleged "intolerable" humiliation he suffered from parliamentary interrogation. His fault was he divulged the "lies" on which the war was launched. As a conscious Briton he had to do it through BBC so that the world could know the truth. But this was undoubtedly a very tragic and unnecessary death.

So far as Iraq is concerned, it is almost certain that the Governing Council that the US and the UK Coalition forces have created under Administrator Paul Bremer will not be able to bring any security, let alone ensuring normal or even nearer normal life to Iraqis. Let the US and the UK or some others move a resolution in the UNSC asking the UN to take over fully and the occupying forces should withdraw handing over Iraq to the UN. The UN should take over and ask the countries friendly to Iraqi people to contribute forces under UN command. Such a UN Peace Force under UN mandate may have full cooperation from Iraqis—Bathists and others and restore normalcy in Iraq within a reasonably short period of time and organise general election for a government acceptable to Iraqis. Nothing else can work in Iraq.

(Muslehuddin Ahmad is a former Secretary and Ambassador and Vice-Chancellor (designate) of the Presidency University. He is also the Chairman of Civic Watch—Bangladesh)

SPOTLIGHT ON MIDDLE EAST

The Arabs' reactions appear to be of general anger but some were mutely happy as they wanted Saddam and his sons to go. But their positions may not remain safe for long. The whole M-East is now under serious turmoil. The process has just started; nobody knows where it will end.

Already the international fight against terrorism has suffered tremendously.

Indeed, heaps of lies led to the death of a sovereign nation— one of the oldest civilisations on earth. UN Secretary General Kafi Annan has now been pleading for restoring sovereignty to Iraq. But who are responsible for destroying Iraqi sovereignty? Kafi Annan cannot escape responsibilities. It was he who withdrew the Weapons Inspectors (UNMOVIC) from Iraq, which cleared the way for US and UK to launch their immediate

now by the legislators of both the U.S. and the U.K. There is a story: *a man went upto his neighbor and said -- you rebuked me for nothing. The neighbor said -- I did not do it. The man then said -- then your father did it. The reply was -- my father died some 10 year before your birth. The man's vexed reply was -- then your grandfather did it.* This is what is going on now with Bush-Blair's story of weapons of mass destruction. Prime Minister Blair categorically told the British Parliament that weapons of mass destruction could be 'activated by Saddam in 45 minutes'. As no

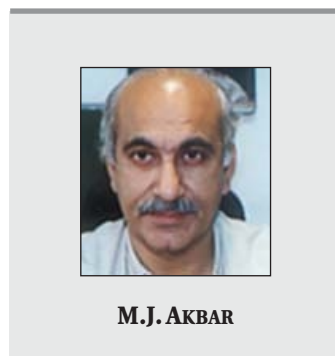
one day. So immediate attack was necessary to make Israelis, Americans and British people safe. But have they really been made safe? Only result one can see is that Bush and Blair have made their countries unsafe and more insecure as there is now tremendous urge for a revenge—for 'Jihad'.

The worst was the TV pictures of the ghastly disfigured Hussein brothers (Many doubt whether Hussein brothers were at all there together to be killed like that. Later their faces were reconstructed by the occupying forces to convince

of general anger but some were mutely happy as they wanted Saddam and his sons to go. But their positions may not remain safe for long. The whole M-East is now under serious turmoil. The process has just started; nobody knows where it will end.

The illegitimate and illegal war without UN mandate, occupation, extra-judicial murders, etc. all based on mountains of lies, have already destabilised American and British politics. The 'Great' image of Great Britain has been tarnished somewhat by the death of Dr. Kelly,

Minaret with a view



M.J. AKBAR

THE absence of advertising made the impact that much sharper. It helped of course that the brand name was known, if only as a potentially hostile entity. But it is a presumption to imagine that Maulana Fazlur Rehman appeared at the Wagah border and entered India for a four-day visit without forethought. He came suddenly, but he did not come from nowhere. He began his first journey to India from a new space in the Pakistani consciousness, and one that is growing.

The Maulana does not look burdened by fame, because his mind is clearer than his reputation. Media loves a tag, and 'Father of the Taliban' is as good as it gets. Maulana Fazlur Rehman is the leader of the Jamaat-e-Ulema-e-Islam, a successor organisation to the Jamaat-e-Ulema-e-Hind, which of course continues to function in India. This is not the place to delve into the complexities of the various movements inspired by the Islamic clergy in undivided India, but it would be broadly correct to say that the Jamaat-e-Ulema has a very powerful anti-imperialist tradition, having fought the British consistently through most of the 19th century. The battle was both ideological and military; it preceded the mutiny of 1857 and continued long after it, provoking the British administration to ask what became the consuming question of the time: Are Muslims bound by their religion to oppose the Raj? For these mullahs preached that a jihad against the British was a Quranic duty, no less—and violence flared up periodically

against British rule all through the 19th century.

They belonged to the same school of thought as the wandering ideologue Jamaluddin Afghani, a Persian who found periodic refuge in Istanbul but drifted across the world urging Muslims to confront western, and by extension Christian, imperialism. Tides as strong as this prompted the British administration in Calcutta to set up what might be called a pro-British Muslim party after the formation of

surrender the dream that the Islamic clergy would lead that challenge to the West. Although there are no exact parallels, in a sense, the JUI's philosophy was the Sunni equivalent to the themes argued so passionately by Ayatollah Khomeini in the Iranian revolution. It was no accident that Imam Khomeini quoted Jamaluddin Afghani with approval.

Maulana Fazlur Rehman's views on South Asia and the threat he perceives from the United States

Buddhas were destroyed. The Taliban had developed a comfortable relationship with Washington, which is why they allowed American Christian missionaries to operate in Afghanistan when they were in power. The Taliban cooperated with Washington to ensure that the missionaries left the country unharmed before America and Britain attacked.

Irrespective of what anyone else might argue, Maulana Rehman believes that there is no proof that

argument was a shoddy excuse. Tony Blair, the eyes-wide-shut evangelist, now pontificates that history will justify his decision because the war removed a tyrant. By such standards the British Army is scheduled for busy days ahead. The pressure of a lie can become unsustainable in a democracy, as the apparent suicide of Dr David Kelly, who is believed to have blown the whistle on doctored intelligence to the BBC, indicates. Hubris requires only one tragic

the world Delhi says that Kashmir can be resolved by a bilateral dialogue, and when a bilateral effort starts, Delhi treats Kashmir as an internal problem. Pakistan has been pleading for American intervention, with or without a UN camouflage, since the early 1950s. After Iraq, India has become less of a problem than the United States.

This is a remarkable turnaround. This is what Prime Minister Atal Behari Vajpayee was suggesting, in his typical oblique way, when he launched his present peace initiative from Srinagar with a throw-away line that the world had altered after Iraq. He did not elaborate. He did not need to. The signal was picked up.

But any journey towards understanding (peace is too ambitious a word, as yet) between India and Pakistan is a journey through a minefield. There are two reasons for guarded optimism, however. The first is the care with which the principals are walking. This is critical. Any attempt to leap forward will create serious injuries that can so easily become septic. Let both sides, at every level, bare their suspicions, glare from their corners and get the snarls out of the way.

But that is not the real issue. The Bush-Blair problem is that the response in Iraq and Afghanistan, and among those young men ready for another Jihad, will be determined by what the latter believe. If they believe, as they are beginning to do, that America is determined to become the new master of the Muslim world, then they will take up arms. Saddam Hussein's statue came down in early April; Bush declared the war over some three weeks later. He did not suspect that the war may have only begun.

Maulana Fazlur Rehman is certain about American intentions. Some of the harsh conservative rhetoric has helped to create such certainty, particularly when rhetoric has become policy. He reflects a growing view that the last thing Pakistan needs is American intervention, on any excuse. This is a total shift from the traditional Pakistani policy on Jammu and Kashmir. Pakistan believes that India has played out a neat trap: to

BYLINE

Any journey towards understanding (peace is too ambitious a word, as yet) between India and Pakistan is a journey through a minefield. There are two reasons for guarded optimism, however. The first is the care with which the principals are walking. This is critical. Any attempt to leap forward will create serious injuries that can so easily become septic. Let both sides, at every level, bare their suspicions, glare from their corners and get the snarls out of the way.

the Indian National Congress, whose purpose was to thwart an incipient nationalism by dividing Hindus and Muslims. Sir Sayyid Ahmad Khan served that role with all the power of his intellectual brilliance and of course personal integrity. Not Afghani, who spent two years in Hyderabad, was furious at the politics of Sir Sayyid and accused him of being a *dajjal*, or a betrayer of Muslims. To take the story forward, the Jamaat-e-Ulema did not believe in partition, and thereby came close to Gandhi and the Congress. It remained true to its line, even when the fires that divided India went out of the control of both protagonist and antagonist. It is useful to remember that the disciples of Afghani created the Muslim Brotherhood in Egypt, which continued the anti-imperialist tradition at one level, and spawned numerous groups that spread across the Arab world, taken over by Britain and France after the collapse of the Ottoman empire in 1918.

Partition obviously changed the politics of the Jamaat-e-Ulema in Pakistan but it never lost its essential anti-Western thrust, nor did it

must be seen in this historical context. But history cannot be an artificial interventionist; it must be justified by contemporary facts to become relevant. An increasing number of politicised Muslim activists draw a definite conclusion from the American invasion and occupation of Afghanistan and Iraq after 9/11. They believe that neither war has been justified by the reasons offered for them, and that the reasons have proved to be palpably false. In neither case did the United States argue that it was the nature of those in power that had persuaded it to invade the country and replace the regimes. It could not, because Washington had done business with both the Taliban and Saddam Hussein, without asking the former about fundamentalism and the latter about tyranny. Saddam was not any less brutal when Washington and London gave him billions of dollars in food credits, and looked the other way while he evaded arms sanctions during the war Saddam launched on Iran. Discussions with the Taliban on an oil pipeline through Afghanistan were not broken when the Bamiyan

the Taliban, or Osama bin Laden, were responsible for 9/11. Nothing has emerged from even the interrogations at Guantanamo Bay that links Osama directly with those who flew the aircraft into the Twin Towers and the Pentagon. A speech glorifying war against Anwarmeria is at best circumstantial evidence. Maulana Rehman is certain that the Taliban was punished only because it believed in Islamic rule, not because it was guilty. George Bush needed a scapegoat, and found one with a beard. The Jamaat proclaimed Osama a hero in the successful election campaign that brought them within an inch of power in Pakistan.

There may be genuine doubts about this view, and perhaps also unexpressed self-doubt among the believers. But Iraq became the incontrovertible proof that they needed. America has become the latest in a long line of colonisers, in a process that began in the early 19th century and seems set to continue into the foreseeable future. Even ardent supporters of the Anglo-American war now are beginning to concede that the weapons-of-mass-destruction

flaw to destroy a hero: Tony Blair is less than a hero, and has more than one flaw. Even George Bush is beginning to put some distance between them and the two.

But that is not the real issue. The Bush-Blair problem is that the response in Iraq and Afghanistan, and among those young men ready for another Jihad, will be determined by what the latter believe. If they believe, as they are beginning to do, that America is determined to become the new master of the Muslim world, then they will take up arms. Saddam Hussein's statue came down in early April; Bush declared the war over some three weeks later. He did not suspect that the war may have only begun.

Maulana Fazlur Rehman is certain about American intentions. Some of the harsh conservative rhetoric has helped to create such certainty, particularly when rhetoric has become policy. He reflects a growing view that the last thing Pakistan needs is American intervention, on any excuse. This is a total shift from the traditional Pakistani policy on Jammu and Kashmir. Pakistan believes that India has played out a neat trap: to

OPINION

Lawyers' boycott is for an independent judiciary

M. AMIR-UL ISLAM

SOME misleading statements have been made with intent to breaking the unity of the Bar. They are purporting to raise an unnecessary controversy as to whether the elected representatives of the unified Bar has the right to give a call for court boycott on issues which concern every lawyer in the country. The issues involved are much greater than the makers of the statements seem to think.

The manner and method in which the judges of the Superior Court have not been confirmed and most senior was not even considered has struck at the very root of the independence of judiciary. Those who now question the call for the boycott earlier misled the same Prime Minister in 1994 to unilaterally appoint judges without proper consultation that has been practiced as an unbroken convention since the British rule. On protest from the Bar the convention of consultation and primacy of the opinion of the Chief Justice were restored on the intervention of the same Prime Minister. Since the present

government came to power, the same people again misled the Prime Minister to break the constitutional convention to compromise the independence of judiciary.

Over and above, there is an attempt to amend the Bar Council Act without consulting the Bar Council to make the Bar Council subservient to the wishes of the government by introducing arbitrary and mandatory provisions thereby destroying the edifice of an independent bar and the autonomy of the Bar Council. Such steps are designed not only to undermine the independence of the Bench (Judges) but also to control the Bar.

As a consequence of such actions and designs initiated from this ruling quarter, the Bar Associations including the Supreme Court Bar Associations of the country started boycotting the Court as the government has failed despite all our attempts to see the reason.

A six-point demand/programme was compiled by elected representatives of the Bar

Association and elected members of the Bar Council as democratic elected leaders of all the lawyers across the nation. It is to be noted that the six-point demand/implementation committee is much larger than the Bar Council as well as independent and separate from it. Bar Council, as an autonomous body adopted in its extended meeting the six-point demand/programme of the six-point implementation committee and further reiterated the same on 18th July.

In similar manner, a movement was launched against the Court fee hikes last year. It is the lawyers community as a whole who took such decisions in an organised, democratic and orderly manner as was done on previous occasions. Bar Council acted merely as a facilitator to such meetings so that the entire Bar including all the District Bar Associations can speak in one voice on the basis of a consensus reached through reasoned deliberation by the elected leaders of the Bars. Thus the decision to boycott is not a decision made or imposed by the Bar Council per se, but rather reached by way of consensus

amongst all the individual Bar Associations across the country, whereby every District Bar Associations took their own respective resolution accordingly to that effect.

Certain individual District Bars made demands and proposed action plan which were much more stern and drastic than the consensus view ultimately reached. The role of the Bar Council was purely as that of a facilitator amongst the lawyers community to reach unity.

A particular group, due to whose moves and designs the judiciary is being politicised does not like the united voice of the Bar. As they know that such unity will thwart the present style of governance, which is not the rule of law but rather the rule of thumb. We are therefore upholding the unity of the entire lawyer's community, irrespective of party political affiliation.

The lawyers being a conscious segment of the society committed to Rule of Law, independence and separation of judiciary, will naturally resist any meddling by or interference from the government

into the affairs of an independent and fearless Bar. They can not be misled or confused by the divisive narrow and parochial move from this group who are bent on destroying the unity amongst all the Bars as well as the unity between the Bar and the Bench in the question of independence and separation of the judiciary.

Let us not forget for a moment that the petitioners in the landmark Masder Hossain case for the cause of the separation of the judiciary were in fact 218 judges of the sub-ordinate judiciary itself. The separation and independence of the judiciary as well as preserving an independent Bar are of grave Constitutional significance which is above and beyond any narrow party interest to control the Bench or the Bar.

This boycott by the lawyers is a protest against such meddling and interference by the government in matters which will have negative ramifications and consequences in achieving good governance, rule of law or democracy.

Whereas any democracy presupposes participation by the concerned people/group in the

decision making process in matters that affect them in recent times, there has been no participation or consultation of any manner however, by or with the Bar or the Bench in matters that directly affect them. This is yet another malfeasance to disempower such independent institutions..... which plays a meaningful role in the scheme of 'check and balance' of power structures in any system of democratic governance. Rather than strengthening such institutions the Executive organ is even seeking ways and means to overpower and control the Judicial Organ of the Republic.

The Bar Council, the Supreme Court Bar association and all the District Bar Associations have amply demonstrated to the Nation at large through their democratic methods and practices how to work, achieve and ensure participating democracy in the decision-making process by their members and stakeholders in matters that affect them.

Rather than belittling such democratic norms and practices, the political Executive power may wish to take a lesson or two from

the community of the lawyers as to how to ensure participation and consultation in the decision-making process by all concerned who are likely to be affected by a decision.

This group have not responded to letters, memos, initiatives of the Bar Council, Supreme Court Bar Association and others. They failed to respond and meet the Senior Advocates including Dr. Kamal Hossain, Late Syed Ishtiaque Ahmed, Dr. Zahir and others. Their letters were not even acknowledged, not to speak of responding to those as is expected in any democracy. We have been waiting on a deputation to the Law Minister, every week organising human chain, holding meetings in every Bar Association and sparingly resorting to court boycott, but alas no response.

Lawyers are pledge-bound and under oath to defend and uphold the Rule of Law and independence of judiciary and that of the Bar and the Bench and, of course, of the Constitution. They have, therefore no option but to carry on this burden. This situation has been created not by the lawyers or judges, but due to misguided and ill

advised caucus dreaming of establishing a autocratic regime with a totalitarian control in all offices. We as lawyers and citizens of this country abhor this anti democratic attitude and exercise our right to dissent causing the least possible inconvenience to the litigant people. If there were at all any inconvenience, it is not at the instance of the lawyers, but in order to remedy the wrong committed by the political executive power, so that the litigants, vast majority of whom are seeking remedy against the Executive actions, can get fair justice from an independent, nonpartisan, courageous and competent judiciary ably assisted by an independent and fearless Bar.

M. Amir-Ul Islam is Vice-Chairman of Bar Council.

Notice

Due to space constrain, The Letter to the Editor section is not being published today. We will have our full page Letter tomorrow as usual.

--- Editor