

## The manpower fiasco Why did problems in Malaysia assume crisis proportions?

THE Bangladesh High Commissioner in Malaysia has pledged a better handling of manpower issues vis-à-vis Dhaka-Kuala Lumpur ties. That may sound like an encouraging statement. In reality, though, one needs to ask why all this matter of making pledges and talking about a revamping of conditions should be there given that it is the understood, prescribed job of the country's diplomatic mission in Malaysia to uphold Bangladesh's vital interests there. One gets the sense that the High Commission has suddenly decided to sit up and take notice of the muddle created around the issue of manpower export to Kuala Lumpur. Coming soon after the decision by the Malaysian authorities to ban any fresh intake of workers from Bangladesh, the move by the mission looks suspiciously like a belated recognition of its own failures.

The facts are obvious. Major rackets are involved in the ill treatment of Bangladesh's workers in recent times. The fact that our workers have had to spend days after their arrival in Kuala Lumpur at the parking lot of the airport there, because no one from their recruiting organisations was there to receive them, speaks of the scandalous heights to which the country's manpower export was taken. One acknowledges the truth that just as there are corrupt manpower organisations as well as agents here in Bangladesh, there are similar elements in Malaysia. The point, though, is that the infractions and lapses committed by a section of Bangladeshi manpower exporters are a major reason behind the miseries of our workers. Take the matter of the expenses involved in a worker's travelling all the way to Kuala Lumpur. Where he should be paying Taka 85,000 for the entire process of his recruitment and journey to Malaysia, he ends up paying Taka 2,50,000. Incredibly enough, the receipt he is given once he hands over such a big amount to his agents shows a payment of Taka 85,000 having been made. Such ill treatment has been there for a long period of time. There is clearly a need for an explanation here from the Ministry of Overseas Employment and Expatriates' Welfare. Had it done its job well, we would not be in this sad situation.

As for the High Commission in Kuala Lumpur, the simple fact is that it is adequately staffed to deal with any manpower problems that may arise. Its performance, however, demonstrates the clear ineptitude and carelessness with which it has handled matters. Its job should have been to anticipate the problems our workers might face if proper procedures are not followed in their recruitment. What it did, though, was to allow these problems to mutate into a major crisis, the upshot of it being a fresh clamp-down on an entry of Bangladeshi manpower into Malaysia. In the circumstances, it will not be out of place to suggest that an inquiry be undertaken into the work of the High Commission, covering the performance of everyone from the highest to the lowest rung of the ladder.

## Sorry state of BSTI standard Who will guard the guards themselves?

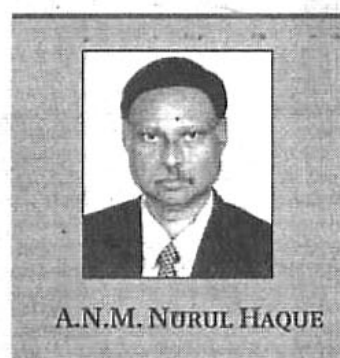
THERE cannot be another worse situation than one where those that are entrusted to ensure the quality of products that are marketed in our country have questionable standards themselves. Yet that is what the situation that is obtaining in the Bangladesh Standards and Testing Institute (BSTI) as reported in a major Bangla Daily.

As it is, the consumers in Bangladesh are having the worst of both the worlds. They have to pay prices higher than what it should be for a particular commodity without ever being sure that they are getting a quality product. The BSTI is the only institute set up to ensure the correct standard of the merchandise. And it has the authority to penalise the errant parties. What a shame that the institute is itself compromised by internal mismanagement and purchase of testing equipment which are old and faulty.

It is a pity too that those in the BSTI who have compromised their own standard because of the malpractices they have indulged in, do not realise the grave implications of their acts. For example if rods for construction are certified wrongly, which is the most likely outcome from a faulty machine, the long term consequences can be well imagined. Likewise, we are told that BSTI's physical testing lab not only compromises on the standard of products like electric meter and bulbs and cement etc, but also that nothing gets passed without appropriate palms of those manning the lab being greased.

It is a comforting fact that the relevant agencies are investigating the institute's cases of irregularities and corruption. The inquiry must identify the culprits who ought to be given exemplary punishment. We must appreciate its director general's very candid acknowledgment of the fact that things in his establishment are much worse than reported. And if there are more lacunae than what meet the eye, these must also be pinpointed and addressed immediately. BSTI is supposed to be the guardian of the interest of the millions of consumers in this country but Quis custodiet ipsos custodes? (Who will guard the guards themselves?) We can hardly put up with a situation where the premiere institute that validates the standard of products that we consume is itself unworthy of our trust.

## Right to information



A.N.M. NURUL HAQUE

ACADEMICIANS, politicians, journalists and civil society members, at a discussion held on September 30, called for creating mass awareness and involving marginal people in formulating the right to information act. The discussion, titled "People's ownership on public information: Bridging strategy," was arranged to mark the Right to Information Day that was observed on September 28 all across the world.

Six major NGOs, including Transparency International Bangladesh (TIB), have drawn up one-and-a-half-month country-wide programs to observe the day with a view to promoting the right to information as a fundamental right, and reiterating the demand for enactment of a law protecting this right.

Certainly, such a campaign bears significance for a country like Bangladesh, where people are struggling to strike a balance between administrative transparency and accountability and their access to information.

**BY THE NUMBERS**  
The people of Bangladesh are longing for right to information laws, and want the caretaker government (CTG) to take effective steps for enacting the laws. The successive political governments did not make such laws as the vested interest groups had always influenced them with a view to keeping their misdeeds hidden in the dark.

The right to information became a fundamental human right with the passing of a law known as the "Freedom of Information Act" by the US Congress in 1966. Britain was first promised, in 1974, by the then Labour government, the enactment of a freedom of information law. But it took more than a quarter of a century to reach the statute book, and a further four years to come fully into force in 2005. Most of the central government departments in Britain are now well geared up with a mass of easily accessible information already on their web-sites.

According to Britain's freedom of information laws, anyone of any nationality, living anywhere in the world, may request for information held by more than one hundred thousand public authorities and other designated non-governmental organisations in Britain, and expect an answer within 20 working days, usually free of charge.

There are, of course, exemptions. Any information relating to national security, most personal data, court records, information

subject to parliamentary or legal privilege, and information likely to prejudice the effective conduct of public affairs is subject to an "absolute" exemption that cannot be overridden.

The independent information commission set by the act has made it clear that aggrieved members of the public can seek enforcement of their "right to know" only through it. It is now considered as a criminal offence in Britain to destroy data for which a valid request has been made under the act.

The civil right groups in Britain are, nevertheless, worried at the right of the ministerial veto included in the act, which could be used to block any information deemed too politically embarrassing or sensitive to any government.

It is worth mentioning here that in New Zealand, on whose freedom of information legislation Britain's act is closely modeled, the ministerial veto has not been used once in the 18 years since the present system was brought into force.

The Commonwealth Human Rights Initiative (CHRI) report

2003, titled "Open Sesame," called for enactment of laws to ensure liberal access to information in all Commonwealth countries by 2005, and ensure effective access to information.

Bangladesh was in the list of 12 Commonwealth countries without the right to information laws, and the habit of secrecy is sapping away the economic lifeblood of the nation. The CHRI report also said that the remaining 42 of the 54 members of the Commonwealth either have specific laws guaranteeing access to information or explicit constitutional guarantees.

In Bangladesh, where democratic governments had been in power since 1991, there are some laws in force that are antithetic to the right of access to information. The Official Secrets Act (1923), the Evidence Act (1872), the Code of Criminal Procedure (1960), the Rules of Business (1996), and the Government Servants (Conduct) Rules (1979), are such restricting laws that are being imposed by the government to curtail people's right to information.

These laws should be repealed,

as they are major obstacles to transparency and accountability of any government, and also breed corruption that has taken root in the society.

Despite an abundance of advocacy and citizen groups in Bangladesh, the lack of right to information has consigned the country and its people to an abject ignorance about the government functionaries. The constitutional guarantee of freedom of speech and expression of every citizen has become useless in the absence of the right to information.

The Right to Information Act, drafted by the Bangladesh Law Commission in 2002, has been lying in cold storage for the last five years. Manusher Jonno Foundation, an NGO, prepared a draft law on the basis of the working papers of the Law Commission and submitted it to the Law Ministry. The draft of the Right to Information Act should be widely circulated for seeking public opinion.

No fewer than 75 countries, including India, Pakistan, and Nepal, have since introduced right to information laws under different heads. According to the CHRI report, the countries with access to information laws are perceived to be the least corrupt. Eight countries out of ten, scoring the best in the TI's 2002 Corruption Perceptions Index (CPI), have effective laws that enable the people to sue government files. On the other hand, of the ten countries scoring the worst, not even one has

access to information laws. After introducing the right to information laws in October 2005, India has greatly improved its CPI.

The people of Bangladesh are longing for right to information laws, and want the caretaker government (CTG) to take effective steps for enacting the laws. The successive political governments did not make such laws as the vested interest groups had always influenced them with a view to keeping their misdeeds hidden in the dark.

The CTG is also dealing with a number of policy matters of great national interest. So, there is no justification for it to skip the enactment of the right to information laws, as it is committed to restore democracy and wipe out corruption. Enactment of laws to ensure people's right to information will eventually give democracy a real spirit, and also improve the country's CPI.

The right to information is a cardinal factor in good governance, and the whole mechanism of governance in the country has been vitiated owing to its absence. Right to information is also considered as an effective tool to safeguard against breeding of corruption, which has been sapping the country's economic lifeblood. So, the CTG should not hesitate in enacting the right to information laws on the plea that it is not under its jurisdiction.

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## Forty years of servitude



KAZI ANWARUL MASUD

IT has been forty years since the six day war that signaled the defeat of the Arabs at the hands of Israel and continued occupation of the Palestinian and other occupied territories. Barring the occupation of the Baltic nations by the Soviet Union and that of Korea by Japan (1910-45) there has not been such lengthy occupation by force of others' territories in the post-colonial world.

It is sad that while the international community is celebrating the "third wave" of democratisation (by Samuel Huntington's estimate) in the freedom achieved by the former client states of Eastern Europe of then Soviet Union and is hoping for a fourth wave to take place in the broader Middle East, the promise made in 1917 by then British Foreign Secretary to Lord Rothschild of the World Zionist Organisation that the British government "view with favour the establishment in Palestine of a national home for the Jewish people" and the assurance given in 1923 by then Colonial Secretary Winston Churchill that

**GOING DEEPER**  
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the Balfour Declaration did not mean imposition of a Jewish nation upon the inhabitants of Palestine as a whole, seems to abide by the old adage that promises are made to be broken.

The international community is now occasionally engaged in finding a solution of the "Palestinian problem" as it promises to translate Samuel Huntington's "clash of civilizations" from an academic exercise to a virtual conflict between two distinct civilisations. Samera Esmeir (of UC-Berkeley) correctly states that forty years after the 1967, war the world is grappling with a solution of the territories occupied in 1967, dropping from international vocabulary the occupation that took place in 1948.

The international community is trying to convince the Israelis that eighty per cent of Gaza households should not be reduced to earning less than \$1 a day and that food insecurity should not be allowed to rise to unacceptable level, but hypocritically the international community must be allowed economic suffocation of the Palestinians because they had chosen to be governed by Hamas.

Lori Allen (of Harvard Academy for International and Area Studies) holds Israel, the US, European Union, and the Palestinians governments as well as the citizens who voted them into office for this "deliberate orchestration" of human tragedy of "poverty, oppression and existential insecurity since the occupation began."

One wonders whether the appointment of Tony Blair as the Middle East envoy of the Quartet would be able to find an acceptable solution given his narrow brief -- Palestinian governance, economics and security -- excluding the wider conflict that engulfs the area.

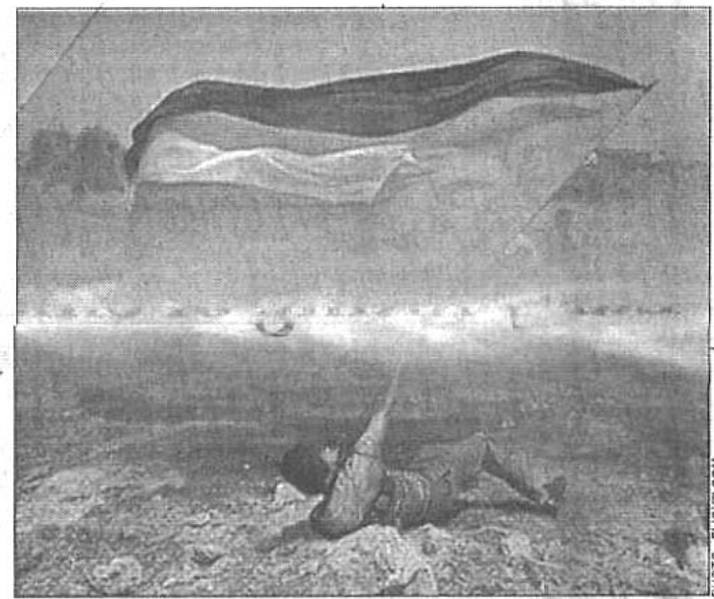
Besides, his almost total unanimity with President Bush on all matters makes him suspect to the Arabs despite President Mahmoud Abbas's welcoming his appointment. On the final prime ministerial question day in June this year he told the House of Commons that the absolute priority was to give effect to the international consensus that stability and peace in the Middle East could only be brought about by establishing two states -- Israel and Palestine -- side by side to live in harmony.

One may think that perhaps

Robert Kagan and the likes of him who believe in the superiority of hard power as the inevitable instrument to solve international disputes and insistence on the rule of law as reflective of weakness are not wrong after all. Demise of communism and the disintegration of USSR were results of the weakness of the communist system and the realization of the vast difference of power between the US and the dying Soviet Union.

As for the Europeans, Kagan explains that the end of colonialism and the Cold War whereby Europe lost its centrality in the US defense matrix have goaded the Europeans to respect international law for the conduct of inter-state relations, a practice the Europeans were averse to follow during the heydays of colonialism. But Kaganite conviction of the absolute superiority of hard power is confronted by Harvard Professor Joseph Nye's contention that throughout the history of civilisation the unassailable power is inevitably confronted by a coalition of other powers who challenge its hegemony.

In the present day context bipolar moment will be substituted



Protestor holds Palestinian flag while attacked by Israeli water-cannons.

by multi-polarity that appears to have arrived with Bush's second term in office. Yet the fact remains that the division of the world into rich and poor, North and South, weak and strong, technologically developed and less developed -- making dependence on developed economies of the major part of the world for their economic development -- gives life to the adage that some are more equal than others.

This dependence, according to Immanuel Wallerstein, makes the eyes of the less fortunate more acute to see the reality of the present and in the conflict of production of labour-intensive and capital-intensive goods the less developed countries are less likely to be ideologically deflected.

But if the core-periphery relation-

ship between two inter-dependent regions based on unfair terms of trade continues for a long time then the periphery may take resort to violence for their redemption. As the dynamics of the capitalist world system are unlikely to change in the foreseeable future regardless of whether mankind has reached the end of its ideological evolution as premised by Francis Fukuyama, any solution of the Middle East crisis will favour the Israelis because the West wants it to be so.

Those dispossessed in 1948 will remain a footnote in the history of the Middle East, and the death and destruction meted out to them will be a fleeting tragic scene in the narrative of mankind.

Kazi Anwarul Masud is a former Secretary and Ambassador.

## Trade and security trump democracy in Burma

**Burma's saffron revolt and the first flush of images and news through cell phones and internet blogs may create premature expectations about a new era of public protest. A closer look at the varied interest of Burma's neighbours in maintaining the current regime suggests that the more things change, the more they remain the same.**

BERTIL LINTNER

BURMA'S saffron revolt and the first flush of images and news through cell phones and internet blogs may create premature expectations about a new era of public protest. A closer look at the varied interest of Burma's neighbours in maintaining the current regime suggests that the more things change, the more they remain the same.

The Burmese crisis has discredited the country's repressive regime, but not enough to isolate the leaders from their closest trading partners and political allies. China, Russia and India have weighed their economic and strategic interests against expressions of world outrage, and for now decided against showing a united front against General Than Shwe and his coterie of generals and colonels.

China -- Burma's main trading

partner, major arms supplier, and therefore the only country believed to have any leverage over the generals -- expressed "concern," but reaffirmed its policy of "non-interference" in the "internal affairs," as stated by Zhang Zhijun, a vice minister of the Chinese Communist Party International Department in Beijing on September 25.

On September 27, the foreign ministers of the Association of Southeast Asian Nations, Asean, also issued a surprisingly strong statement through its chairman, George Yeo, Singapore's minister for foreign affairs. The foreign ministers' "revelation to Myanmar Foreign Minister Nyan Win over reports that the demonstrations in Myanmar are being suppressed by violent force." The day before, a spokesman for Singapore's foreign ministry had urged the Burmese authorities "to exercise utmost

restraint." Such a statement, especially concerning Burma, is unusual for Singapore, another important trading partner. Immediately after the Burmese military had crushed a previous, much bigger anti-government movement in 1988, Singapore had delivered a substantial quantity of military hardware to Burma.

A spokesperson for India, which like China has economic and strategic interests in Burma, expressed "concern" on September 26. But India, a democracy, cannot easily ignore international and domestic opinion in the way China does. On October 1, External Affairs Minister Pranab Mukherjee suggested that Myanmar conduct an inquiry into the use of force in Yangon and other cities.

All these countries have historical reasons for the wary response. China was the first major country to show interest in Burma's riches:

Renowned for planning far ahead, the Chinese expressed their intentions in a Beijing Review article as early as September 2, 1985. The article, "Opening to the Southwest: An Expert Opinion," written by Pan Qi, former vice-minister of communications, outlined possible outlets for trade from China's landlocked provinces of Yunnan and Sichuan, through Burma, to the Indian Ocean. It mentioned Burmese railheads of Myittha and Lashio in the northeast and Irrawaddy River as possible conduits for export of Chinese goods.

Hence, interest in protecting those trade routes has, in recent years, led China to upgrade Burma's naval bases and access intelligence collected from Chinese-supplied equipment, without the Chinese Navy having any permanent presence there.

Since 1988, China has also supplied Burma with more than \$1.4 billion worth of military hardware, including fighter, ground-attack and transport aircraft; tanks and armored personnel carriers; naval vessels and surface-to-air missiles.

By late 1991, Chinese experts assisted in a series of infrastructure projects to spruce up poorly main-

tained roads and railways. Chinese military advisers arrived the same year, the first foreign military personnel to be stationed in Burma since the Australians had a contingent there to train the Burmese army in the 1950s.

Thus, Burma is of vital strategic and economic importance to China, and it's highly unlikely that Beijing would jeopardise that by joining Western boycotts or encouraging a more democratic system in Burma. China wants "stability" in Burma, not regime change. In January this year, China -- along with Russia -- used its veto power to block a US- and UK-sponsored resolution, approved by a majority of UN members, in the UN Security Council. Not even appeals by activists for a boycott of the 2008 Beijing Olympics have yet swayed China into being more critical of the Burmese regime.

Russia has also supplied Burma with military hardware. In late 2002, Burma purchased eight MiG-29B-12 air-superiority combat aircraft and two dual-seat MiG-29UB trainers from Russia, at a cost of about \$130 million, and the nation negotiates to purchase Russian air-defense systems. In May, Russia

signed a deal to build a 10-megawatt nuclear-research reactor in Burma -- and Russia, like China and India, shows interest in energy cooperation with Burma. Hardly surprisingly, Russian President Vladimir Putin said on September 28 that although he was "sorry about civilian deaths" in Rangoon, it was "premature" to speak about sanctions.

Burma's close relationship with China caused concern in India. To counter China's growing influence, India at first supported Burma's pro-democracy movement from the uprising in 1988 to the early-1990s. But when it became clear that the movement would not achieve power within the foreseeable future, India too courted the junta. Burmese troops stationed along the country's north-western border are now, at least in part, supplied from the Indian side, and some Burmese army officers have trained at the Indian military academy in Pune. The Indian government also encourages border trade: The north-eastern state of Manipur is the main conduit for consumer goods from India and raw materials in the other direction.

Enticing Burma to distance itself from China, however, was not New Delhi's only concern; the rapidly

expanding Indian economy needs energy, and Burma has ample resources of natural gas. India apparently fears that any strong position from the Indian side vis-à-vis the Burmese generals would play into the hands of China, and India could lose the foothold it managed to gain in Burma over the past decade.

Singapore's stronger reaction could be interpreted as acute embarrassment over its close relationship with the Burmese regime, a target of worldwide condemnation. Apart from arms deliveries in 1988 and most likely also later, Singapore has trained Burmese intelligence officers in cyber warfare and even helped establish a cyber-warfare center in Rangoon, which monitors the activities of dissidents in the country and in exile.

Perhaps more importantly, Singapore is the banking center of choice for Burma's generals and their business cronies. Most have Singapore bank accounts, as does the powerful 43-year-old tycoon Tay Za, who is close to junta leader Than and his family. Tay's Htoo Trading Company was one of two main contractors that built Burma's new administrative capital, Naypyidaw. The other was the Asia World Group,

headed by Tun Myint Naing, or Steven Law, son of Lo Hsing-han, who, in the 1970s, was branded by US authorities as the King of Opium in Burma's sector of the Golden Triangle. Both Tay and Law are frequent visitors to Singapore, and Than himself goes there for medical treatment.

Htoo Trading reportedly "shut down" operations in late September, but some observers suggest that the company will simply adopt a new name to dodge a September 27 US Department of Treasury order, prohibiting US citizens from doing business with Burma's notorious elite. Burma's elite and the Singapore banks have reason to be nervous, if their accounts come under greater scrutiny by the Department of Treasury. US sanctions against a Macau bank in September 2005 for dealings with North Korea caused near-collapse of that bank.

But, in the end, the generals may get away with their crimes -- because of their economic and strategic importance to neighbours and other allies.

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