

Demands for teachers' release

Expedition, dignified resolution of the issue is called for

TEACHERS of Dhaka University as well as some of their former colleagues have lately been demanding the release of all academics and students taken into custody earlier by the authorities. On Thursday they staged a silent demonstration to voice their demands and then followed it up by issuing an ultimatum that the teachers must be freed from detention by December 12. We are certainly cognisant of the sensitivities involved here. The recent handing down of jail terms for some teachers of Rajshahi University, which we in an earlier editorial described as harsh and disproportionate, has obviously ratcheted up such sensitivities among teachers and people of other sectors of society. It is a situation that needs to be addressed to the satisfaction of all.

The fact of the matter is that errors have been committed on both sides. The incident should not have been politicised. There was also no cause for the type of vandalism that we saw, especially after the army was withdrawn. The crisis that flared up in August this year has seen conditions developing in a way that has left a damaging imprint on public sensibilities. But at this point, with demands arising for the release of the academics of Dhaka and Rajshahi universities, we are constrained to say that the government ought to have gone for a more deft and sensitive handling of the issue than it has so far. We have always made it clear that treating teachers in an abusive manner would lead to even bigger complications. It has always been our belief that rather than dealing with the teachers in the way they have already been dealt with, it would have been much more creditable for the authorities to handle the matter with great and careful introspection. That, unfortunately, is not how things have been shaping up, to everyone's regret.

As far as an ultimatum goes, there should not have been any. Neither there should there be a knee-jerk reaction from those it is directed at. A happening no one in the country will welcome. Such response is one of anger and egotistical in nature rather than sign of wisdom and foresight. Considering the difficult circumstances the country in general and the universities in particular have been going through even any semblance of confrontation will have to be scrupulously avoided.

We would like to think that the government has no wish to belittle the academic community as leaders of the former have often reiterated. It is in light of such belief that we will ask it to go for an expedition and dignified resolution of the issue. And since teachers are a highly respected section of society and have been for ages, it will be injudicious on the part of anyone to expect them as well as all the students detained to give an 'undertaking' before they can be freed. Simply put, the question does not arise. In view of the fact that teachers and students have already suffered several months of prison, government should declare an amnesty and free all concerned.

Dredging the Balu

Half measures won't do

BIWTA's plan to go ahead with dredging the Balu river without following the taskforce recommended width of 100 meters will be thoroughly counterproductive we feel. The reason offered by the inland water transport authority cuts no ice.

The river has been encroached upon and the illegal occupants must be expelled from government land. If the original width of the river, as per record, was between 200 and 250 feet, there is little ground for the authorities to take refuge in the argument that extending the width of the river to near its original width will involve massive requisition of private land. These lands are not private, and we fully agree with the environmentalists that should it require acquisition of land to save an important part of the capital's lifeline so be it. It is not as if the administration has stopped taking over land for developmental works. And amelioration of a very serious problem of Dhaka city by solving its drainage system should merit very high consideration in the list of development works of the government.

The BIWTA ought not to overlook the grave environmental hazard that the capital will be made to face as a result of taking a half measure with regard to a near-moribund river. If the BIWTA insists on dredging the river restricting to only a width of 37 meters instead of the recommended 100 meters, one could ask why the task force at all and why the wasted time of the experts committee if the recommendations are to be discarded out of hand?

As it is, Dhaka has been divested of the many rivers and channels that used to serve it, either because of population pressure or due to natural causes. Most of the catchment areas that had served Dhaka has been filled up, most of it illegally. The immense difficulty the city's population is subject to after every light shower these days need not be restated. Corrective measures must not be put off, but half measures are worse than no measures at all, as the BIWTA plan may well turn out to be.

This is a test case for giving effect to a recommended solution of a committee set up by the government, where the cost of failure would be high. We join in the call to go back to the well considered recommendations of the task force and implement them in toto.

Some pointers for Bangladesh diplomacy



KAZI ANWARUL MASUD

It is commonly believed that "foreign policy is that area of politics which bridges the all important boundary between the nation state and its international environment," and though politics may stop at the water's edge, foreign policy is the projection of the capacity of a country's interests that it considers important to be implemented in its international relations.

The Bush administration considers its doctrine of pre-emption as an essential part of its foreign policy and as an integral part of ensuring the security of the American people. Whether the global community agrees with the doctrine is irrelevant to the Bush administration, and if one goes by the philosophies propagated by the likes of Robert Kagan or other conservatives who would like subordination of international laws and norms to the US laws, then military might takes precedence over foreign policy. It would, therefore, appear that a country's foreign policy is generally in step with its political weight in the international arena

Logically, we have to improve our relations with countries with whom we have substantial trade relations or are dependant on for supply of essential commodities, the prices of which have sky-rocketed in recent days. Bangladesh also has to develop relations with countries who can be significant foreign investors, not in areas of natural resources only, where we can develop our own expertise, or in areas that in future will reduce our competitive advantage, but in fields that would enrich our human resources.

and the economic and military might that it possesses.

It is reported that Bangladesh aims to strengthen a balanced relationship with all regional and neighbouring countries, including those within Saarc and Bimstec, and develop linkages with Asean, EU, and the Commonwealth. Bangladesh also aims to cultivate relations with key powers like the US, the Russian Federation, UK, Japan, and China.

The aims appear to be commendable at first glance. Though multilaterally Saarc and Bimstec are important, it is not readily understood how Bangladesh can have similar relationship with India, which surrounds us on three sides, as with Maldives, Sri Lanka, and Pakistan that are thousands of miles away from our shores. One has to remember that the days of Cold War politics of playing one power against the other are long gone and almost all countries direct their foreign policy to serve their economic and trade interests in a peaceful international environment.

GOING DEEPER

Since, barring Iraq and Afghanistan, physical occupation of a country by another has become a matter of the past, consequently economic diplomacy has gained importance in the conduct of foreign policy. There is no reason to believe that Bangladesh should be an exception to this rule. Besides, the definition of security has undergone sea change from traditional territorial security against foreign invaders, and now includes food security, human security, environmental security, etc.

While setting up Nato, John Foster Dulles felt the necessity to protect Western values and religion from possible onslaught by communist menace, and Canadian Lester Pearson felt that the then menacing state of affairs could not be resolved by the United Nations. Now, fifty years later, the demise of the Soviet Union and communism resulted in the demolition of Warsaw Pact despite Russian discomfiture over Nato's backtracking of its promise of not to deploy nuclear weapons in the new member

states of Nato who are all countries of former eastern Europe.

But American nuclear primacy has made conventional security threat irrelevant. The world is more likely to be threatened by non-traditional security threats (NTS) like climate change, as we have seen through cyclone Sidr in Bangladesh. Repeated degradation of the quality of life and large-scale displacement of people could have the distinct possibility of forced migration of people to neighbouring countries where they may not be welcome.

Non-traditional security threats "are mainly non-military in nature, transnational in scope - neither domestic nor purely interstate, come with very short notice, and are transmitted very rapidly due to globalisation and communication revolution" (The Stanley Foundation, June 2007).

Professor Dr. Eric Uslaner has interrogated the premise as to whether economic reform should precede political reform, basing his arguments on the premises that democratic institutions are not the source of clean govern-

ment and elections can breed corruption and that the simple adoption of democratic institutions without bringing the people out of inequality trap (both economic and unfair legal system) would not bring about democracy, for which preparations are being made in Bangladesh in right earnest.

If Dr. Uslaner's prescription of emphasis on economic development is accepted, then, logically, we have to improve our relations with countries with whom we have substantial trade relations or are dependant on for supply of essential commodities, the prices of which have sky-rocketed in recent days.

Bangladesh also has to develop relations with countries who can be significant foreign investors, not in areas of natural resources only, where we can develop our own expertise, or in areas that in future will reduce our competitive advantage, but in fields that would enrich our human resources. Unfortunately, till now foreign investment has mostly come to service and energy sectors.

While it is to be accepted that corollary effects of economic growth, without being accompanied by what Nobel laureates Joseph Stiglitz would call "moral growth" and Amartya Sen would call development as a fundamental right, are invariable growth of unplanned urbanisation or slums and increase in criminalising of society and unequal distribution of wealth.

While no one will contradict

the idea that Bangladesh should play a more active role internationally, one has to be pragmatic in the sense that no one can be bigger than the country he or she represents. Immanuel Wallerstein, the major articulator of the World System Theory, once wrote: "Man's ability to participate intelligently in the evolution of his own system is dependant on his own ability to perceive the whole."

In the UN we should continue to uphold the reputation we have acquired as UN peacekeepers and try to enlarge our participation. As a spokesperson of LDCs, our efforts have to be better than what has been in the past. We expect greater competence to Geneva and furtherance of our interests in the WTO negotiations.

It is doubtful whether tabling a bill in the US House of Representatives will result in Bangladesh getting duty free access to RMG export to the US unless we seek help of other countries (India has the second largest lobby in the US Congress after Israel) to push our case.

In short, foreign policy should be apolitical so that successive governments can follow up the diplomatic efforts of the preceding governments. Unless we can forge this unity mainly in our decision making process without ascribing individual credit, both our foreign policy and diplomacy will remain wanting.

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The cost of doing nothing



ANM NURUL HAQUE

THE UN climate change conference was kicked off in the Indonesian island of Bali on December 3, with the hope that it would achieve the much awaited breakthrough to address four key issues related to climate change. Over 10,000 delegates from 190 countries across the world are there for negotiations on a new global climate treaty.

A collective effort to combat global warming and climate change in Rio de Janeiro conference led to the creation of the UN Framework Convention on Climate Change in 1992 and the Kyoto Protocol in 1997. Though enough nations ratified the Kyoto treaty agreeing to follow the environment friendly guideline to reduce greenhouse gas emissions, to bring it into force in 2005, the US and Australia did not ratify it.

It is encouraging that Australia's new prime minister Kevin Rudd has ratified the Kyoto Protocol on the opening day of the climate change conference. Rudd had pledged to commit Australia to the landmark UN

The IPCC has already warned that Bangladesh is likely to be one of the hardest-hit countries in respect of its agriculture due to global climate change, and its rice production may be dropped by 10 per cent and wheat by one-third. "The link between climate change and Bangladesh's natural disasters is proving to be extremely robust," said Dr. Saleemul Haq, an IPCC scientist. With its own annual carbon dioxide emissions only 172 kg per capita, compared to 21 tons in US, Bangladesh has strong reason to feel aggrieved for suffering the consequences of climate change.

treaty on greenhouse gas emissions as his first priority and kept his word after his official swearing as the prime minister.

Now a main thrust will be to draw the US, the world's largest greenhouse gas emitter, into the process. Among the most contentious issues ahead will be whether emission cuts should be mandatory or voluntary, as the US favours.

Over one billion people of 100 most vulnerable countries, including Bangladesh, face a bleak future due to climate change, according to a joint opinion paper prepared by two experts. According to the paper, 53 most vulnerable countries, including Bangladesh, Afghanistan, Bhutan, Cambodia, Laos, Myanmar, Nepal, and Yemen are from the Least Developed Countries (LDCs). The other countries are from Small Island Developing States (SIDS) and African nations.

The experts emphasised the need for taking strong mitigation and adaptation programs by the highest emitting nations, primar-

ily the US, EU, China, Brazil and India, saying that if they fail to introduce strong mitigation measures, the most vulnerable countries will suffer catastrophic impacts over the longer term.

The UN secretary general Ban Ki Moon has called climate change "the defining challenge of our age." He said this while releasing the blunt and alarming final report of the UN Intergovernmental Panel on Climate Change (IPCC) on November 17 in Valencia, Spain. The report has described the evidence of human-induced climate change as "unequivocal."

Ban said he had just completed a whirlwind tour to some climate change hot spots which he called as "frightening as a science fiction movie." He described ice sheets breaking up in Antarctica, the destruction of the Amazon rainforest in Brazil and children in Chile having to wear protective clothing because an ozone hole was letting in so much ultraviolet radiation.

The cost of doing nothing to reduce greenhouse effect has

already been proved to be devastating, with the alarming frequency and magnitude at which natural disasters are occurring in recent days. The East Asian tsunami alone took a toll of 230,000 lives in 2004. Ten deadly disasters occurring in 2005 took away lives of more than 12,500 people. At least 395 natural disasters occurred in 2006, affecting 135 million people.

Economic cost of climate change is also enormous. According to the Stern Report, climate change could cost the world at least 5 per cent of GDP each year. It would be more than 20 per cent of GDP if more dramatic prediction comes to pass. The cost of Hurricane Katrina was \$135 billion. The cost of climate change may rise to one trillion dollars a year within the next 35 years if the carbon emissions are not cut drastically.

Far more powerful than ever before, members of the UN panel said that review of the data had led them to conclude that reductions in greenhouse gases had to start immediately to avert a

global climate disaster that could leave island states submerged and abandoned, decrease African crop yields by 50 per cent and lower global economic output by 5 per cent or more.

Over 2,500 climatic scientists from 130 countries, who contributed to the IPCC assessments, provided evidence that the industrialised countries, particularly the US and European Union, are responsible for global warming. Countries like Bangladesh, who are little responsible for carbon emission but vulnerable to climate change, should demand strong commitment from the developed world for gradual transfer of technology to facilitate environment-friendly economic growth.

The LDCs should also set to fight for adaptation funds. According to an estimate by Oxfam, the developing countries need at least \$50 billion per year to cope with climate change, while the amount currently available is only \$36 million.

Bangladesh is bearing heavily the brunt of climate change and its poor people are paying the highest prices to climatic stimuli that a man can pay. Climate change has been causing devastating impact on its socio-economic development, as both the frequency and intensity of natural disasters like floods, cyclone, drought, and tidal waves are on the rise.

The combined loss to assets and output caused by 2007 floods stands at \$1.4 billion. Though the economic loss wrought by

Cyclone Sidr is yet to be assessed, primary estimates reveal that it would be billions of dollars. The government has asked the donors to pump one billion dollars to assist in a massive plan to protect the coastal belts from recurring natural disasters and climate change.

The IPCC has already warned that Bangladesh is likely to be one of the hardest-hit countries in respect of its agriculture due to global climate change, and its rice production may be dropped by 10 per cent and wheat by one-third.

"The link between climate change and Bangladesh's natural disasters is proving to be extremely robust," said Dr. Saleemul Haq, an IPCC scientist. With its own annual carbon dioxide emissions only 172 kg per capita, compared to 21 tons in US, Bangladesh has strong reason to feel aggrieved for suffering the consequences of climate change.

As soft diplomacy has failed so far to address the inevitable consequences of climate change, Bangladesh needs to place a strong demand in the climate change conference for adequate funds to help countries like ours for adaptation, mitigation, and vulnerability reduction.

Bangladesh can also logically bargain for setting up an international research centre on climate change in Dhaka. The Bali conference would be meaningless unless the demands for tackling global warming issues are placed in a forceful manner.

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Revisiting the Killing Fields



HARUN UR RASHID

CRIME, even if committed against a person, is an offence against the state, and that is why state prosecutors (public prosecutors) pursue a criminal case. A person who allegedly commits a crime can always be charged. Unlike civil litigation or disputes, the length of time elapsed does not affect a criminal case. In other words, it does not have statutory limitation.

War crimes, genocide, and crimes against humanity are categorised as international crimes. These crimes have universal application because of

BOTTOM LINE

The trial in Cambodia shows that if a country's leaders are determined to put on trial the accused war criminals for international crimes, time and inaction in the past do not matter. The trial can be commenced provided the composition and the procedure are fair and the rights of the accused meet acceptable and recognised international standards of justice.

their brutality, and the systematic attacks against civilian population. Any individual suspected to have committed such crimes can be tried at any time by states that are party to the 1948 Genocide Convention and the 1998 Rome Statute of International Criminal Court.

Definitions

War crime: Any crime that is contrary to the 1949 Geneva Convention of Armed Conflicts. This includes disproportionate use of power and action against civilians.

Crime against humanity: This includes murder, extermination, torture, rape, and persecution, or

other inhuman acts, as part of a widespread or systematic attack, or knowledge of attack, directed against any civilian population.

Genocide: Genocide includes any act of killing with intent to destroy in whole or in part, a national, ethnical, racial or religious group.

The definition of genocide in the 1948 Genocide Convention requires the "intent to destroy in whole or in part." Intent can be difficult to prove during contemporary acts of genocide and especially those acts stemming from conflict situations.

Crimes against humanity do not require an "intent to destroy a

group in whole or in part" by the perpetrators, but instead require that such atrocities detailed in the definition, such as murder, extermination and so on, are committed as part of a "widespread or systematic attack directed against any civilian population," and "knowledge of the attack" refers to the knowledge of the perpetrators or supporters of the attack, or of those in power who have acquiesced to the attack, upon any civilian population.

Past instances

The responsibility, first, lies on the state where the crimes had occurred. If the domestic system

falters or fails in this respect, international mechanisms may come into play. In that sense, international mechanisms operate to provide redress where the domestic system fails or is found wanting.

For example, on a request from Spain, late Chilean president Augusto Pinochet was arrested in London in 1998 for crimes against humanity, but he was released only on medical grounds. Yugoslavia's late dictator Slobodan Milosevic was surrendered by the Serbian government and was put on trial at the Ad-hoc International Criminal Court in 2002 on charges of genocide, war crimes and crimes against humanity in the Bosnian conflict.

The above instances demonstrate that no one, even a head of state, is immune from criminal trial against war crimes, genocide and crimes against humanity.

Cambodian situation

From 1975 to 1979, the Khmer Rouge leaders embarked on a pre-planned economic and social experiment and, during the

experiment, about 1.7 million, especially those who lived in urban areas, died from brutal treatment, starvation and disease. As a result of the ill-conceived social experiment, millions of Cambodians were tortured and sent to killing fields due to policies pursued by the radical and rural-based Khmer Rouge.

More than 28 years after the killing stopped, Khmer Rouge leaders are being tried before a tribunal in Cambodia.

Kaing Guek Eav, 66, is among five major suspected criminals who committed crimes against humanity. The allegation is that 14,000 people were tortured under Eav's orders at Tuol Sleng prison, also known as S-21, and sent to killing fields.

The statement of indictment said that under the authority of the accused, "countless abuses were committed, including mass murder, arbitrary detention and torture." The judge listed methods of torture that included beating, stabbing, suspension from

ropes, removal of fingernails, and drowning in pits filled with water.

The hearing on November 20 came one day after the arrest of the last of the five alleged criminals being pursued by public prosecutors, the former Khmer Rouge president, Khieu Samphan, 76. Taken by the police from a hospital where he was recovering from an apparent stroke, he was charged with war crimes and crimes against humanity.

Two other alleged criminals were arrested on November 20, the former foreign minister Ieng Sary, 82, and his wife, Ieng Thirith, 75, a fellow member of the Khmer Rouge member committee.

The fifth suspected criminal, Nuon Chea, 82, the movement's chief ideologue, was arrested in September. It is reported that he had been living quietly next door to Khieu Samphan in a former Khmer Rouge stronghold, where most of their neighbours were also former members of the Khmer Rouge. Their leader, Pol

Pot, died in 1998.

The trial in Cambodia shows that if a country's leaders are determined to put on trial the accused war criminals for international crimes, time and inaction in the past do not matter. The trial can be commenced provided the composition and the procedure are fair and the rights of the accused meet acceptable and recognised international standards of justice.

The trial in Cambodia is seen to be consistent with the spirit and aims of the UN, and as action against inhuman and senseless crimes that are condemned by the civilised world. Crimes against humanity, war crimes, and genocide are the gravest crimes in international law, and effective punishment is an important element in the prevention of such crimes, protection of human rights, and promotion of international peace and security.

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