

## Bangladesh's global competitiveness ranking

Some basis to improve our position on

**C**LOSE on the heels of our dipping in the World Bank Doing Business and Unctad's Global Investment Indicators, our ranking in the Global Competitiveness Report (GCR) 2008-09 of the World Economic Forum (WEF) comes as an eye-opener to a bind we are caught up in.

There is a pattern to the downswing in our competitiveness standing: from 92nd position among 122 countries in 2006-07, we slid to 107th among 131 countries in 2007-08 and now in 2008 our ranking has dropped to 111th out of 134 countries. Even though there may be questions about the scientific basis and methodologies followed in working out such rankings, the fact that assessments are based on comparative studies make them useful indicators of business and investment climate and trends across the globe. Potential entrepreneurs could use them as a tool for making investment decisions; that's where its relevance lies for us.

It is ironical despite the reform measures by the caretaker government to enhance the efficiency of public institutions, the latter's performance is yet to improve significantly. Much as the implementation capacity of the institutions has not improved so also the gap between the government and the businesses has widened.

Admittedly, business confidence, shaken following the crackdown on corruption, is yet to bounce back fully. Despite the anti-hoarding and consumer protection moves, a few companies still control the market due to lack of proper policies. We suggest a competition policy be dovetailed to the consumer protection law.

While Chittagong Port's efficiency level has been markedly raised, the energy sector remains the Achilles heel. Besides, bank financing has been hard to come by and institutional corruption remains a barrier.

The Better Business Forum and the Deregulation Commission are yet to make their presence felt with their recommendations being still in the offing, let alone implemented. There is no doubt that bureaucratic procedures are too cluttered for quick decision-making on business and investment.

If political unrest had been a hindrance earlier on, the election having been on hold for nearly two years had had its bearing on investment. Now that the election dates have been announced, an environment congenial to investment should be engendered.

## End of the Puja season

Let the good triumph over evil

**F**OR the Hindu community, as also for people of other faiths, religion is all about the moral base on which we conduct ourselves in the temporal world. When Durga succeeded in subduing the sinister Mahishashur and thereby reasserted the triumph of good over evil, it was much more than a tale that was being told. Since every aspect of religion is a symbolism for life and for the realities beyond life, the observance of Durga Puja is a reminder of what we must do to regain for ourselves the high moral ground we lose constantly owing to our all too human frailties.

It is of particular note that the puja celebrations this year were marked by a degree of peace and normality that is admirable indeed. The unfortunate fact is that in the past, there were reports of the destruction of idols by elements not comfortable with communal harmony in the country. This year, though, such reports have been few and far between, which can surely be taken as a sign of the social maturity and the tolerance we have been developing among ourselves as citizens of Bangladesh. Of greater significance than the peaceful observance of the puja season has clearly been the huge enthusiasm that people everywhere and across religious barriers demonstrated throughout the celebrations. Apart from the members of the Hindu community, Muslims, Christians and others have shared in the happiness and good cheer that have characterised the invocation of the deities in the ten-day period leading up to the homage to Durga. Political leaders, government figures and others made it a point this year to engage themselves in the celebrations, which again has been a powerful indication of the secular structure upon which we constantly try to conduct ourselves.

Our felicitations go out to our Hindu brethren. At the same time, we tell ourselves that in this country, every citizen, no matter what his religious or political affiliations are, matters. As we observe religious occasions -- Hindu, Muslim, Christian, Buddhist, et al -- we reiterate our conviction that ours is a tolerant society. It is a principle we will not allow anyone to trifle with.

## When art intimidates life



MOHAMMAD BADRUL AHSAN

**O**NE of the granite figures of slimy politics, he was once a potentate who ruled this country. That was the time when he was also a practicing poet. He wrote poetry, he wrote songs -- some of which were made into videos for television. He got his book published, and consorted with poetic minds until one day he was constrained to give up power. Then something happened. Either his creative juice dried up or he lost interest. We didn't hear much about poetry again from this man.

There was also a female poet around the same time whose husband, again, was a powerful man. Her poetry gained prominence, one was even adapted into short film, and she was a ubiquitous figure on our poetry scene. Then, poof! Once her husband lost his job, she was gone. We lost

Power ignobles art and art ennobles power. Both of these are basic instincts which drive the world. In this country, we have got them jumbled. The art of power is confused with the power of art. If we can snatch power, we believe the same applies to art. Art imitates life. But when power usurps its essence, art intimidates life.

interest in her before she lost interest in poetry, or both must have happened around the same time.

These are the instances of how 'Neroes amongst us often abuse power to become heroes, and return to zeroes when power is gone. It's true, power has its magic. It can make the blind see and the lame walk. It can also make poets out of a dead meat. But is it right?

The answer is a resounding no. Nepotism is when a man of power dishes out favours to his friends and relatives. Narcissism is when someone falls in excessive love with his own image or ego. The rise and fall of poetic genius on account of power is wrong on both counts. It's morally wrong to use one's power to establish a talent, which doesn't exist. It's a personality disorder to accept that false credential and bask in its glory.

The problem is that this absurd

## CROSS TALK

situation is now a national phenomenon. It has branched out to include family members, even in other creative fields. Wives, mothers, daughters, sons, brothers, sisters, uncles and lovers are being regularly promoted for talents which were latent until their loved ones got power in their hands. In fact, it's now a thriving industry. Thousands of people are engaged in it. They are working to upstage the family members of their bosses by the way of building their own career opportunities.

John Fitzgerald Kennedy writes, while reflecting on Robert Frost in *The Atlantic Monthly*: "A nation reveals itself not only by the men it produces but also by the men it honours, the men it remembers." It goes without saying that all three elements are interwoven.

A nation can only honour the men it produces, and remember the men it honours. This is where we have been making an awful

nuisance. If someone plays loud music in the neighbourhood, we can shut our doors and windows, even use earplugs to mute the noise. The right thing, however, is to walk up to that person and tell him that he should lower the sound.

In our national life we have altogether banished the concept of public nuisance. Instead, we have learned to ignore and condone, tending not to make our business how others promote their family and friends. Although one wishes others had kept it within the confines of their own business. It doesn't matter who is the news editor of a newspaper or cameraman for a television station. Right or wrong, human resources are a business decision.

Not so when it's a question of talent, which has far-reaching implications on the entire nation. Here we are talking about resourceful people, our creative minds, people who are to set the standards for us, people who will be honoured and remembered by posterity, people who will be their role models.

It doesn't matter if a wife is beautiful, daughter is adorable, mother is irascible, sister is unavoidable, uncle is respectable and lover is irresistible. There is no reason why national excellence should be subjected to anyone's

whim or stubborn insistence. There is a perfect scene from the movie *Lawrence of Arabia* where Bedouin raiders, led by Lawrence, thunder through a canyon in Jordan on their way to lay siege to the port city of Aqabah. On top of the cliffs, women in black are ululating and at the bottom the men are chanting poetry. It is a powerful imagery of how the human spirit is propelled by the strength of verses. Poetry comes when power fails to levitate the souls of men.

That's true for any art, be it writing, music or painting. The power of art arises from the deep-seated womb of human existence, mankind's innate ability to establish truth, the touchstone of all their judgments. Art heals when power hurts. Art cleanses when power corrupts. Thus, art is the last port of human sensibility, power being its first call.

Power ignobles art and art ennobles power. Both of these are basic instincts which drive the world. In this country, we have got them jumbled. The art of power is confused with the power of art. If we can snatch power, we believe the same applies to art. Art imitates life. But when power usurps its essence, art intimidates life.

Mohammad Badrul Ahsan is a columnist for The Daily Star.

## Resolving the Bangladesh-India sea boundary issue



HARUN UR RASHID

**T**HE three-day Bangladesh-India maritime boundary talks ended in Dhaka on September 17 without any concrete progress on the pending issues, although officials of both the countries claimed to have had "fruitful discussions."

The Indian team leader, Rear Admiral B.R. Rao, said that it was a technical meeting and more discussions would follow. "We had a wonderful discussion. We discussed various options and methodologies (of delimitation of the maritime boundary)," he said.

Incidentally, this is the first time India's team was led by a Rear Admiral. In previous discussions, India's technical team was led by the Legal Adviser of the External Affairs Ministry, and later by Secretaries.

### 1982 UN Convention on the Law of the Sea

Bangladesh ratified the UNCLOS in 2001 and, accordingly, Bangladesh's law, the Territorial Waters and Maritime Zones Act of 1974, which was enacted long before the UNCLOS, needs to be updated in line with the provisions of UNCLOS.

It is argued that Bangladesh's case is much stronger under the 1982 UNCLOS than that of India (see Articles 74 and 83 related to the delimitation of economic zone

and continental shelf). Ordinarily, the delimitation of a maritime boundary takes a long time, and if there are over-lapping maritime areas that are disputed and unresolved, there should be a provisional agreement for joint development and exploration of resources in offshore areas.

### What the issues are

- There are four issues involved in the maritime boundary talks:
- Determination of the Hariabhanga border river boundary (South Talpatty Island is to be taken into account in delimiting the boundary).
  - Determination of boundary of territorial waters up to 12 miles.
  - Determination of boundary of exclusive economic zone of another 188 miles from the end of territorial waters.
  - Determination of boundary of continental shelf (sea bed) up to approximately 350 miles from the coast.

### Brief history

The first session at official level took place in 1974 in Dhaka. Later, several meetings took place at the foreign secretary level. (The writer was a member of the Bangladesh delegation at all the sessions from 1974 to 1978.)

When the foreign secretaries couldn't resolve the differences, the talks were elevated to the foreign ministers level in 1975, and the ministers from Bangladesh and India considerably narrowed down the differences.

Meanwhile, there was a change of government in August 1975 in Dhaka and, within two years, in

## BOTTOM LINE

New Delhi. Janata Party replaced the Congress government in 1977.

Another session took place in 1978, but India said that the decisions taken by the ministers in 1975 would not stand, which disappointed Bangladesh. The last talks taking place in 1982 were inconclusive.

### Hariabhanga River

On the Hariabhanga River boundary issue, it is suggested that the mid-flow (deepest channel) of the river should be made a fixed boundary -- delineated in geographical coordinates -- as is the case between Bangladesh and Myanmar on the Naaf River.

If a fixed boundary is determined, it will not change with alteration of mid-flow of the river. River navigation of both countries will be allowed on the mid-river flow.

It is suggested that all river-boundaries between India and Bangladesh (such as Muhuri River in the east) should also be fixed boundaries delineated by geographical coordinates so that disputes don't arise if a river changes its course.

### South Talpatty

The disputed South Talpatty Island, located about 4 kilometres south of the Hariabhanga River, is supposed to have emerged after the 1970 cyclone. The ownership of the island depends on the direction the mid-flow passes by the island. If the mid-flow goes west of

the island, it will belong to Bangladesh.

The direction of the mid-flow of the Hariabhanga River can be easily determined if a joint survey is conducted. Bangladesh proposed a joint survey in 1974, but no positive response came from India.

### Three suggestions

- Commencing political level discussions.
- Referring the matter to International Arbitration Tribunal.
- Joint development of offshore areas until the agreement is concluded.

### Negotiation at a political level

Experience shows that the matter cannot be resolved legally or technically because, at the political level, government leaders look at the problem from a broader view of bilateral relations, not at mere legal and technical niceties.

India's leaders must decide whether Bangladesh would get an equitable share of the economic zone and continental shelf of the Bay of Bengal, given the unique characteristics of the coastline, such as:

- Its concavity and indentation.
- Unstable waters of the coastal zones because of flows of the Ganges, Brahmaputra and Meghna, carrying 2.4 billion

tons of silt to the Bay of Bengal every year, particularly during monsoon season.

- Scanty natural resources in proportion to the huge population.
- The general orientation of Bangladesh's topography facing the Bay of Bengal.

Foreign ministers of the two countries may meet and take the thread from the discussions of 1975 forward. Once a decision is taken at the political level, technical and official level discussions may take place to prepare the nitty-gritty of the agreement.

It may be noted that when the technical level discussions on the share of the Ganges waters were going nowhere, the issue was decided at a political level (between President Ziaur Rahman and Jagjivan Ram) in April 1977.

Thereafter, the technical/official team prepared and concluded the 1977 Ganges Waters Agreement in September. It was signed in November.

### International arbitration

If bilateral negotiations fail to resolve the issue, it should be referred to an International Tribunal for arbitration. Bangladesh asked India in 1975 to resolve the issue through international arbitration, but India didn't respond. Bangladesh may again propose the same, given the urgent need to explore the maritime areas for oil and gas.

### Joint development

Ordinarily, the delimitation of a maritime boundary takes a long time, and if there are over-lapping maritime areas that are disputed and unresolved, there should be a provisional agreement for joint development and exploration of resources in offshore areas.

The idea of joint development

of offshore oil and gas dates back to the judgment of the International Court of Justice in the North Sea Continental Shelf case of 1969. The Court referred to the possibility of parties deciding on "a regime of joint jurisdiction, use or exploitation of the zones of overlap or any part thereof."

### Examples of joint development agreements

Saudi Arabia-Bahrain Agreement of 1958, Kuwait-Saudi Arabia Agreement of 1965, Iran-Sharjah Agreement of 1971, Japan-South Korea Agreement of 1974, France-Spain Agreement of 1974, Iceland-Norway Agreement of 1974, Saudi Arabia-Sudan Agreement of 1974, Australia-Papua New Guinea Agreement of 1978, Malaysia-Thailand Agreement of 1990 and Thailand-Vietnam Agreement of 1992 on Joint Development Zones, are some of the instances in point.

In 2006, China and Vietnam agreed to increase joint oil and gas exploration in the Gulf of Tonkin. Japan and China struck a landmark deal recently to jointly develop gas fields in the East China Sea, resolving a spat that had been a thorn in ties between the two major energy importers.

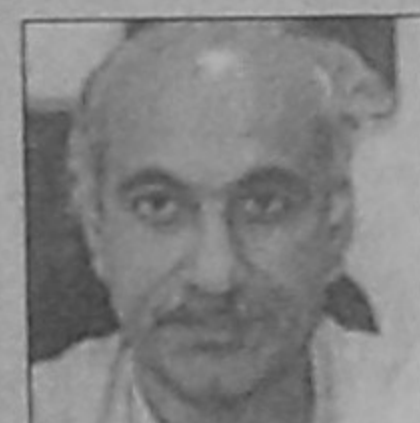
It is felt that all the measures enumerated in the foregoing paragraphs need to be considered by both countries on a priority basis.

Bangladesh and India are neighbours and friendly countries. There is no reason why the maritime boundary issue cannot be resolved between them, as other neighbouring countries have done.

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## Deep inside India, secularism is a way of life

### BYLINE



M.J. AKBAR

Like any public institution, the mosque was strapped for cash. The owner gave it for less than the market value, despite higher offers. He was a Hindu. He was happy to take less because, in his words, the mosque too was "Bhagwan ka ghar (God's house)." Five hundred bags of cement came as a gift from a renowned Calcutta Marwari business family. Neither made the contribution because they expected their names to appear in India's largest English newspaper.

by the calculus of productivity miss the point. Bengal understands GDP (gross domestic production) but values GDH (gross domestic happiness). Economists will never understand the power of the embrace, common to both Durga Pujo and Eid. Every human being is an equal in an embrace.

That is the first gesture after the Eid prayer. I spend Eid at Telinipara, some thirty miles north of Calcutta along the jute-mill dotted banks of the Hooghly, where I was born.

The men of our family walk

together to the Choti Masjid (small mosque) with heads bowed. This is not due to any excessive humility. We have to avoid stepping on pats of still-wet cow dung.

Early risers have first use of public facilities. The municipality has sprinkled white disinfectant powder along the drains on either side, a practice started during the British Raj and followed twice a year, during Eid and Bakr-Eid. The cows were oblivious of municipal concerns even during British rule.

The official name of the

mosque is the rather grandiloquent -- Masjid-e-Ibrahim (Mosque of Abraham); its popular name is more appropriate, although it has become a bit larger since last Eid. This need has been felt for more than a decade, with the increasing population of Telinipara, but it became possible only when the owner of the huts adjoining the mosque sold his property to the mosque.

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happy to take less because, in his words, the mosque too was "Bhagwan ka ghar (God's house)." Five hundred bags of cement came as a gift from a renowned Calcutta Marwari business family. Neither made the contribution because they expected their names to appear in India's largest English newspaper.

The mauvi leading the prayer was an angry young man. He offered an answer to a major dilemma of dialectical spiritualism. If Islam was the chosen faith, and Muslims Allah's select people, why were they mired in poverty when non-believers in the West were flooded with riches and comfort?

True wealth is not what you see in this life, but what you will be rewarded with in heaven. He went on a bit about the pleasures of heaven, not forgetting the heavenly wine that will not leave you with a headache. And his route to heaven was a trifle severe, demanding abstinence even from music. But his argument was a placebo, a calmative

for a community bewildered by questions.

Later, around ten, enthusiastic young men of my mohalla took me to their single-room club, fed me sandesh bought from Bijoy Modak's excellent shop, and asked me for "nashat". I had no advice to offer, just the essence of some experience along the road from Telinipara to Delhi.

The peddlers of violence have nothing to offer but self-destruction, I said, and there were nods of agreement. The rungs of an upward ladder are a modern education; and education is the equal right of both boys and girls. The horizon will be outside reach, and the community remain fractured as long as there is gender bias.

The young must leave the mistakes of their parents behind. We Indians laugh and cry in Urdu and Hindi and Bengali, but we rule in English. The language of economic and administrative power is English, so learn English.

The young men were ahead of such advice. They were deter-

mined to add a room to the club, which will serve as a library and a tuition center for those who show promise but do not have the means to fulfill their promise.

Later, a father brought two teenage daughters and reminded them that they wanted to tell me something. Their eyes just a trifle hesitant, but growing with confidence and pride, they said they would be giving their madhyamik examinations next year, and were determined to go to college. Their father beamed with pride. Elsewhere a mother was spending what for her was serious money to get her child into kindergarten in St Joseph's Convent in Chandannagar, which was my first school.

I chatted with a student of Aligarh University; she is in her second year, studying statistics. Her English diction was perfect. In another conversation men marveled at the fact there was now a fortnightly market in our mohalla where business of lakhs was done. Women were the big shoppers. Only 10% were men,

and they had come as bodyguards, someone said with a very hearty laugh.

This is not yet a gender revolution, far from it. But this is the first hint of a gender insurrection.

When I was in my second year, a student of Presidency College, this small street of Telinipara had descended into desolation through communal violence. On one black night, nearly every mud hut was set ablaze as Hindus and Muslims chased each other with spears, swords, country revolvers, kerosene and matchsticks. They are back together now, the past lost in conscious amnesia.

More than three decades ago, the Chhoti Masjid had become a refuge for Muslims seeking shelter from Hindus. It has become a Bari Masjid today, with help from Hindus who believed that this too is a house of God.

India may lose itself in Delhi and Mumbai and Bangalore and Ahmedabad, but finds itself again and again in millions of Teliniparas.

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