

Indian FM's visit: What came of it

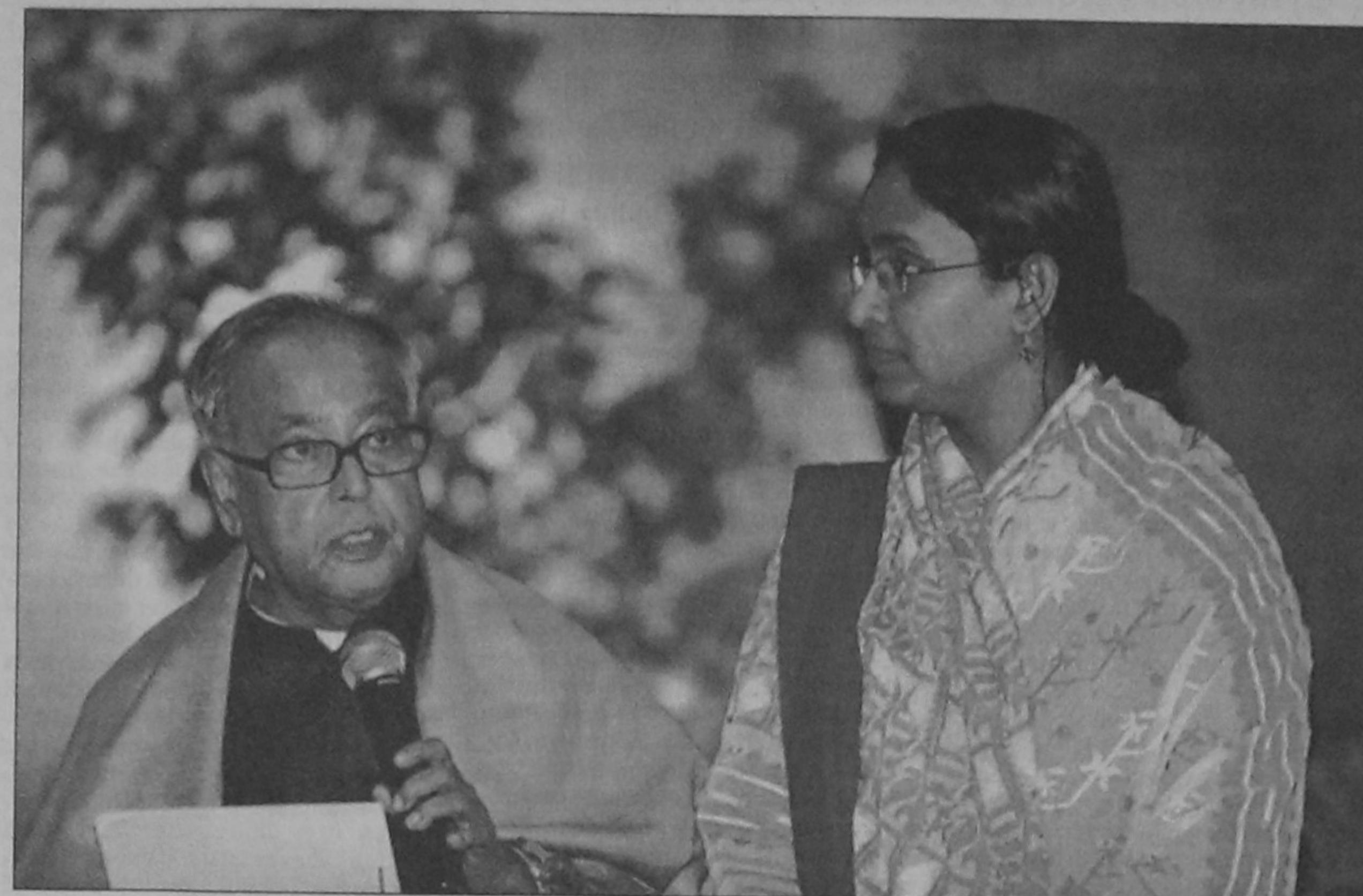
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THE Indian Foreign Minister's day long visit to Dhaka on February 9th ended with more questions than having answered any. The media hype before the visit about possible agreement on transit and joint task force to combat terrorism created a great deal of interest in many quarters. While land transit is an old issue, the joint task force is a new one floated by Sheikh Hasina soon after becoming the Prime Minister that the BNP interpreted as an attempt to allow Indian security and intelligence presence inside Bangladesh. In the end, neither agreement was signed although from press interview given by Mr. Pranab Mukherjee, it was clear that on task force on terrorism, India did not have much interest.

Land transit and terrorism in fact figured significantly in Mr. Mukherjee, formal talks with his counterpart Dr. Dipu Moni and in his meetings with other Bangladesh leaders. These are issues of interest to India. Bangladesh's major concerns, namely sharing of water of the common rivers; maritime boundary and land boundary demarcation were touched and allowed to pass. The visit took place during the dry season of the Ganges flow with India also building a barrage at Tippaimukh.

The visit resulted in the signing of two agreements. One was on Investment Promotion and Protection and the other the Trade Agreement. The first is a standard one that Bangladesh has signed with a number of countries. It is a reflection of the nature of relationship between the two countries that this agreement was not signed before. The Trade Agreement was merely renewal of an agreement that was last renewed in 1980 and initially signed during the government of Bangabandhu Sheikh Mujibur Rahman.

The two Foreign Ministers held a joint press conference but did not reveal anything of substance that would give a thrust to move relations ahead. Mr. Pranab Mukherjee took a philosophical



view of things, suggesting that sincerity and commitment are more important than creating a new framework because one such is there already in the SAARC framework while skirting Sheikh Hasina's proposal for a South Asia task force to combat terrorism. The Bangladesh Foreign Minister was caught off guard when an Indian journalist asked her about her reaction to the perception that Bangladesh is being used by Pakistan as a buffer state to launch terrorist acts upon India. Her response or the lack of it disappointed the Bangladeshi journalists covering the press conference and drew brickbats from the BNP.

Mr. Mukherjee called on Prime Minister Sheikh Hasina at her official residence. Bilateral issues were discussed at this meeting. A different spin was given by the press secretary of the

Prime Minister to the latter's proposal for a South Asian task force to combat terrorism that was discussed at the meeting. The press secretary said that the Indian Foreign Minister reacted favourably to the proposal that contradicted what Mr. Mukherjee said at his press conference. Sheikh Hasina's proposal on the task force on terrorism had created a very favourable impact in India and had drawn very positive response from the Indian Home Minister Mr. Chidambaram and the veteran BJP leader Mr. LK Advani because they believed that this task force would be bilateral that would give India a handle to deal with their perception that terrorists are using Bangladesh as a sanctuary with assistance from Pakistan's ISI. As the Indians became aware closer to Mr. Mukherjee's visit that Sheikh Hasina meant a regional approach to the prob-

lem, they shifted away from their initial positive reaction and Mr. Mukherjee reflected this shift when he responded half-heartedly to the proposal.

During his meetings outside the official talks, Bangladesh government officials communicated to the Indian Foreign Minister a list of six or seven outstanding problems that India needs to resolve first for Bangladesh to be flexible on the land transit issue. The list he was given verbally included resolving the water sharing issues; maritime boundary; demarcating the land boundary; solving the Talpatty and the Muhurir Char issues; and free access of Bangladeshi goods to India without any negative list. The officials candidly told Mr. Mukherjee that unless India resolved these issues, the land transit request would be difficult to fulfill.

The visit helped Bangladesh to bring

out the land transit into open forum for rational discussion. The issue on land transit is now being focused by the Bangladesh trade bodies with more rationale on whether to accede to the Indian request or not. These bodies are privately suggesting that, with the other trade issues remaining unresolved, it would be suicidal for Bangladesh to let India use land transit to provide the Seven Sisters with goods from the mainland at cheaper prices; that would destroy industries in Bangladesh that are using this natural advantage to meet the needs of these provinces. The Bangladesh beverage company Pran is figuring prominently in their arguments. These bodies favour two alternatives on the transit issue. First, that India should come up with an economic plan to convince Bangladesh that her territory would not be used for economic development of Seven Sisters leaving her out alone. In other words, these bodies think that there is not much meaning or money for Bangladesh to be just a toll collector. Transit should be a part of an economic plan for benefitting Bangladesh together with the Seven Sisters. Till the Indians come out with such a plan, the best that Bangladesh could consider giving India is transhipment where only those goods would be allowed to pass through Bangladesh in which she does not have comparative advantage.

Of late Indians are trying to project issues of interest, to them as economic, where Bangladesh will gain by relenting. It is hardly the case. Whether relations go forward or not is entirely dependent on political will as Mr. Mukherjee himself made partly clear when he emphasized on sincerity and commitment to solve the issue of terrorism. It was good to see that Bangladesh is getting close to the point where she can call a spade a spade. The list that was given by the Bangladesh officials that India must resolve before she gets land transit points to the fact that for the first time Bangladesh is taking a stand that makes sense. This

notwithstanding though, Bangladesh should have come up strongly on the water sharing issue. The Farakka Dam on the Ganges has all the forebodings of turning north Bangladesh into a desert and an environmental hazard. The proposed barrage at Tippaimukh that will dry up the flow of Surma and Koshihara will turn northeastern Bangladesh into the same thing. Bangladesh should have raised strong concerns on this issue of critical national interest. There are still too many Ministers talking on critical foreign affairs issues with a visible lack of coordination. In fact, the Commerce Minister and the State Minister for Foreign Affairs contradicted each other in the media on the land transit issue. The gesture that Bangladesh made to receive Mr. Mukherjee at the VVIP terminal is that is reserved for visiting Head of State/Government in view of the Indian FM's current status in New Delhi has been a welcome departure from protocol that showed maturity. The failure of Mr. Mukherjee to meet with Khaleda Zia because of "time constraint" did not fit to India's democratic image and left behind a few raised eyebrows.

India is soon going to have general elections. Mr. Pranab Mukherjee therefore did not come to Dhaka expecting any breakthrough and the hype generated in Bangladesh was created by the media here. This notwithstanding, the visit proved one thing though; that even the AL Government that has been installed with such a huge majority will not move ahead so easily on the Indian requests till India makes the first moves. If anything, the visit has underscored the point that Bangladesh-India relations are faltering on politics not economics. On India's part, she is still not willing to change her mindset that all problems with Bangladesh must be resolved bilaterally. It is time she looked for a regional or sub-regional approach, particularly on water sharing and terrorism issues.

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CONTINUUM OF OUR LAND MASS INTO BAY OF BENGAL

Key to our economic prosperity

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RECENTLY it has been noticed that the print and electronic media have been focusing quite well on the resources of the Bay of Bengal. Of course these may have different meanings for our people. Coastal people might be thinking that it has something to do with the fishery resources at sea and may be their unending sufferings due to straying over the non-delineated maritime boundaries will come to an end and possibilities of landing into jails of neighbouring countries and thus loosing their costly nets and the only means of livelihood may decrease. Environmentalists may be relating the issue to the ecology of the coast, health of Sunderban mangroves and other coastal habitats. Some of the academicians may be hinting at the potential of minerals, oils and gas likely to be found in the deep and shallow water blocks of the Bay. Some may be worried about the security of maritime areas and the need for proper surveillance through the Navy or Coast guard. However, these issues generally discussed did not confine to only 12nm of the Territorial Sea, over which Bangladesh has total sovereignty, or on another 24 nm of Contiguous Zone over which we have rights to prevent the infringement of laws on custom, fiscal, immigration and sanitation but mostly with another extended belt of water known as Exclusive Economic Zone (EEZ) extending 200nm from the baselines for exploitation of the living and non living resources of sea. It also included important issues like settlement of maritime boundary with our neighbours and the submission of our Continental Shelf (CS) claim extending over 350nm and allowing us exploitation rights of all non living resources and sea bed living beings. The term CS actually brought before the important concept of the "continuum of the Bangladesh's land mass under the Bay of Bengal".

It is known that our total land mass is about 1,47,750 sq km according to the territory of the Republic as described in our constitution. But then there is no mention of our sea areas in our constitution. If we can apply the international law in the right perspectives, the areas covered by sea-bed extending seawards from our land mass and available for exploitation could be more than one and half times than our total land mass. This opportunity has been given to Bangladesh by the international community through the provisions of the UNCLOS 1982, to claim an area of the ocean even beyond the 200nm up to the point where the continental margin reaches the 1 km sedimentary rock thickness deep inside the Bay of Bengal. Our develop-

ment perspectives could increase by several hundred folds, especially if measured in terms of the monetary value of the fish, and most likely oil and gas that may be found in the seabed of the EEZ and CS. It is also believed that the continuum will hold the key to the overall economic prosperity of the country. It is therefore opportune and appropriate to think that the window of information on the same be opened and the public be informed about the possible economic opportunities available over and under the sea and how our possible emancipation will at all come with the resources lying somewhere at sea.

This process must begin with the right initiative about how to remove our sea blindness and riverine paranoia and to harness sea resources for the benefit of our teeming millions. That's why new initiative between the public and private sectors to harness sea resources, to undertake capacity building, and to formulate policies and strategies for more effective negotiation techniques and integration of the maritime sector in the national development must be taken.

Bangladesh has already enacted the Territorial Water and Maritime Zone Act of 1974, and other laws relating to our sea areas. However, we have not been able to update many of our domestic laws in line with the UNCLOS 1982 and in retrospect it appears that these lacunas more often than not stifle the progress of the result. The time has become opportune for a fresh approach in developing the maritime sector as a whole. The frailty of the existing situation is that the UNCLOS will be required Bangladesh to conform to a time-line to submit primary claims for the CS by 26th July 2011. Accordingly the UN Commission on the Limits of the Continental Shelf (UN-CLCS) has issued the scientific and technical guidelines according to which a state is expected by the Commission to submit data on a line delineated at a distance of 60nm seaward from the foot of the continental slope, a line along which the sediment thickness is 1 percent of the shortest distance from the foot of the continental slope, and not further than a line delineated at a distance of 350nm from the baselines or a line delineated at a distance of 100nm from the 2500 isobath. The Bay of Bengal Sedimentary Fan comprised the submerged land mass of the Bay created by the sediment deposits over several millennia by the rivers that flow into the Bay. But the technical guidelines issued by UN-CLCS necessarily require very expensive scientific and technical work involving offshore scientific studies using purpose-built vessels, scientists, and highly sophisticated equipment such as those used for

seismic 3-D surveys to substantiate our claim.

At the same time we must not lose sight of the Statement of Understanding made during global negotiations of the UNCLOS 1982, which had allowed Sri Lanka and India to establish the outer edge of the continental margin in the southern part of the Bay of Bengal as their limit of CS. This implies that there are no justifiable reasons to exclude Bangladesh from this understanding and hence extensive technical discussions among the experts will be essential for inclusion of such data in the submission of the claim to CLCS. Consequently, it is imperative that the momentum of the ongoing bilateral maritime boundary discussions be maintained in a conducive political environment till a solution could be achieved under the force of relevant provisions of the UNCLOS.

Delimitation must be carried out according to the schemes connected with the legal nature of the title to the maritime areas and it must produce an equitable line for which purpose it must comply with principle of equity and equitable sharing as per UNCLOS art 74 and 83.

The transformation of the above vision into the culture of implementation will have a great bearing upon the idea of Continuum of the land to the sea. We must correctly identify the outer maritime boundary and devote sufficient resources, expertise and time to achieve this task ensuring that Bangladesh is not in any way denied the benefit of what should naturally belong to its sovereignty. Our planning commission should prepare short-term, medium-term and long-term strategies for the meaningful and profitable exploitation of the resources that are identified on the basis of accurate and scientific surveys and to ensure that there is no pollution or harmful consequence that would endanger the nature and quality of the environment within the sea bed and the coastal zone. After all, the EEZ and CS will be the property of the people and the sovereign state of Bangladesh and there is a definite need for a legitimate custodian of the sea-bed and its resources. At present there are only the sectoral custodians in respect of petroleum and gas exploration, minerals survey, shipping and telecommunications. It is, in this context, necessary to set up a department under the Ministry, which will not only be responsible for preparation of our CS claim but will also create an opportunity for a wide range of issues to be deliberated for bilateral negotiation and on the integration of the maritime sector in national development. It is therefore timely to address this issue as the nation traverses in the lanes of politics, agriculture, law, science, technology, and finance afresh. The owner of the sea-bed is the people who will be most motivated to carry forward its development plans, being advocates to generate the required momentum in taking the whole project to the status of national priority.

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The common enemy

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In a democratic environment, after a landslide victory a rise in aura of confidence in the mind of the leadership or in party members is quite natural and justifiable. Unfortunately, the victor always misses the determination to win the next election as parochial self and party interest overpowers the national interest; the interest, for which people voted them to power. Therefore, every time a landslide victory turns into an avalanche of defeat by the end of the term. When a party is in power, it has the scope to do well for the people but not while in opposition. But surprisingly it is always the opposition who wins the election, not the party in power. Why is it that every time the mass opinion sways so much from the party in power to the party outside the power? If the defeat by the ruling party is natural then how did Jyoti Basu's communist party remain in power in West Bengal for as many as 25 years or Mahathir Mohammad of Malaysia for 22 years till he left voluntarily to his successor? It is not that our party in power wants to retire for next 5 years, handing over the power to the opposition; rather they try tooth and nail to remain in power but fail miserably.

The reality is, as long as corruption prevails in our system, the authority will fail to provide justice to the 'have nots' and they constitute the majority who in turn decide the next party in power. If the election is conducted freely and fairly, the party in power with corruption has no scope to return. In fact, whoever succeeds in managing this deep-rooted virus of our country can be sure to remain in power as long as it desires. When a party goes after money, the people and power run away from them, and vice versa; when a party is for the people, the power never leaves them. Isn't thirty-seven years too long a time to learn the lesson? Every time we failed to identify the real problem; if the defeat by the ruling party is natural then how did Jyoti Basu's communist party remain in power in West Bengal for as many as 25 years or Mahathir Mohammad of Malaysia for 22 years till he left voluntarily to his successor? It is not that our party in power wants to retire for next 5 years, handing over the power to the opposition; rather they try tooth and nail to remain in power but fail miserably.

Human behavior is observable and therefore measurable. With this two distinct qualities of behavior, it can very much be tampered and provide desired direction or shape. This is possible by changing perception and can only be done by experts, not by any honest Tom, Dick or Harry. Highly technical input of perception in the form of action, reaction or inaction can motivate people to change their attitude which ultimately changes their behavior. We need to apply that technology to change our present level of corrupt behavior to an honest one. The brute and rowdy attitudinal display during US election should provide enough insight that we need a major repair work of our morale fabric, our behavior. Make the life of a corrupt person uncomfortable, risky and socially embarrassing. In the 3rd world this concept is hazy, but in developed countries they have the expertise to achieve such objectives. We need to build the foundation of a system where accountability is demanded at all levels, civilian and government. This will only work by the age old statement, "Leadership by example".

Corruption is our colonial legacy and descended with augmented strength through Pakistan regime. Situation of our neighbor is better; occasionally their ruling party comes back to power and the visible economic development that they are making justifies that. As far as selection of aid in the form of ministers and advisers are concerned, one would agree with me that "there could not have been a better choice". Our foreign policy dictates malice towards none but that will never prevail if we develop malice against our own people with corrupt heart and mind. That is our worst enemy and genuinely demands topmost attention for our survival. I hope the present government provides sufficient concentration on this and rescues this nation from the historical image of a bottomless basket. Under the present party in power we got our geographical freedom; let us hope that the same party provides us the freedom from corruption that we are enduring for the last thirty-seven years.

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