



KAZER DRINK NEWS

Indian specification for jute bags, and redress

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ABUL KALAM AZAD

JUTE bag exports to India hit snag" -- thus ran the news headline in some national dailies last week. India is the largest buyer of jute products from Bangladesh. It is well-known that Bangladesh has a trade-deficit with India to the tune of about \$3 billion. Naturally, Bangladesh's exports to India represent a very tiny amount compared to her imports from India. That tiny export, unfortunately, suffered a setback last month when India asked our exporters to print the country of origin on each jute bag.

Normally, jute bag exporters print the country of origin and details of the products on the carton containing the bags. But since last month, India has barred jute sacks without "Made in Bangladesh" printed on them. Naturally, this will not only increase our production-time, it will also increase the cost of production. Bangladesh Jute Mills Corporation (BJMC), the umbrella body of the state owned jute mills, estimates that the cost will increase by at least 3%.

The Indian Jute mills Association (IJMA) has been lobbying for long for an increase of the price of local jute bags. A 61-day strike in Indian jute mills failed to secure a price hike

of local jute bags from the Indian government. It implies that the Indian government is keeping the price of locally produced jute goods, including jute bags, artificially low. On the other hand, it is taking all possible measures to make the import of jute bags expensive in order to stem it.

IJMA's chairman acknowledged that Bangladesh had a competitive advantage over India in respect of jute goods. This is reflected by a 60% increase in jute goods imports by India from Bangladesh and Nepal between April 2009 and May 2010. Naturally, it may be concluded that the Indian move comes as an attempt to disrupt competitive imports from Bangladesh.

The Indian measure has already started taking its toll on Bangladesh's export of jute bags to India. It has been reported that the daily export of around 100 trucks of jute bags to India has been reduced to 5 to 7 trucks -- signifying a sharp decline of about 90%.

So, what is the remedy? A simple appeal to India to become generous and waive the imports-restricting measure! It does not appear that Indian authority will pay any heed to such an appeal. Fortunately, there is an alternative solution to this problem.

We know that the Indian action may be judged in the context of the Technical

Barriers to Trade (TBT) agreement under the World Trade Organization (WTO). The TBT agreement recognises that countries have the right to adopt technical regulations which prescribe mandatory products standards, including packaging and labeling requirements.

These regulations are imposed for ensuring quality of exports, protecting human health and safety, and preserving animal or plant life and the environment etc. However, the TBT agreement requires the member countries to ensure the application of their technical requirements to meet the following conditions:

- The technical requirements should be applied on the Most Favoured Nation (MFN) basis to imports from all sources (TBT Article 2.1);
- They should not make imported products subject to treatment that is less favourable than that given to domestically produced products (National Treatment Principle, TBT, Article 2.1);
- They should not be framed and executed in manner so as to cause an "unnecessary obstacle to trade (TBT, Article 2.2);"
- They should be based on scientific information, evidence and requirement (TBT, Article 2.2).

Since the Indian requirement of imprinted country of origin mark on each jute sack cannot be shown to be "essential" either for ensuring quality of exports or for "protecting human health and safety, animal and plant life or the environment," it definitely constitutes a violation of the regulation mentioned above.

And, the very fact that the requirement is applicable to only imported jute bags -- not to locally produced jute bags -- is a glaring example of discrimination and constitutes a

clear violation of the National Treatment Principle (TBT, Article 2.1), which is one of the fundamental principles upon which the entire WTO negotiations have been based.

So in the present case, our government may bring the subject to the notice of the Indian government/authority and ask for an appropriate remedy. If that does not work, the Bangladesh government may raise the matter in the Dispute Settlement Body (DSB) of WTO in Geneva and request the DG (of WTO) or any other person to use his/her good office to conciliate or mediate between India and Bangladesh.

If consultation or conciliation efforts fail to produce any result within 60 days, Bangladesh may request DSB formally to commence the dispute settlement mechanism by establishing a panel according to Article 8 of the Understanding on Rules and Procedures Governing the Settlement of Disputes.

That panel will be required to submit to DSB within a period of six to nine months a report containing its recommendations after, of course, making an objective assessment of all the facts of the case and of the conformity of the "measures" complained about with the relevant provisions of the WTO. Barring any appeal from any party the recommendations of the panel will be binding on all parties.

WTO envisages a rule-based international trade regime. All the successful players in such a trade regime are expected to be well aware of their own rights and obligations and pursue their respective (trade) interests accordingly.

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'We have to learn many things from other parliaments'

The following interview with Speaker of Bangladesh Parliament Md. Abdul Hamid by Nazmun Nesa Piari was taken after his recent participation at the 3rd World Conference of Speakers at Geneva. The theme of this global parliamentary summit was "Parliaments in crisis."

From the point of view of Bangladesh, what did you bring out in your speech at the conference?

I spoke about the activities and performance of the members of the Parliament, and also asked the Inter-parliamentary Union (IPU) authorities to ensure that the resolutions made were carried out. They should be put into practice as members of parliaments are the actual representatives of the people. They know more than anyone the sorrows and sufferings of the people. I mainly highlighted this thing.

Another thing I talked about was global warming. Bangladesh is not responsible for that, but is the most affected. Scientists forecast that the sea level may rise 2 to 3 meters, and the entire coastal belt of Bangladesh will go under water. 60 million people will lose their homes, and many their lives. So the IPU should look at the destiny of these people and save them from catastrophe.

I also talked about our parliament. Our constitution was framed in 1972 under the leadership of the father of the nation Bangabandhu Sheikh Mujibur Rahman. We were under Martial Law for about 16 years before we re-established democracy in 1991. We have developed the system very effectively and parliament is working very nicely. I hope that our country will be in course of time a model for others.

There were many members of parliament from non-democratic states in the conference. I spoke a bit longer than scheduled time, and got a lot of applause and appreciation from the other delegates. I am not such an important person, but what counts is the honour of, and support for, my country -- Bangladesh.

What's the use of such a conference? What did you get from the discussions?

Whatever resolutions were made in the IPU meeting will go to the UN. I told Mr. Ban Ki-moon -- the Secretary General of the UN -- that all of our resolutions should be implemented at the level of the UN. If it is accepted by the UN then I think that the people of the world will be benefited.

For effective democracy you need a strong parliament. Where are the examples of strong parliaments today?

I can say that Bangladesh has a strong parliament. Where there is a strong parliament there is democracy. We had a system in our country where the standing committee's chairman was the concerned minister. But this time we have introduced a rule that no minister can be the chairman. Members of parliament will be the chairmen of the committees. The minister has to answer questions from the committee.

Now, whenever a bill is submitted by a minister it goes to the standing committee of the respective ministry, where it is scrutinised. After scrutiny, the chairman of the committee introduces it in the parliament and then sends it to the government. The minister will bring the bill again to the parliament. In this case, members of parliament can amend it. This is also a great achievement. We have introduced many things in the parliament this time.

Countries like Britain, India, Canada have been practicing the parliamentary form of democracy for a long time. We have achieved many things in a short time. When I visited New York and met with Mr. Ban Ki-moon for an hour, he said at a press conference "we have many things to learn from Bangladesh."

We are trying to do our best. Members of the government can meet their minister because they belong to the same party, but the opposition may not get the same chance. So I allow members of the opposition to speak more in the parliament.

What is the difference between parliaments in the western world and the parliament in Bangladesh?

What I know I know from papers. It is difficult for me to comment on others without seeing the whole proceedings. In Bangladesh, there was no system of questioning the honourable prime minister. In the British parliament the leader of the opposition can ask questions and the prime minister has to reply.

We have introduced the same in our country. We have decided that once a week -- Wednesday -- the prime minister will answer questions from the members of parliament. So, I think day by day we will improve more. We have to learn many things from other parliaments. We have to reach such a position that they, too, can learn something from our parliament.

Nazmun Nesa Piari writes from Germany.

Begum Mujib: A tribute

DR. MUSFIQ M. CHOUDHURY

IT is said that behind every successful man, there is a virtuous woman. For our father of the nation, Bangabandhu Sheikh Mujibur Rahman, the woman behind his success was his wife, Begum Fazilatunnesa Mujib. August 8 was the 80th birth anniversary of this great woman who had been with the father of the nation from an early age and had departed to the hereafter along with him.

Begum Mujib (also named as Renu) was born in Tungipara of Gopalganj district in 1930. Her early schooling was in a missionary school, followed by religious education at home. She lost her father and mother at the age of five and was groomed by her future mother-in-law. She was married to Sheikh Mujib at the age of eleven and had three sons and two daughters.

The new generation, which did not see the war of independence or encounter such hardships, will never understand how and in what magnitude Begum Mujib had contributed towards the freedom of this nation. Sheikh Mujib was a born politician and had spent most of his life in jail. This lady had not only looked after the family but had also lent her hand in keeping the Awami League organised.

During hard times, she never expressed her worries or dismay. Instead, she encouraged and frequently advised the leaders and party men on how to proceed in times of trouble.

During the Agartala Conspiracy case, Sheikh Mujib was in custody in the cantonment. There



Sheikh Fazilatunnesa Mujib

was an uprising of the people for withdrawal of this case and freedom of the captives. In order to tackle the situation, the then army dictator Ayub Khan proposed a round table discussion.

It was anticipated that Bangabandhu would go to Lahore for the round table conference on parole. There was also pressure from politicians like Ataur Rahman Khan, Abul Mansur Ahmed, Tofazzal Hossain, and others to sit in the meet-

ing. But Mrs. Mujib, who was very much a housewife, vehemently opposed the Sheikh's release on parole and taking part in the round table discussion.

She was so firm on her decision that Sheikh complied, and refused to attend the conference. History indicates that this incident paved the way for the release of all the captives and revival of one man one vote system. These were mainly attained by the stance taken by Fazilatunnesa Mujib.

Mrs. Mujib was also known for her immense patience and her capability to recall any event of the past. Besides, she also had the ability to lead. The killers of Bangabandhu and his family propagated the lie that the Sheikh had a huge amount of money in local banks and immense wealth. However, even 21 years after Sheikh Mujib's death, a local bank discovered only a single bank account of the late president and found that it had a balance of roughly five hundred taka.

His house had no luxurious fixtures and fittings. It was an ordinary man's house. If Mrs. Mujib had desired, being the wife of a president, she could have anything she wanted, but she was not like that. It may be worth mentioning that Mrs. Fazilatunnesa Mujib sold her jewellery for collecting the money for the war of independence.

Understanding Sheikh Fazilatunnesa's contribution to the nation is difficult for a person who was born in the post-independence period of Bangladesh. Looking at the chain of events that led to independence,

this writer reached the conclusion that it would have been difficult for Bangabandhu to achieve freedom for the Bengali people if he did not have a lady like Fazilatunnesa Mujib with him.

After independence, Sheikh Fazilatunnesa's role in building international relationships becomes apparent in her intimacy with Mrs. Indira Gandhi, the then prime minister of India. Moreover, she had always been besides Sheikh Mujib when different world leaders visited Bangladesh.

Sheikh Fazilatunnesa was an excellent homemaker. She groomed her children to be good citizens and worthy children of a great father. Not only that, she was also courageous, determined, painstaking, and a true and ideal daughter-in-law.

Thirty-five years have elapsed since the death of this great lady. The nation has shown respect to this lady only by erecting a dormitory in her name in Dhaka University. This would have not been possible if it had not been proposed by the then Senate member Professor Dr. Abdul Mannan Choudhury. We are fortunate to have a commemorative book on her.

However, we are longing to see that her contributions are recognised and to see the next generation pick her as their idol for she was a true friend of the nation, a philosopher, and a guide and mentor to the father of the nation, Bangabandhu Sheikh Mujibur Rahman.

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