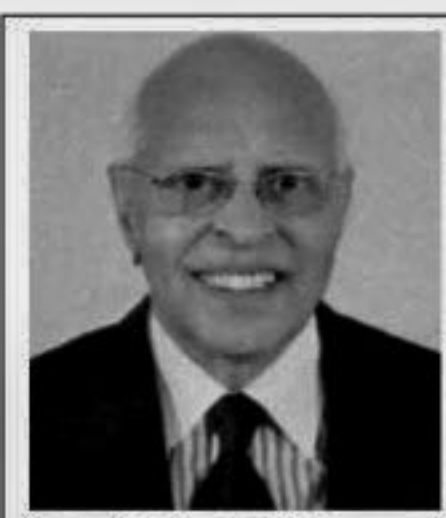


BOTTOM LINE

Palestinian bid for UN membership



BARRISTER HARUN UR RASHID

ON the issue of Palestinian bid for full membership to the UN, three leaders have very little room to play in. The only game they can play is to delay the consideration of the application of membership at the Security Council which may take weeks or months. All of them have great political stakes on the

issue and delay suits them. President Obama is a hostage to the powerful American Jewish constituency for his re-election bid in 2012. His previous attempts at a more even-handed approach not only stalled peace talks since September 2010 also but earned him the ire of Republican rivals who are exploiting the issue to lure away Jewish voters from the Democratic Party. Opinion polls suggest that Obama's Middle East policies had contributed to the loss to a Republican candidate in an election for a New York Congress district.

Netanyahu is hostage to extreme right wing divisive Foreign Minister Avigdor Lieberman, who lives in a new settlement in the West Bank, and if Netanyahu upsets his foreign minister his political fate is sealed. Obviously, Netanyahu does not wish to lose the prime-ministership and goes along with the extreme right wing policies towards Palestinians.

Israel under this government has no commitment to peace and Netanyahu will play a game of politics to delay the Palestinian push for membership or enhanced observer status (like Vatican) at the UN. Two Israeli conditions for peace talks with

Palestinians are: (a) to recognise Israel as "Jewish" state and not the state of Israel, and (b) to agree to continued Jewish settlements in the West Bank including East Jerusalem. Since Palestinians recognised Israel as a state in 1993, the two conditions are non-starter for Palestinians, and Israeli leaders are aware of that. Netanyahu announced that Israel was ready for peace talks with Palestinians but his conditions remained.

Chairman Mahmoud Abbas is hostage to the people who wanted him to apply for UN membership. He could not backtrack on the bid under the US pressure. On September 23, he handed over the application of membership to the UN Secretary General. His political opponent Hamas controls Gaza with 1.2 million people, and they would have criticised him if he had not proceeded with the application of membership.

The delay in the Security Council regarding the Palestinian membership (the US will veto the resolution) could buy Abbas time to seek accommodation with the US while telling his people that he had pushed ahead with his campaign for statehood.

Although the US has publicly declared it would veto the application of membership at the Security Council, it knows the adverse implications of such a veto in the Middle East given the region's geo-political realities following the Arab Spring.

Furthermore, if Palestine's application is torpedoed by the US, it (US) will not only lose its credibility in the

Arab World (22 countries) also but across the developing countries as 126 countries recognise the state of Palestine as of today. Violence in the Middle East is likely to erupt, especially among the Palestinians, in West Bank against the US and Israel.

It is understood that other permanent members of the Council, China and Russia, support the Palestinian application, while Britain and France might abstain. In this context a veto by the US just to support Israel, which is gradually becoming isolated from its neighbours, would be extremely politically damaging. Israel has no ambassador to Egypt and Turkey and Jordan also closed down the Israeli embassies.

Observers say the delay in the UN Security Council, which could be for months, will allow the Quartet -- US, UN, EU and Russia -- seeking to broker Middle East peace to continue negotiating with the Palestinians and Israelis to try to create a new framework acceptable to both sides.

In a speech in 1960 to MPs in the Houses of Parliament in Cape Town, South Africa, British Prime Minister Harold Macmillan spoke of the "wind of change" blowing through the continent of Africa. Macmillan's "wind of change" speech became a historical landmark which dramatically speeded up the process of African independence.

Similarly, a wind of change is blowing through the Arab World where autocratic leaders are falling one by one. In the above context, why should the Palestinians

be deprived of their independence and statehood? They are part of the region, and the international community must come to their aid in getting rid of the brutal occupation by Israel since 1967.

In April 2003, the Quartet released its roadmap that outlined a three-stage programme leading to an independent Palestinian state by 2005.

By 2011, no Palestine state has been constituted because of Israel's intransigence on continuing illegal settlements in Palestinian lands with impunity, and insistence on recognition of a "Jewish" state where non-Jewish Arabs are also citizens.

Israel prides itself as a democratic state and is recognised as such by the Western powers, but do the attributes of a democratic state exist when there is gross discrimination among its citizens because of religion? Is it not double-standard when Western powers insist on secularism as one of the fundamental pillars of states except in Israel?

However, one victory for Palestinians is that by raising the bid for membership of the UN, the Palestinian issue took centre-stage at the UN, leaving Israel in isolation.

Whether resuming peace talks within one month, to be completed by the end of 2012, as suggested by the Quartet is a diplomatic ploy or not, at least the Palestinians have raised the question of their statehood on the UN agenda. It was the UN that approved the partition of Palestinian lands in 1948, which created Israel as a state, and gave a seat to it. Now, the turn of Palestinians has come for the UN to do the same for it. The UN must not be on the wrong side of history.

The writer is a former Bangladesh Ambassador to the UN, Geneva.

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Indo-Bangla water conflict/cooperation

MD. SHARIFUL ISLAM

THERE were a lot of expectations from the Hasina-Manmohan summit, particularly Teesta water sharing treaty. But, they were in vain. Bangladesh has been negotiating for a long time with India for harnessing, developing, and equitably sharing trans-boundary river water, which has been a major cause of dispute between them.

Water is a natural resource, and natural resources in general have an impact on conflict/cooperation dynamics. First, they are embedded in a shared social space. Actions undertaken by one individual or group or country may generate effects far off-site. Second, natural resources are subject to increasing scarcity, which is complicated by issues like unequal distribution. From the perspective of the above characteristics, trans-boundary waters are important in the development of patterns of conflicts or cooperation.

Regrettably, despite sharing fifty-four rivers with India, Bangladesh has only one water sharing treaty with it, on the River Ganges, which was signed in 1996. But India removed the guarantee and arbitration clauses regarding minimum water from the treaty. On sharing of common rivers, Article 9 of the 1996 Ganges Water Treaty makes it obligatory for India to conclude water sharing agreements with Bangladesh on principles of equity, fairness and no harm to either party. But the real picture is different. Although a thirty-year water treaty has been in effect between the two countries since 1996, India has been diverting water according to its will, depriving Bangladesh from its just share during dry season.

After originating from the Himalayas in most cases, the rivers flow through a third country, before they cross into Bangladesh. This has put Bangladesh in a tight spot on the issue of sharing water from the rivers that come through India.

The trans-boundary rivers flow through Indian territory, but India did not come into agreement with Bangladesh on the blockage or diversion of river water although an Indo-Bangladesh Joint River Commission (JRC) has existed since 1972. India constructed the Farakka Barrage in 1975 in order to divert a portion of dry season flow to increase the navigability of Calcutta port. When the Barrage went into operation in 1975, the fresh water supply of the Ganges decreased considerably, with a number of consequent effects in the south-west part of Bangladesh. Moreover, agriculture, navigation, irrigation, fisheries, forestry, industrial activities, salinity intrusion of the coastal rivers, ground water depletion, river silting, coastal erosion, sedimentation as well as normal economic activities have been adversely affected.

Water sharing of Ganges is one of the most serious and disputed issues that have bedeviled relations between India and Bangladesh. Conflict regarding the sharing of the water resources in the Ganges-Brahmaputra river system between India and Bangladesh can be traced back since the birth of Bangladesh.

The construction of Tipaimukh dam on the trans-boundary Barak River has raised hue and cry both in Manipur state in India and in Bangladesh. According to experts, the construction of the dam in a geologically sensitive zone, adjacent to the Taithu Fault, is a major concern. A major earthquake may cause the failure of the dam and endanger the lives, land and forests of both India and Bangladesh. The risk of dam failure is a significant issue. A dam-break is a catastrophic failure which results in the sudden draining of the reservoir and a severe flood wave that may cause destruction and death downstream in Bangladesh.

If India implements the project, the downstream Meghna river will lose its water flow and the country will gradually turn into a desert amid acute water crisis. Without any doubt, this dam will have catastrophic effects on Bangladesh like Farakka. India's river linking projects (RLP) is highly likely to have disastrous conse-

quences for Bangladesh, in even greater magnitude and scale covering the whole of the country.

It is unfortunate that India has postponed the proposed Teesta water sharing deal with Bangladesh amid opposition from Paschimanga Chief Minister Mamata Banerjee. Mamata had expressed her unhappiness about equal sharing of Teesta water with Bangladesh, and strongly believes that Bangladesh should get only 25% of the water.

No state has the right to divert the natural flow of international river water within its territory through unilateral action. The question of water sharing treaty should not arise regarding an international river. If one looks at West Europe and North America then it will be clearer. They do not divide the water, they collaborate in its use, development and preservation. During the last twenty years East Europe (ex. Save river), Africa (ex. Lake Victoria, Zambezi river), South America (Pantanal, Paraguay river) did the same.

Water sharing of international rivers must be on the basis of international law of rivers. India has no right to divert waters of international rivers like Ganges or Teesta. The International Law Association in 1966 laid down that every riparian state is entitled to a reasonable and equitable share in the beneficial uses of waters of international drainage basin. The UN International Law Commission (in Article 7) also emphasises that states shall utilise an international river in an equitable and reasonable manner.

Therefore, it is a legal right of Bangladesh to get equitable share with regard to water sharing. This is not benevolence but justice. Bangladesh should take a strong stand during negotiations as national interest is the cornerstone for any negotiator, and each of the parties will try to ensure its national interest.

Freshwater is already a scarce resource and is becoming scarcer day by day, which could be a source of conflict. Therefore, there is no alternative but cooperation with regard to water sharing. Regional cooperation of the co-riparian countries is crucial for Bangladesh to address her water challenges. Bangladesh needs to build up coalition and strengthen lobbying with Nepal, Bhutan as well as with Pakistan as there is a water sharing dispute between India and Pakistan.

Many experts suggest that it is not possible to resolve the water dispute with India bilaterally and, therefore, we have to raise the issue in multilateral forums like the UN. In this regard, former joint secretary A. B. M. S. Zahur said: "We have waited for 36 years and failed to solve the problem bilaterally. It appears we have no option except taking the matter before the UN to draw the attention of the world community to our miserable plight. We want dispensation of justice, not favour or benevolence (The Daily Star, April 2, 2010)."

Unless the riparian countries join together to ensure optimum use of water, there is a likelihood of conflict and tension in the future. Saarc can play an important role in reducing vulnerability to future water-related disasters through regional cooperation on water management and conservation and development of cooperative projects at regional level in terms of exchange of best practices and knowledge, capacity building and transfer of eco-friendly technologies.

Many think that there is another lesson for Bangladeshi negotiators from Kautillay's diplomacy. Indian mindset and zero-sum gain attitude in negotiation must change to ensure long and healthy Bangladesh-India relationship. Lastly and most importantly, India and Bangladesh should recognise and respect each other's rights, and efforts should be made to firm up regional cooperation to solve the problems of the rivers and the people who depend on them to avoid a water conflict in future.

The writer is a Post-Graduate student in International Relations Department, University of Dhaka. E-mail: shariful.shuvo.duir@gmail.com

Trade in fake medicines

Factories making fake and adulterated medicines have come up in many places, including rural areas. In the largest wholesale market of medicines in the Mitford area in Dhaka, the trading of these medicines is going on with impunity.

A.B.M.S. ZAHUR

THE health sector is regarded as a fundamental subject in national and international documents. The government of Bangladesh has also signed many international documents on this subject. In reality, we see that the number of private hospitals is increasing much faster than that of public hospitals. This has resulted in roaring business for the private hospitals because of inadequate number of government hospitals, and is due to gradual transfer of health service from the public to the private sector. This trend is seen in developing countries like India, Kenya, Cambodia, Vietnam and Pakistan. Simultaneously, allocation of resources to the health sector is also decreasing proportionately.

In Bangladesh, health service in the private sector got legal coverage through proclamation of an ordinance in 1982. In 1984, another ordinance amending the 1982 ordinance was issued. Health service in private sector increased further during the 5th Five Year Plan in 1996-2001. It received further incentives for growth in 200-06.

It has been alleged in a meeting of a Parliamentary Committee that common people do not get medicine from government hospitals though large quantities of time expired medicine are seen in the toilets of those hospitals. Due to such state of affairs people are forced to buy medicines from outside.

Out of 168 pharmaceutical companies in the country only 62 follow the guidelines of the World Health Organization (WHO). Only twelve of them are manufacturing medicines as per standard laid down by WHO, and in majority of the laboratories there is dearth of proper equipment and skilled personnel, mismanagement, lack of monitoring and illegal entry of banned medicines.

Factories making fake and adulterated medicines have come up in many places, including rural areas. In the largest wholesale market of medicines in the Mitford area in Dhaka, the trading of these medicines is going on with impunity due to indifference or lack of monitoring by the authorities concerned.

There are more than 250 companies that make allopathic medicines. There are also 800 companies which are producing unani, ayurvedic, herbal and homeopathic medicines. Bangladesh exports 85 items of medicines to 72 countries. However, experts say that only 50 to 60 pharmaceutical companies produce medicines of good standard and 50% to 60% of the companies are producing medicines of low quality.

In July 2009, intake of fake paracetamol tablets resulted in the death of 28 children. The writ petition moved by Human Rights and Peace for Bangladesh before the High Court resulted in stoppage of production and marketing of eight medicines.

The drug administration has taken action against pharmaceutical companies. Apart from this, an enquiry conducted by the permanent parliamentary committee on the ministry of health found that the standards of more than one hundred companies do not meet WHO guidelines and some of the products are far below standard.

Smuggling of banned medicines is rampant. The tendency of doctors to prescribe more medicines than needed has been revealed in a research paper of Bangladesh Health Watch in 2009.

There are about two lac twenty five thousand medicine shops in the country, out of which 82,000 hold valid license. The majority of these pharmacies are run by inexperienced and unskilled personnel.

As per government estimate, the number of generic medicines in the country is 1,200. There are only two government drug testing laboratories which can test only three to four thousand medicines yearly. We need at least ten more testing laboratories to satisfy our demand.

Though the government is proceeding gradually to privatise the major part of the health sector, it must provide good standard of medicines to the nation. It is surprising that though a national medicine policy was formulated in 2005 it has remained "controversial" during the last six years. It is time that recommendations of the parliamentary committee on ministry of health are implemented as far as possible and as quickly as possible.

The writer is a former Joint Secretary.