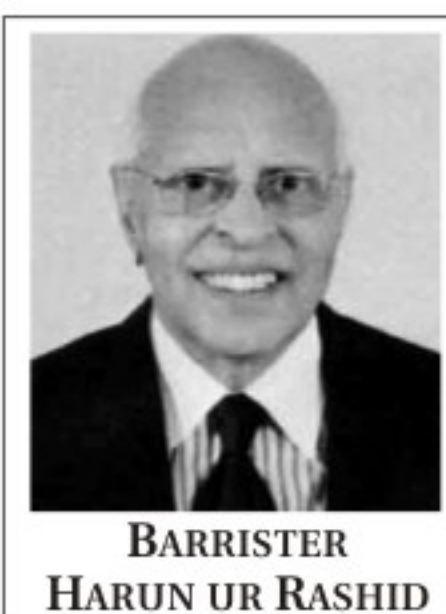


BOTTOM LINE

# Transit enigma



**T**RADER and transit between India and Bangladesh first found mention in the Joint Declaration of March 19, 1972, at the end of Prime Minister Indira

Gandhi's visit to Bangladesh. It stated that both prime ministers "approved the principles on the revival of transit trade and the agreement on border trade."

On March 28, 1972, the Indo-Bangladesh Trade Agreement was signed for one year duration initially -- to be extended after expiry.

Article V of the 1972 Agreement states: "The two governments agree to make mutually beneficial arrangements for the use of waterways, railways and roadways for the two countries and for passage of goods between two places in one country through the territory of the other."

On the occasion of the signing of the Trade Agreement, the Indian Foreign Trade Minister, Lalit Narayan Mishra, said that Bangladesh's "railways and its roads, can once again be used by India for the benefit of the Indian people on either side of Bangladesh. We, on our part, Excellency, would be only too happy to provide the necessary transit facilities to Nepal and our friends in Bangladesh."

In November 1972, the Indo-Bangladesh Inland Water Transit and Trade Protocol was signed. to implement the Trade Agreement (5 years duration initially -- to be renewed after every two years).

It is important to note that no protocol/legal framework between Bangladesh and India was signed on transit through roads, railways and sea ports and that Mishra's pledge remained unfulfilled for Bangladesh.

On October 4, 1980, a new Trade Agreement was signed between the governments of India and Bangladesh. The language used in Article VIII of the 1980 agreement is exactly the same as that of aforesaid Article V of the 1972. In pursuance of Article VIII of the Trade Agreement, a Protocol on Inland Water Transit and Trade was signed on November 8, 1983. No protocol on transit roads and railways was signed.

In April 1998, the Bangladesh foreign minister offered the services of Chittagong port to India to use it as a transit route to move its goods to and from its north-eastern states, especially Assam, Tripura and Meghalaya. However no protocol was signed.

The 1980 agreement was renewed. It is significant to note that a revised Trade Agreement was signed in 2006 for 3 years, deleting Article VIII, keeping the river transit route.

Until 2006, governments in Bangladesh, irrespective of political affiliations, kept the provision of transit through water, roads and railways between the two countries and for passage of goods between two places in one country through the territory of the other.

The visit of the Bangladesh prime minister to India in 2010 revived the transit through roads, railways and sea ports

Paragraphs 22, 23 and 24 of the Joint Communique of January 13, 2010, following the visit of Bangladesh prime minister

to India, deal with transit by waterways, roads, railways and sea ports of Indian goods through Bangladesh to eastern part of India. Paragraphs 26 and 38 are related to transit to Nepal and Bhutan from Bangladesh through India's territory.

Except the inland water transit, no legal framework exists as of date on transit through roads, railways and sea ports between the two countries.

call on river transit, a new protocol should have been signed replacing the 1972 Protocol.

On December 2, 2010, a high-powered committee, formed by the Bangladesh government to examine in details the transit issue, submitted a report in which the committee reportedly stated that Bangladesh currently lacked the infrastructure for transit with India, Nepal and

Bhutan and would need at least three years to have an adequate infrastructure in place. This would require Tk.50,000 crore They also reportedly suggested fees for each route.

Transit through Nepal will link Bangladesh to China by railways and roads for shipment of goods as railways and roads connect Tibet to Nepal's border. India and China have already established physical connectivity through Sikkim.

It was also agreed in Paragraph 22 that India would make the necessary investment for transportation of Over Dimensional Cargo (ODC) from Ashuganj. Both governments agreed to expedite implementation and contractors from both countries shall be eligible for the work.

Infrastructure has not yet been developed on Ashuganj-Agartala road, and pictures of a crater-ridden narrow dirt road appeared in The Daily Star on October 22. Of the 19 bridges and culverts several bridges are reportedly unsuitable for handling the extra load of Indian ODC and transit goods.

Using river transit, the first shipment was 160 tonnes of iron equipment carried from the Akhaura land port to Agartala by road for a steel company in the Indian northeastern state of Tripura. The use of road from Akhaura to Agartala is not to be permitted until a protocol on use of roads is signed. It appears that the government version is that it was a trial run to identify the bottlenecks of transit through road to India.

In the absence of improved infrastructure, the use of narrow and unfit roads for transportation of Indian goods from Akhaura to Agartala, even on trial basis, has puzzled many informed citizens in Bangladesh.

It is desirable that a comprehensive protocol on transit through waterways, roads, railways and sea ports should be signed, together with fees to be charged for each sector, replacing the current protocol on transit on waterways.

Finally, I would like to comment on three issues. First, the 1974-Mujib-Indira Agreement is related to demarcation of land and exchange of enclaves and territories in adverse possession. It does not deal with trade or transit.

Second, the idea that passage of goods between two places in one country through the territory of the other is corridor and not transit is misconceived under international rules. The difference between corridor and transit is that the user of corridor controls the land territory through which it passes while in transit the user has no control over the territory.

Third, on the question of transit or transshipment, practice across the world appears to suggest that transit is preferable to transshipment because transit attracts investment for infrastructure from the users and is conducive to easy transportation of goods.

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

*It is desirable that a comprehensive protocol on transit through waterways, roads, railways and sea ports should be signed, together with fees to be charged for each sector, replacing the current protocol on transit on waterways.*



It is noted that in Paragraph 22, both sides agreed to add Ashuganj-Silghat (India) as ports of call, with no extra fees, to the Inland Water Trade and Transit Protocol by exchange of letters. Many say that when Ashuganj was added as a port of

Ashuganj-Agartala road, and pictures of a crater-ridden narrow dirt road appeared in The Daily Star on October 22. Of the 19 bridges and culverts several bridges are reportedly unsuitable for handling the extra load of Indian ODC and transit goods.

# Tipaimukh and our responsibility

SHAHEEN REZA NOOR

**F**IRST and foremost we should acknowledge that the public sentiment now in Bangladesh is inflamed over the Tipaimukh issue. There is a feeling that India is engaged in some kind of conspiracy to implement the Tipaimukh project without paying attention to the legitimate concerns of Bangladesh. Bangladeshis have a right to feel concerned about the decision because in the 21<sup>st</sup> century water is a very scarce commodity and there are issues regarding water between different states or countries and even between different parts of big provinces.

In the circumstances, if we want a sensible solution to the issue of Tipaimukh -- which will be in the interest of both Bangladesh and India -- then we have to understand this matter first in its proper perspective and not be carried away by the propaganda of those opposed to the project. First and foremost, the issue of large dams and their impacts on the lives of people is primarily a local issue then a national issue and only thereafter an international issue.

For example, in the case of the World Bank-assisted Normoda project of India it was the people of the Indian state of Maharashtra who were directly affected by the issue and so they were the loudest protesters against the project. Even today in India, the people of Garwal are protesting against the Tehri dam project and against the lower Subhansiri project because of fears about the environmental damage they are likely to cause and despite the promise of obtaining electricity from the projects. Similarly, the people of Manipur, who are likely to be directly affected by the Tipaimukh project, have been protesting vigorously with the help of NGOs and other social organisations regarding what they believe are negative aspects of the project.

Therefore, as a democratic country where the opinion of the people counts, it is unlikely that the government will go ahead with the project unless and until the people's concerns are fully addressed. India has a strong judiciary, so it is unlikely that the executive will be able to unilaterally bulldoze its way without the judiciary exercising a check in the matter. So, it is unnecessary for Bangladesh to jump the gun and presume that the Indian authority will be able to implement a project which is harmful to its own people.

Therefore, we should express solidarity with the people of Manipur and support their demand that the project should not be implemented unless and until a full and detailed study of the environmental impact of the project both within India and beyond India is carried out. In other words, Tipaimukh is not just a

Bangladesh-India issue. It is equally an internal issue of India and the concerns of the people of Manipur are as relevant as the concerns of the people of Sylhet and other parts of Bangladesh that could be affected. So, we need to find ways of linking up with the people of Manipur so that we can articulate our grievances in a united manner.

However, we also have to understand the historical evolution of this project. Anyone who has studied the

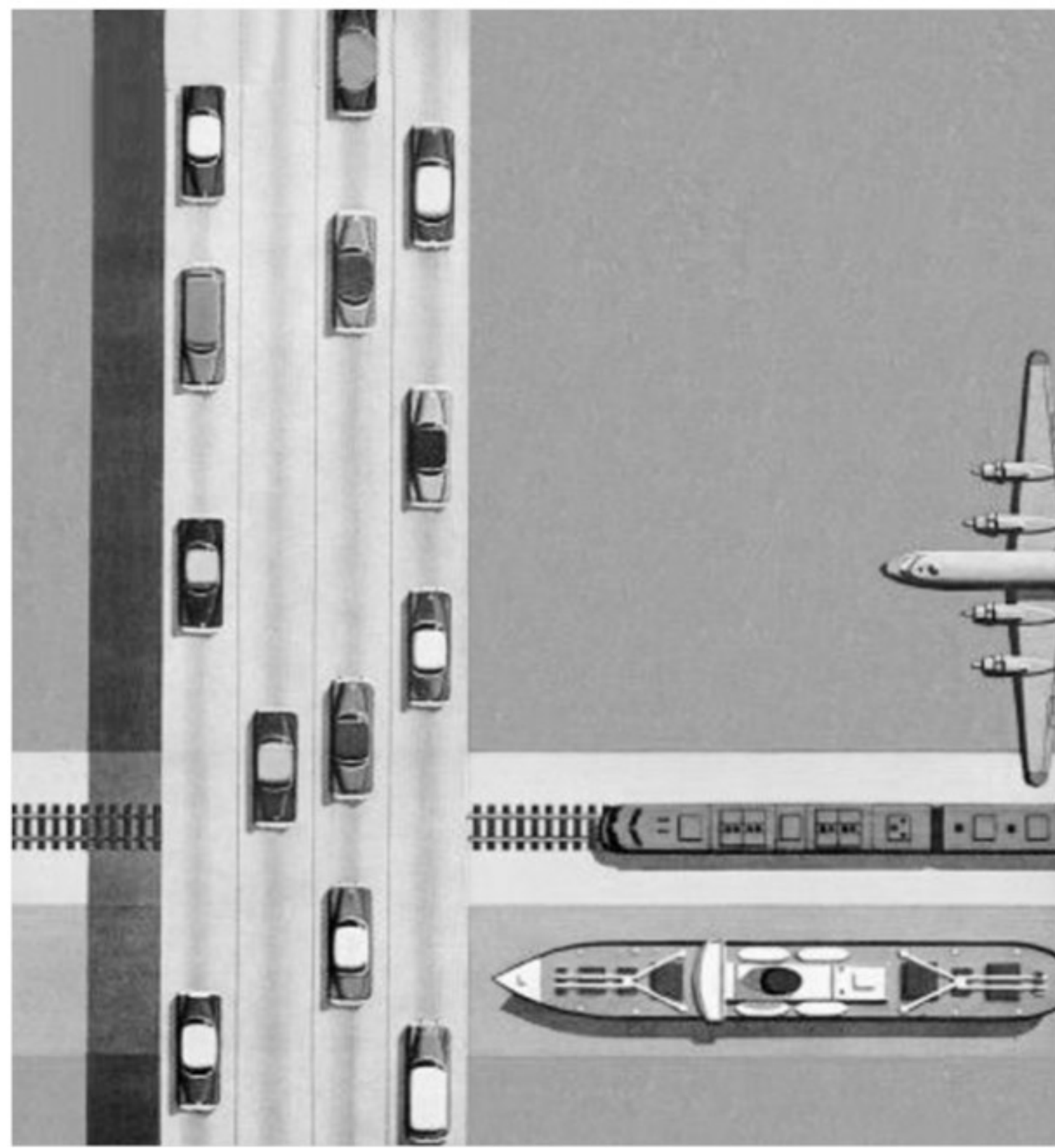
on the Barak river would actually control the heavy monsoon season flows that led to devastating floods in Bangladesh and augment the lean season flows when there was a shortage of water in Surma and Kushiara rivers. On the other hand, India has repeatedly assured Bangladesh at the highest level that Tipaimukh is a purely electricity generation cum flood control project and that there will be no diversion of water for irrigation or any other purpose. This is a solemn assurance that has been given at the level of prime minister, so it will be illogical for Bangladesh to ignore it.

It may be mentioned here that the Institute of Water Modeling (IWM) had carried out a detailed study in 2005 about the possible negative aspects of the Tipaimukh project. But this study, which is called "Hydrological impact of India's Tipaimukh dam on Bangladesh," is not the final word on the subject. It has, for example, not looked at the benefits of the project by way of its large power generation potential where energy security is as much an important consideration as environmental damage and climatic change. The IWM study focuses only on the hydrological impact of the project and not on power generation and energy security impact. Therefore, there is a need for carrying out a far more detailed and balanced study which examines all aspects of this matter rather than focusing on one aspect only.

For any such study to be acceptable to the people of Bangladesh it should be carried out by both countries and should involve their government and non-government experts. A joint Indo-Bangladesh study of this kind would set an example of state to state and people to people cooperation. Recently, Prime Minister Sheikh Hasina's advisors Dr. Mashiur Rahman and Dr. Gowher Rizvi visited Delhi and met Indian Prime Minister Dr. Manmohan Singh and other senior leaders.

It has been learnt that India has already agreed to carry out more detailed studies so that the principle of no-harm to Bangladesh is implemented both in letter and in spirit. This is an offer which Bangladesh should grab with both hands. India has also offered a joint stake to Bangladesh to invest in the Tipaimukh project and share the power generated. This is a constructive suggestion and should be seriously examined in the light of the need to do whatever is possible to address the serious power crisis that confronts Bangladesh. If power from Tipaimukh lights up Sylhet and irrigates the fields of Moulvi Bazaar then why should there be any agitation?

The writer is a journalist.



*We should express solidarity with the people of Manipur and support their demand that the project should not be implemented unless and until a full and detailed study of the environmental impact of the project both within India and beyond India is carried out.*

records of the meetings of the Indo-Bangladesh Joint River Commission -- which are being held over the last three decades -- will find that it was Bangladesh itself which in early '90s suggested construction of a dam on the Barak River to mitigate flood problem in Bangladesh.

Thereafter, various studies were carried out and the Bangladesh ministry of water resources produced a document known as Flood Action Plan (FAP-6), which came to the conclusion that the construction of a dam

## A Bangladesh-born Australian makes major breakthrough in wheat breeding

MOAZZEM HOSSAIN

**A** good number of Bangladeshi agriculturists (more than 350 so far) have migrated to Australia since early 1990s. This has been possible because the Australian government's overseas degree recognition authority made the agricultural degrees from Bangladesh equivalent to Australia's degree. This is the only 4-year degree from Bangladesh which has been enjoying equivalent status in Australia since 1989.

The Australian agricultural export industry indeed depends on wheat exports. One of the wheat breeders of Bangladesh origin has been working at one of Australia's prestigious universities, the Sydney University. Dr Nizam Uddin Ahmed arrived in Australia in the mid-1980s and went through a higher research degree (PhD) programme at Sydney University in plant breeding and genetics. He has been working in the area of wheat breeding over the last 15 years. Recently, Dr. Ahmed successfully used a modern wheat breeding technique, called "doubled haploid" (DH), which led to the development of 4 new varieties -- Spitfire, Cobra, Merlin and Gauntlet.

Dr. Ahmed led the research team at Sydney University with funds contributed by several multinational crop seed companies based in Australia. The first high-yielding high-protein DH variety "Spitfire" was released in 2010. With DH technique, this variety was developed in just 7 years (traditional method requires more than 10 years). The Spitfire has become very popular among the wheat growers of Australia. The three other varieties will be introduced to the farmers during the next winter (wheat) season. An international conference organised by the Wheat Breeding Society of Australia, held in Perth in August, was appreciative of the Sydney University DH method and the discovery by Dr. Ahmed and his team.

It appears that Dr. Ahmed has not forgotten his roots in Bangladesh unlike Australian migrants from other developing nations. Dr. Ahmed comes from village Shugandhi under Matlab North Upazila of Chandpur. He has been funding the schooling of 16 boys and girls from his locality, who come from poor but small families (2 child family). Indirectly, through this scheme, Dr. Ahmed is contributing to an awareness campaign in his birthplace about the benefits of small family structure. Indeed, Bangladesh needs thousands of expatriates like Dr. Ahmed giving helping hand to the poor children in education.

In his spare time in Sydney, Dr. Ahmed enjoys organising the Bengalee community. He has been the coordinator of Australian Agriculturists Society of Bangladesh Origin over five years and has been the president of the Bangabandhu Society of Australia for 2 terms. Indeed, it has been a great pleasure to know about Dr. Nizam Ahmed and his contribution to the high-yielding wheat breeding technology.

Sent from Brisbane Australia.