

Misplaced patronage

MOZAMMEL H. KHAN

FOLLOWING the Narayanganj-5 by-poll the Daily Star under the caption, "Selim Osman wins, Narayanganj loses" wrote, "The Osman family has won the Narayanganj-5 by-polls amid allegations of widespread intimidation of voters. Selim Osman, the candidate of the main opposition Jatiya Party and brother of ruling Awami League lawmaker Shamim Osman, beat independent candidate SM Akram by 16,742 votes in the battle of ballots that took place about two months after the gruesome murders in Narayanganj". However, in my assessment, there was no winner in the election, there was only loser and it was not (the people) of Narayanganj, but the party, and more specifically its supreme leader, that even did not have the candidate in the fray. The prelude to the defeat, in this round, was set when the PM in no other than in the august legislature hinted at "conspiracies" against the Osman family and its members in Narayanganj, said "conspirators have been trying to destroy the family through repeated attempts".

While the PM was right in eulogizing the Osman family for their glorious contribution since the inception of the AL, but it does not give any immunity to any individual of the family if the media truthfully reflect his wrong doings. In my personal experience with many members of that family, I was, rather, amazed by their cordiality. However, the person in question has always been a 'newsmaker' especially since his ceremonial homecoming from his exile in Canada. In the past as well, the PM's patronage, for reasons explained by herself, for the person in question did not bode well with the people of Narayanganj when he was confidently defeated in the mayoral election that took place two and half a year ago by a proven clean candidate of her own party.

In the by-election in question, it was neither the result nor the irregularities that caught the attention of the nation; it was the acts of the 'newsmaker' that became the headlines of the media and prompted people to ask how bad is bad enough for the PM.

The most dreadful one was to threaten an ASP of Narayanganj when he was bravely fighting the threat of the 'newsmaker' by foiling a bid to capture a polling station by his men. The ASP also called his superior officer to arrest the miscreants, which annoyed the 'newsmaker'. The 'newsmaker' made a phone call to the ASP and asked him to leave the centre to let his men do whatever they want to do. "He verbally abused and threatened me when I refused to oblige," said the ASP.

"I told Shamim bhai what he was planning to do would harm the party and the government's image. I prevented them as my conscience dictated me to do so" said the ASP. Alas, instead of being rewarded for his courageous act of duty, the ASP is now concerned about the security of his life. He is scared of even carrying out his daily routine duty in Narayanganj as he thinks the AL lawmaker will anyhow avenge his refusal to allow his man to rig votes. The 'newsmaker' further unveiled his absolute arrogance when he uttered, "I do not say the word 'please' to anyone. I am Shamim Osman. Listen to me. Why bother listening to the superintendent? Only I can protect you," the ASP further claimed that Shamim had said this to him over the phone.

Referring to the incident the CEC Kazi Rakibuddin Ahmad said, "the electoral enquiry committee will investigate the matter. We want to wait for the report which may take two or three days." Action will be taken as per investigation," said the CEC. However, in a society where immunity is the name of the game, people know very well that the incident will go under the rug in no time. It is the perception that matters since the reality is never uncovered where immunity prevails forever irrespective of the government in the helm. In the eulogy for her controversial lawmaker the PM promised, "if anyone commits a crime, that person will have to face trial and the law will take its own course". But the fact of the matter as revealed in the media, it is the victim (ASP) who is being investigated, not the widely alleged perpetrator.

In the aftermath of the menacing event that caught national headlines, an analysis is due for its direct and indirect stakeholders in order for them to either find solace from the pros or do soul-searching for the cons of their acts of commission or omission. The principal stakeholders of this poll were the government and the EC, although the ruling party did not field a candidate. Since the independence of EC was a big question mark to start with, the ruling AL is the principal loser in the election though the party and the government had everything to gain from the process. The party's principal course of action should have been not to let its controversial lawmaker, who is mentioned in every mishap, from Toki murder to seven gruesome murder cases of Narayanganj, get involved in the election to let the people freely choose between the JP candidate and his populist opponent, once the district convener of AL, who, like many other pro-AL politicians had to abandon the party due to a single individual. The party, in fact, missed a golden opportunity to do at least one right in the midst of many wrongs in recent days. During the previous tenure (1996-2001) of the AL government, it was difficult to defend the moral superiority of AL vis-à-vis its political rival due to the presence of a handful of 'godfathers' in the party folds.

Over the last few months since the January 5 general election, the government had ample avenues to boost its dwindling moral authority through better governance. Quite to the contrary, it has miserably failed to do so even in a lull period of opposition movement. The unprecedented mischiefs of a single individual in a single by-election, where even the party did not have a candidate, has delivered an irreversible blow that has put even the government's staunchest adherent on the defensive.

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LEST WE FORGET Shabbir Yusuf - Sports promoter and a gentleman par excellence

ZAGLUL AHMED CHOWDHURY



HE was a familiar face in the sports, business, diplomatic, political and many other circles in the country. A well known organiser of the sports, Shabbir was the former captain of the national hockey team. He was the sitting president of the Bangladesh Jute Spinners Association and a keen observer of the political affairs at home and abroad. But, above all, he was a gentleman par excellence. Whoever knew him would unhesitatingly agree that Shabbir Yusuf was a person who would not only always wear a soothing smile, but also go out of his ways to help anyone. As someone, who mingled with all sections of people, he was admired for his soft-spoken nature and impeccable niceties. His death at the age of 66 has robbed the society of a person, whose absence would be badly felt in various quarters.

Shabbir's news of death in a hospital in Singapore came somewhat as a bolt from the blue. True, he was undergoing medical treatment, but none really thought he was dying. He did undergo a brain surgery and the tumor was found negative. That news was a big sigh of relief and Shabbir Yusuf was recovering fast as all were waiting from his return to home. But some post-operative complications unexpectedly developed, causing sharp deterioration in his condition and the worst happened in quick time. He is gone!! Knew Shabbir for nearly five decades and we were class friends in the Political Science department of Dhaka university for several years. It was late sixties and Shabbir Yusuf stood taller than many others among us because of his unremitting interest and involvement in sports that gave him great fame. It was the period of erstwhile Pakistan and scant scopes existed for the eastern wing of the country in sporting and other areas because of yawning disparities. Despite having qualities and caliber, the Bengalees used to be left in the cold by the Islamabad authorities. Abdus Sadeque and Shabbir Yusuf were among the handful of hockey players, who could reach the zenith of the game surmounting such barriers. Hockey remained his penchant in many forms till his death as he spared no effort for the development of this variety of the sports. Shabbir Yusuf was also an active promoter of cricket and football as well. He was thick with the sports world and actively associated with the "Abahani Kriya Chakra", which has deeply mourned his death, recalling his contributions to the embellishment of the sports and development of the club in various phases.

Shabbir Yusuf was a noted businessman, who particularly mingled with the jute industry, which experiences ups and downs during various governments in the country. As the president of the Bangladesh jute spinners Association earlier and also during the current term, he led the private sector jute industry in complex and tortuous discussions at home and international levels for the protection and development of the sector. In a fitting tribute, the Association unanimously made him its chief in the present term, but sadly he died leaving much of his task unfinished.

However, what made Shabbir Yusuf vastly different from many others was his unabated quest for knowledge and information about the international situation. He used to be unbelievably equipped with latest developments taking place around the world. As he is dead now, I must acknowledge with gratitude the information that he provided me many an occasion when I was a regular columnist for the Daily Star on South Asian affairs for many years since its debut. He had a tremendous knack of keeping himself abreast with the latest development in political and other fronts both at home and abroad. Although Shabbir came from a political family, he himself was not directly associated with politics, not even in the university days when many of us were activists of student organisations.

Shabbir's interest with the media was immense and he would enjoy watching talk shows and news at national and foreign televisions till late nights and analyse them later. An avid reader of newspapers, he would take pride in having a good number of senior journalists as his close friends. Only seldom have I seen a businessman and a person deeply associated with the sports world taking so much of interest areas that may seem largely as peripheral to their fields of interest. Indeed, this has somewhat uncharacteristically invigorated his charm and attraction in different circles. He was closely known in various political circles cutting across political divides. Suave, but exuberant in table-talks, Shabbir Yusuf would steal the limelight in such conversations mainly because his reservoir of knowledge on some matters used to be full to the brim. He would mostly remain immaculately dressed and would be remembered for his love for gourmet food with friends and other circles.

However, his personal qualities as a largely non-controversial person, who would extend his hands of assistance and help others, would remain the bottom line of the goodwill and friendship that Shabbir endeared over the years. Many would badly miss him and life would not be same without him.

The writer is Advisory Editor of the daily Financial Express and former Chief Editor and MD, BSS.

Judgment by the Court of Arbitration: Victory for international law

BARRISTER HARUN UR RASHID

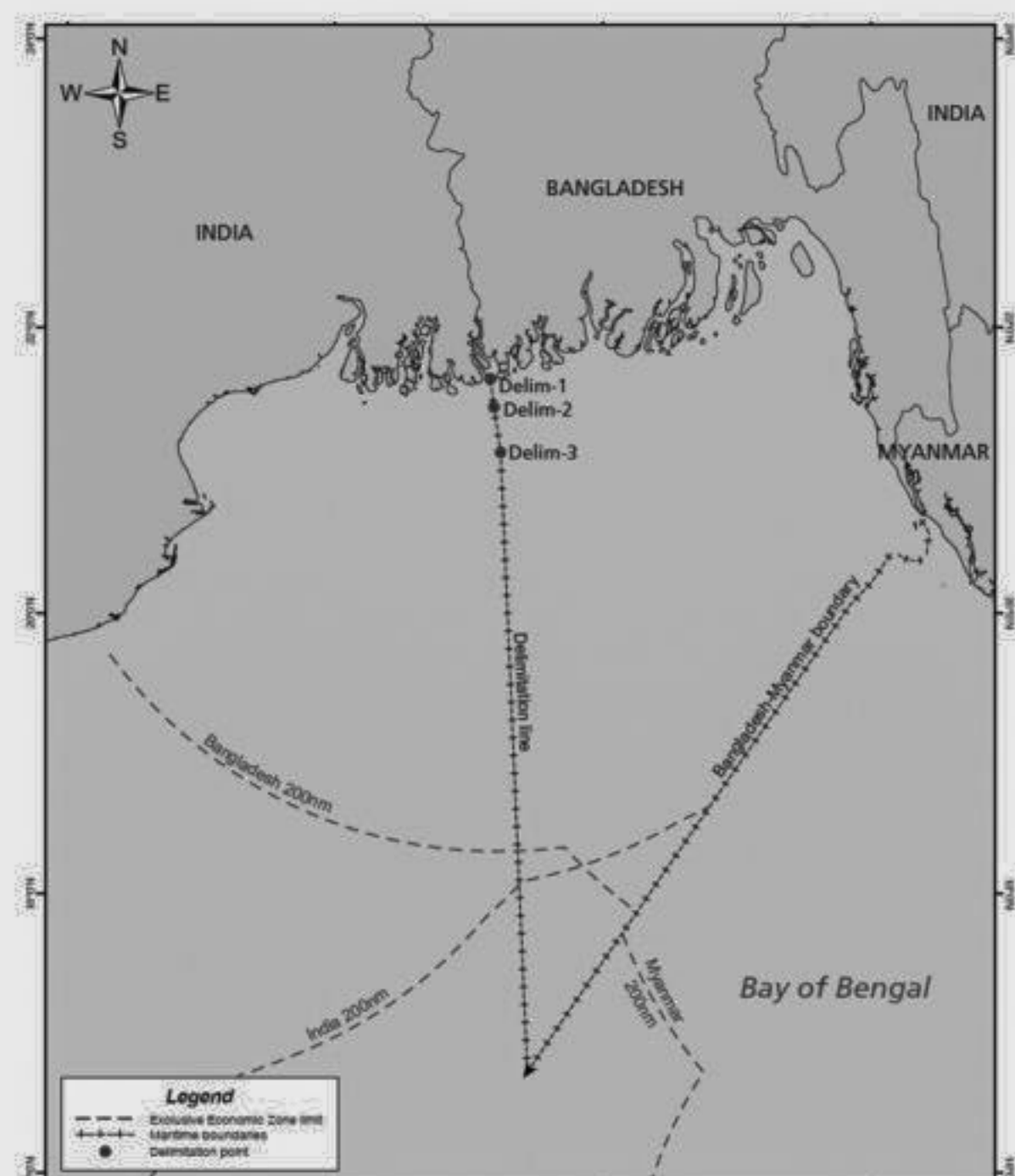
THE Permanent Court of Arbitration (PCA) at The Hague officially conveyed the result to both parties on 7th July. The judgment is final and cannot be appealed against. Bangladesh Foreign Minister reportedly has announced on 8th July that Bangladesh has been awarded 19,467 square kilometres of the total 25,602 sq km sea area leaving 6,135 square kilometres to India. It is noted that area of dispute with India in the Bay of Bengal is much smaller than that between Bangladesh and Myanmar which was 2,83,463 square kilometers.

The judgment allows Bangladesh 200-mile exclusive economic zone, continental shelf beyond the 200-miles economic zone and to have an access for Bangladesh to the open sea, not turning it into a "sea-locked country." Bangladesh's awarded area reportedly includes 10 off-shore blocs in the west which were in dispute with India. Although Bangladesh and India sea boundary talks started in 1974, renewed in 1978 and 1982, it could not be resolved because of the differences over methods of delimiting the boundary between the two sides.

Bangladesh submitted its statement of claim by May 2011 to the Court of Arbitration. India submitted its counter-memorial by July 2012. Rejoinder by Bangladesh was lodged on 31st January and India's reply was submitted by 31 July 2013. Oral hearings from both sides were heard by the Arbitration Court in December 2013 (9th -18th December).

The Court of Arbitration consists of three jurists as Arbitrators- Tullio Treves of Italy, I.A. Shearer of Australia and Rudigar Wolfrum of Germany and one each nominated by Bangladesh and India. Bangladesh nominated former Judge Thomas Mensah from Ghana and India nominated Dr. P. Sreenivasa Rao, former Legal Adviser of the External Affairs Ministry.

Five arbitrators comprise the Court presided over by Rudigar Wolfrum of Germany. In July 2013 Treves resigned and a French Jurist Jean-Pierre Cot was appointed in his place in consultation with both parties. On behalf of India, lawyers, RKP Shankardass, Alain Pellet, Michael Reisman and Sir Michael Wood argued, while for Bangladesh Lawrence Martin, Philippe Sands, Payam Akhavan, Paul Reichler, Alan Boyle and James Crawford.



Since the sea boundary could not be resolved bilaterally since 1974, Bangladesh government on 8th October 2009 initiated arbitration proceedings against India before the Court of Arbitration in The Hague. UNCLOS provides a general guidelines of delimitation under Articles 15 (territorial sea) 74, (delimitation of EEZ) and 83 (delimitation of continental shelf). The interpretation and application of maritime law of delimitation have been expounded by the International Court of Justice and Tribunals.

The most significant precedent in the case of Bangladesh-India maritime dispute is arguably the judgment delivered by the International Tribunal for the Law of the Sea (ITLOS) on March 14th 2012 in the Bangladesh-Myanmar Maritime Delimitation Case.

The ITLOS judgment accepted Meghna estuary as part of relevant coast. It upheld Bangladesh cannot be a "sea-locked" state by cutting-off its boundary line from Myanmar side in the Bay of Bengal. It recognised Bangladesh's 12-mile territorial sea, 200 mile exclusive economic zone, and the rights of Bangladesh to the

outer continental shelf beyond the economic zone (another 260 miles). Bangladesh has total rights over the undersea natural resources within the continental shelf as many nations have asserted mineral and land rights to their continental shelves. Most importantly Bangladesh has access to the open sea.

The most important fact is that the judgment of the Court of Arbitration together with the ITLOS judgment in 2012 has resulted in a clear-cut maritime boundary which will allow Bangladesh, India and Myanmar unhindered exploration of living resources (fishing and other living marine species) and non-living (oil, gas and minerals) resources in the Bay of Bengal.

Bangladesh will have now not only 19,467 sq.kilo in the west but also 1,11,631 sq.kilo in the east (ITLOS judgment) in the Bay of Bengal for exploration and exploitation of its resources. One of the sources of food as well as oil and gas could be found from marine resources. As land resources deplete more attention falls on the marine resources. Another fact stands out is that Bangladesh and its neighbouring states -India and Myanmar -have peacefully settled the maritime boundary through the legal mechanism under the UNCLOS and it demonstrates all three countries have been committed to have peaceful settlement.

The judgment may assist Bangladesh concretise the Japanese proposal for a Bay of Bengal Industrial Growth Belt (BIG-B) initiative to his Bangladesh counterpart Sheikh Hasina in Tokyo in May with India and Myanmar for Japanese trade and investment. It ushers in a new era of cooperation with the neighbours in maritime area.

Finally, the Hasina government deserves commendation for its reference to the UNCLOS dispute machinery against India and Myanmar at the same time (reservations not made by both Myanmar and India to the machinery either by overlook or neglect) and the maritime wing of the foreign office in handling the case with great efficiency and dedication. On personal note, I find great satisfaction that the bilateral negotiations in which I, representing the foreign office, argued for the first time to India and Myanmar in 1974 have been resolved in Bangladesh's favour.

The writer is Former Bangladesh Ambassador to the UN, Geneva.

QUOTABLE Quote

"I may be no better, but at least I am different."

Jean-Jacques Rousseau

CROSSWORD by Thomas Joseph

ACROSS

- Scottish caps
- Perspire
- Clarinet's cousin
- Basement
- Explorer of kids' TV
- 2014's "Godzilla," for one
- Made suitable
- Agent, for short
- Shows age, as newspaper
- Cow call
- TV spots
- Penny
- Recital need
- Mine finds
- "I've Got the Music..."
- Heir, often
- Adam's mate
- Three-dimensional
- Train unit
- Musical flourish
- Book worker
- Astonish
- Tie down
- Ticked off
- Was furious
- Really impresses

DOWN

- The present
- Dwelling
- Fable end
- It can land on a bay
- Threaded fasteners
- Garden pests
- Shade tree
- Worried
- Store sample sign
- Trans-plants, as plants
- Fuss
- Italian noble-woman
- Components
- Martian, in some stories
- Uncle Sam's home
- Washday amount
- Didn't punish
- Get a goal
- As a follower
- Blue hue
- Bowling sports
- Gentle pull

Yesterday's answer

CLAMPS MAMA
RATOUT IRAN
ENERGY SICK
SEATS REGAL
SEMI PARADE
SOON TAT
MAELSTROM
JIG DESTI
INEVER BETH
CESAR SCARE
ARAL MEAGER
MAGE ANGLEE
ALOT STEEDS

CRYPTOQUOTE 5-29
 NMG CGDPBDEB CUNGX HE JNB HJ
 JDIDG KPHUJHC, LMB HJ GHEHJC MY
 DIDGX BHQD ZD KPHU.
 - GPUYF ZPURN DQDGENJ

Yesterday's Cryptoquote: AFTER CLIMBING A GREAT HILL, ONE ONLY FINDS THAT THERE ARE MANY MORE HILLS TO CLIMB
 - NELSON MANDELA

Henry
 BY DON TRACHTÉ

OH GOD, HENRY-- YOU'RE JUST IN TIME TO HELP ME!

THERE, HENRY, DEAD-- I BAKED THIS CAKE JUST FOR YOU!

I THINK THAT RATES A LITTLE KISS!

SHACK!

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HENRY
 by Don Trachte

Henry is a cartoon character who lives in a small apartment. He is often seen with his dog, a small black and white dog. The cartoon is set in a simple, everyday environment. The dialogue is humorous and relatable. The cartoon is a classic example of a single-panel comic strip.