

WATER DIPLOMACY

A new future for the Himalayan rivers

SHAFIQUL ISLAM

THE question of whether and how to harness rivers for irrigation, hydropower generation, urban development and sustainability of ecosystems continues to be an issue of great concern, conflict, and cooperation for this region. While pessimistic speculation on the endemic nature of water stress within and between countries in South Asia occurs commonly, there is a void of suggestion on what to do next.

We need informed conversations to hammer out the details required to act and move forward on how to develop and share the Himalayan rivers for an equitable and sustainable future. Complexity of transboundary water issues demands learning from other river basins – like the Nile, Jordan, and Danube – and adapting to local situations. Interconnectedness and interdependence of issues as well as competing and conflicting values and priorities for water allocation make the process of charting a path for the future difficult.

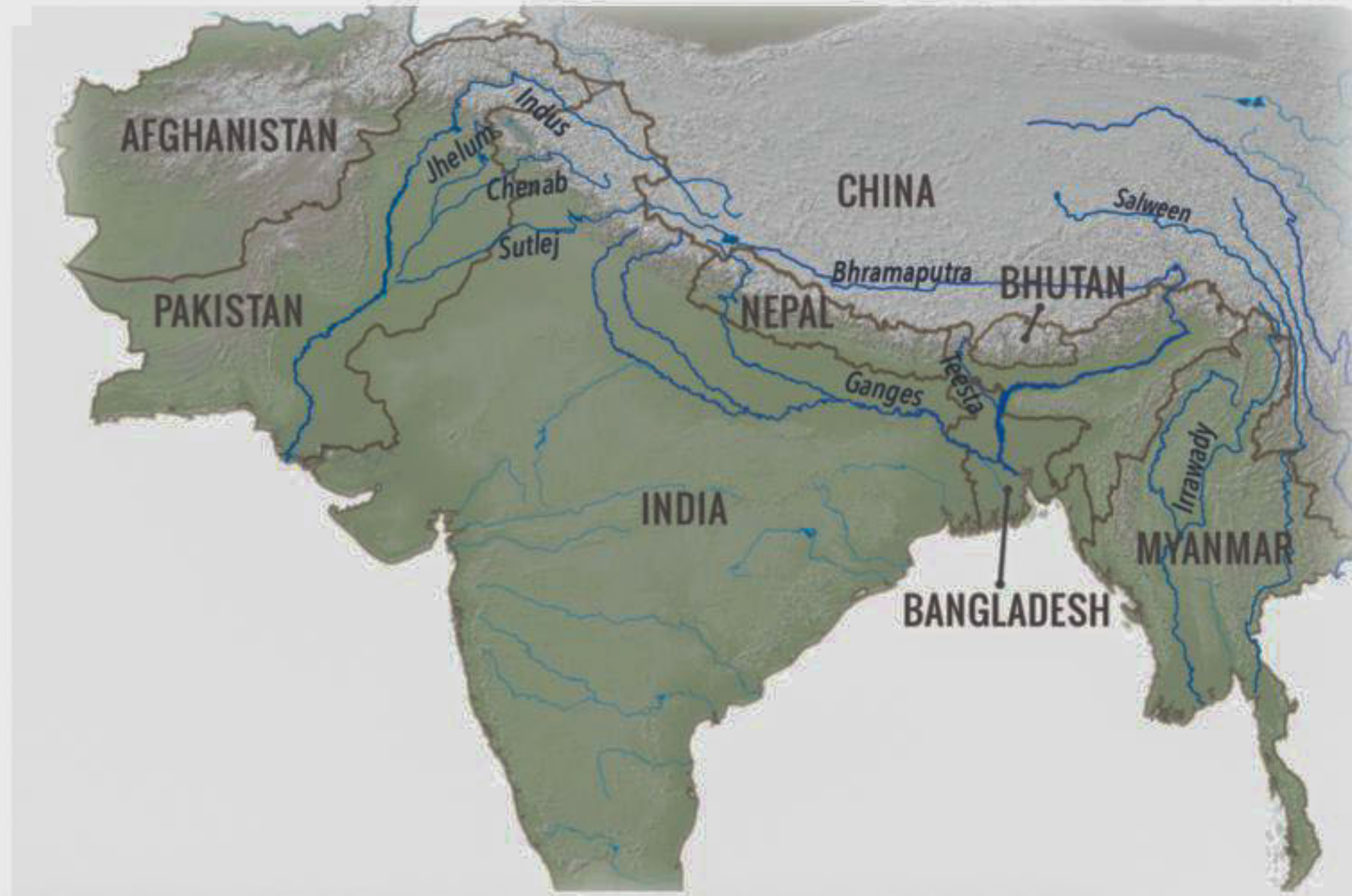
Who decides? Who benefits? Who bears the burden? These difficulties are amplified by practical questions: how can we reconcile India's water needs for development with the need for adequate water supply and to minimise salinity intrusion during the dry season for Bangladesh? As water demands increase, how will countries meet previous water agreements? While preventive diplomacy has kept conflicts at bay, it is now time for water diplomacy to strengthen the bonds of cooperation.

These water questions are contingent upon the context, framing, and choice of the problem's scale and scope. Consequently, there are no pre-specified solutions. To develop actionable strategies with mutually beneficial options, a different approach is needed. The Water Diplomacy Framework

(<http://waterdiplomacy.org/>) – developed by a global group of academics and practitioners led by faculty from Tufts University, Massachusetts Institute of Technology and Harvard University – is a step in that direction.

An example of implementation of a mutually beneficial option is in the 1994 Israel-Jordan Peace Treaty that includes an agreement regarding water sharing across borders. The treaty specified that Israel could extract twelve million cubic metres (MCM) of water during the summer and thirteen MCM in the winter from the Yarmouk River. In exchange, Jordan stores twelve MCM in Lake Tiberias in Israel during the winter, to withdraw when it is needed in the summer months. Israel agreed to help Jordan find additional water through desalination which dovetailed with Israel's long-term desalination programme.

Technological and scientific creativity facilitated this water agreement. Although the agreement was bilateral, excluding other riparian entities, given the regional political



Major rivers of South Asia with origins in the Himalaya and Tibetan Plateau

dynamics, it was still a remarkable accomplishment.

One way to explore mutually beneficial options is the Devising Seminar – conceived at the Programme on Negotiation at Harvard University – a professionally facilitated problem-solving forum that includes individuals covering a wide range of stakeholders. This provides a facilitated process to discuss interests of all key stakeholders and generate ideas that meet the interests of all parties. None of the ideas generated are attributable; participants can focus on finding solutions that meet everyone's interest, rather than only considering those that reflect a specific political agenda. The process does produce formal agreements, so participants explore options without commitment, suggesting evidence-supported actions that could gain the support of most, if not all, the stakeholders.

Devising Seminars can take many forms but include some common required elements: (a) a prepared synthesis of current knowledge, issues, and controversies – including technical, societal, and political – surrounding the Himalayan water issues from multiple perspectives; (b) a Stakeholder Assessment comprised of one-on-one, off-the-record interviews with a wide range of individuals – including representatives of government entities and organisations involved in the dispute, as well as technical and scientific experts who can provide well-informed perspectives on what is known and not known about the issues. All information remains anonymous and unattributable; (c) Skilled facilitation by a professional neutral is critical. The facilitator has to create and maintain a space in which all parties can think creatively and work together to envision new

options; (d) A Devising Seminar provides confidentiality following the Chatham House Rule and is organised without observers or media present. The facilitation team takes notes throughout the workshop; however, nothing is attributed to any individual, and participants are not identified in any of the workshop materials. This private forum creates a setting in which participants can think out loud and consider new ideas. It can allow participants to put aside their typical party lines and explore creative options, without fear of retribution from higher decision making authorities.

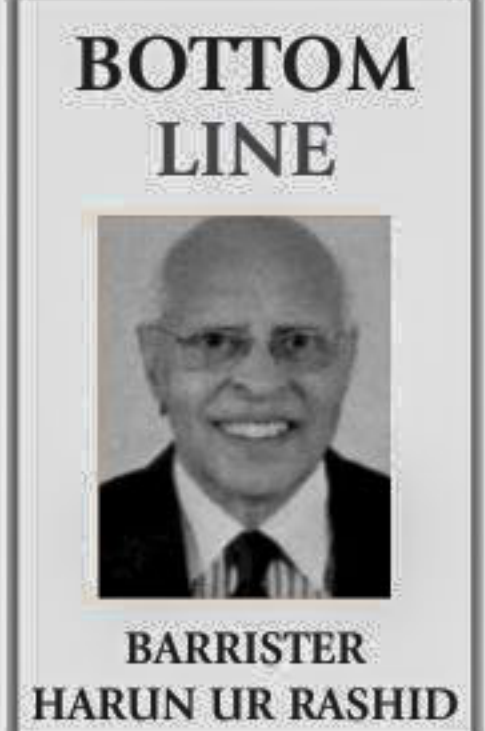
A final element of a Devising Seminar is the preparation and dissemination of a summary report. This report shares key ideas and points of agreement that emerge from the discussion. It can take many forms, from a single page memo directed to a specific group, to a more general summary that can be shared broadly. The Summary Report is actionable because the ideas are generated through collaborative problem solving and stakeholders have the confidence that these options are likely to generate widespread support.

To explore the effectiveness of a Devising Seminar for the Himalayan rivers, it may be worthwhile to convene such a seminar among stakeholders from India and Bangladesh with a focus on the Teesta, Ganges, and Brahmaputra and develop a summary of creative options – guaranteeing issues of sustainability and equity – by linking multiple issues and creating mutual gains for both countries.

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SOURCE: WATER DIPLOMACY

MODI'S VISIT TO BANGLADESH Unresolved Issues



BARRISTER HARUN UR RASHID

BOTTOM LINE
INDIA'S Prime Minister Narendra Modi's visit to Bangladesh has ushered in a new chapter not only in bilateral relations but in a significant way for the sub-region (Bangladesh, Bhutan, India and Nepal) as a whole through the signing of 22 agreements and memorandums of understanding on all possible sectors including multi-modal connectivity. It is a new dawn in the sub-region.

The agreements will also open up the sub-region in an unprecedented scale for investment, trade, people-to-people contact which will have multiple positive effects. Furthermore, relations between the two countries have reached a new height which will be noticed by other countries and generate a new climate of investment and joint ventures in Bangladesh.

It is good that the 1974 Land Boundary Agreement (LBA) came into fruition after 41 years, removing a humanitarian problem for the inhabitants of the enclaves in both countries. The LBA stated that the boundaries of Muhuri River, Feni River, Haker Khal and Baikari Khal would be fixed. It is not known whether any solution regarding this issue was discussed and agreed upon with India during the visit.

Some analysts say that the result of the agreements and MOUs may be more beneficial to India than to Bangladesh because India will be able to send goods and merchandise in the shortest possible time over railway, water transport or road through Bangladesh to the landlocked seven Northeastern states of India.

Analysts also believe that since most of the benefits will go to India, it would have been desirable for India to have provided \$1 billion grant to Bangladesh out of \$2 billion credit suppliers' loan. For a country with \$2 trillion GDP, \$1 billion grant should be considered as a small amount.

However, we should also remember that gains in different cases are not comparable and unlikely to be equal. Bangladesh may gain more than India in some areas and the reverse may be the case for India.

Although our bilateral relations have reached a new height with Modi's visit, it is perceived to have been greatly diminished by the non-signing of the Teesta Water Sharing Agreement. People of Bangladesh had expected that the Indian Prime Minister would be able to conclude the Teesta sharing agreement this time around.

During his visit in Dhaka, Modi however has said, "Our rivers should nurture

our relationship, not become a source of discord. Water sharing is, above all, a human issue. It affects life and livelihood on both sides of the border." He further expressed his confidence that with the support of state governments in India the two neighbouring countries would reach a consensus over the Teesta deal.

The assurance given by Modi is unlikely to quell the fears of those in Bangladesh who will be directly affected by the deal as India is seen to have failed to comprehend how necessary this deal is for a large section of the country. It is a question of life and death for farmers in Bangladesh.

Those living in northern districts are in a dire state, as the Teesta, the fourth largest river in the region, is almost dry. The Teesta River adversely affects about 21 million Bangladeshi people who live near its basins.

India built a barrage at Gazaldoba in West Bengal from which 85 percent of water flow is reportedly diverted from Teesta River through a link-canal to the upper Mahananda River which falls on the Meichi River in Bihar. This links the Fulhar River and reaches the Ganges River.

The adverse effects of the Farakka Barrage have practically led to the death of many rivers in the western side of Bangladesh, according to water experts. To counter the effects of the Farakka Barrage inside Bangladesh with India's support. It is reported that when the issue was raised, the Indian side stated that the proposal would be examined by the concerned agencies in India.

Furthermore, on the eastern side, the recent dam built by China on Brahmaputra could spell disaster for Bangladesh unless a Himalayan Commission with Bangladesh, China and India is constituted for proper management of water resources for the Brahmaputra River. India's cooperation is imperative to set up such a commission. It is not known whether the issue was raised with the Indian side.

As the population in both countries will increase, the demand for fresh water will also increase. India and Bangladesh need an equitable management of water resources within the sub-region.

We congratulate both the Prime Ministers for the vision of a new pathway of progress and prosperity to eliminate poverty which is the common enemy for the sub-region as our Prime Minister recently stated. It is hoped that border killings will come to a complete halt, the trade deficit for Bangladesh is drastically reduced and that sharing of waters of all common rivers becomes a reality.

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

Anomalies in the Chittagong City Corporation elections

DR. BADIUL ALAM MAJUMDAR

THE media reported many irregularities, including booth captures and illegal stamping of ballot papers in the recently concluded elections of the three city corporations in Dhaka and Chittagong. The comparison of the recent results with that of the results of the 2010 Chittagong city corporation elections leaves no doubt about it.

In Chittagong, 12 candidates contested for the mayoral post in the recent elections. This included the ruling party candidate AJM Nasiruddin, and the BNP candidate and departing mayor, Manjur Alam. Results show that out of 18,13,600 voters, 8,68,663 cast their votes, of which 8,21,371 were valid and 47,292, were invalid votes. The voter turnout rate was 47.9 percent. Of the total valid votes, AJM Nasir received 4,75,361 (57.87 percent) votes and Manjur Alam received 3,04,837 (37.11 percent) votes. However, of the total 3,629 votes registered at the Halishahar Mehere Afzal High School, which served as a voting centre, Manjur Alam received no votes, although he had 616 votes in the same centre in the 2010 elections.

In the 2010 elections, out of the total 16,87,497 voters, 9,21,389 cast their votes, of which 8,85,845 were valid and 35,544 were invalid votes. The voter turnout rate was 54.6 percent. Of the total valid votes, Awami League supported departing Mayor ABM Mohiuddin Chowdhury who received 3,83,760 (43.32 percent) while Manjur Alam received 4,79,658 (54.15 percent) votes to become the new mayor.

In the recent elections, although the overall voter turnout rate in 719 centres was 47.9 percent, in 33 centres, the turnout rate was more than 80 percent. In fact the turnout rate was more than 90 percent in ten centres. In one centre, Agrabad Talebia Government Primary School, the turnout rate was 99 percent, in another centre the rate was 98 percent, and in yet another centre, the rate was 97 percent. By contrast, the turnout rate was less than 20 percent in 20 centres, the lowest being 8.68 percent at the Naval Ideal Government Primary School. Even though the overall turnout rate in 673 centres was about 7 percent higher in the 2010 election, no centre in that election had over 90 percent turnout rate.

Casting votes involve seven distinct steps, including establishing the identity of the voter and dropping ballots in the ballot-box. According to former Election Commissioner Brigadier (Retd.) Shakwat Hossain, casting three ballots in the city corporation elections should have taken a minimum of three minutes, given everything worked perfectly and everyone involved was super efficient. However, voters with little education and no experience in voting would have taken longer.

Thanks to media reports, most voters knew the mayoral candidates and could decide whom they would vote for before getting to the polling booths. However, this was not the case for candidates running for ward councillors, particularly those running for reserved seats, thanks to lack of publicity.

As a result, the voters had to review the ballot papers for councillors before making their choice, which should have consumed more time. Thus, considering their varied background, education and experience, and lack of information regarding councillor candidates, it would perhaps be safe to estimate that casting three votes in the city corporation elections took roughly five minutes for average voters.

Agrabad Talebia Government Primary School centre, which reportedly had the highest turnout rate of 99 percent and total casting of 2,433 votes, had six polling booths. If we accept the three-minute estimate for casting three ballots by a voter, a maximum of 960 votes could be cast in that centre. If the five-minute estimate is accepted, a maximum of 576 votes could be cast there. Thus, such abnormally high 'turnouts' could be possible only with booth capture and illegal stamping of ballot papers.

A discernible pattern is visible in the results of this year's Chittagong City Corporation elections. With the rise of overall turnout rate, the voting rate for Manjur Alam continuously declined and the opposite was true in the case of AJM Nasir. For example, in the centre with less than 10 percent turnout rate, Manjur Alam had 54.01 percent votes, in centres with turnout rates between 50 percent and 60 percent, he had 39.8 percent votes, and in centres with above 90 percent turnout rate, he had only 15.01 percent of valid votes. In contrast, in the centre with less than 10 percent turnout rate, AJM Nasir had 36.4 percent votes, in the centres with turnout rates between 50 percent and 60 percent, he had 55.32 percent votes, and in centres with above 90 percent turnout rate, he had 77.07 percent of the valid votes. More specifically, in centres with lower than 43 percent turnout rate, Manjur Alam had 99,772 votes compared to AJM Nasir's 99,385 votes. In the remaining centres, with more than 43 percent turnout rate, AJM Nasir won with a big margin.

It is clear that AJM Nasir's win were in those centres with abnormally high 'turnout' rates. Illegal stamping in some centres was so undisciplined that the amount of invalid votes in those centres was unusually high. For instance, in the South Kattoli Pranhori Government Primary School centre, out of 4,322 votes cast, 1,862 were valid and 2,460 were invalid votes.

By contrast, no such pattern was visible in the 2010 election results. In that election, in the centre with less than 10 percent turnout rate, Manjur Alam had 62.26 percent, in centres with turnout rates between 50 percent and 60 percent, he had 54.17 percent of the votes and in centres with above 80 percent turnout rate, he had 61.79 percent of all valid votes. In that election, the percentage of votes received by ABM Mohiuddin Chowdhury also did not increase/decrease with increases/decreases in the turnout rate. Thus, there was no accusation of illegal stamping or any other form of rigging in that election and Mr. Chowdhury himself accepted the election results.

Candidates lodged innumerable complaints of irregularities during this year's city corporation elections. Instead of taking these complaints seriously, the Election Commission hurriedly published the results in its official gazette. More seriously, some commissioners claimed that they had no authority to do anything after the Returning Officers declared the results. Such a claim is baseless, as the Bangladesh Supreme Court, in the case of *Noor Hossain versus Nazrul Islam* [5BLC(AD)2000], declared that with "contemporaneous report or allegations about disturbance, rigging of ballot papers or election not being held justly, honestly and fairly," the Commission had the authority, subject to an inquiry, to even 'cancel elections already held'.

The writer is Secretary of SHUJAN: Citizens for Good Governance.

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13th Death Anniversary

We pray for Marhum M. Masihur Rahman on his 13th Death Anniversary today, the 10th of June 2015. Marhum Masihur Rahman was a Founder Life Member of the North South University (NSU) Foundation, renamed as the North South Foundation, which established and administered NSU, now run by the North South University Trust. He was also the Founder Life Member of the Board of Governors of the Foundation and the then Parichalona Porshod of NSU.

He was a successful industrialist, a prominent banker and an ideal philanthropist.

May Allah bless his soul and give the members of his family the strength to keep on bearing the loss.

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