

CIVIL WAR IN MYANMAR

'We need to demonstrate diplomatic agility and manoeuvring skills'

Maj Gen (retd) ANM Muniruzzaman, president of the Bangladesh Institute of Peace and Security Studies (BIPSS), suggests what Bangladesh can do regarding the ongoing crisis in Myanmar, in an exclusive interview with Naimul Alam Alvi of The Daily Star.

For Bangladesh, what are the implications of the current situation in Myanmar?

The current situation in Myanmar is in a state of flux. The Myanmar military junta is rapidly losing control of areas, including areas of interest to Bangladesh—Rakhine and Chin states. The Arakan Army's significant gains suggest they will soon control large swathes. They have already captured Pauktaw, Minbya, and Paletwa. Not only are civilians fleeing these areas, but military soldiers and paramilitary forces are also retreating. Some of them are crossing into Bangladesh, creating a tense and volatile situation. The rapidly changing situation makes it difficult for Bangladesh to receive complete information on the ground, posing a major security threat.

What are the specific challenges?

The first challenge is the insecure border. There have been airspace violations and mortar shells from Myanmar have landed in Bangladesh, damaging settlements; two civilians have already been killed and several villagers have been injured. This is disrupting life and security in Bangladesh.

Secondly, the influx of fleeing Myanmar soldiers poses a major threat. There is information that civilians are gathering on the other side of the border, preparing to enter Bangladesh, including over 400 members of the Chakma ethnic group. We can also expect that others may follow—even the remaining Rohingya who are in Myanmar may also try to enter Bangladesh.

Can the unrest there spill over and create unrest inside our border?

Instability is inherently contagious. When one region experiences turmoil, it can naturally spread to neighbouring areas. This concern is heightened due to the presence of shared ethnicities on both sides of the border. An attack on one group there could easily invite sympathy and even cause unrest among their kin on this side. Therefore, the potential for ethnic tensions spilling over is a

significant cause for concern and something to be analysed.

Is there a possibility of unrest increasing in the Rohingya refugee camps?

Of course, the possibility exists. The Rohingya camps have already faced various security issues and disruptions over several years. Internal conflicts and violence between groups within the camps are still going on. If the instability on the other side intensifies, it will undoubtedly affect the Rohingya population here, further complicating an already complex situation.

The prospects for repatriation, already bleak, have dimmed further due to the escalating crisis in Myanmar. Discussions, effective arrangements, and sustained action seem nearly impossible in the current turmoil. The situation worsens daily.

Bangladesh recently summoned the Myanmar ambassador to express its displeasure. However, given the Myanmar government's precarious control, how effective is such an act? What can Bangladesh realistically achieve?

Traditional diplomatic methods might struggle in this fluid conflict zone. Summoning the ambassador and issuing a protest note is standard diplomatic practice, but this is no ordinary situation. It's a dynamic conflict demanding a robust approach. We may need to explore avenues of understanding and communication with various actors involved.

Major international players like India, China, the US, other Western powers, and Russia are directly involved due to their diverse interests. Communicating solely with Myanmar won't be entirely effective. We must engage in broader diplomatic manoeuvring, leveraging our existing relationships.

I fear crucial time has been lost, but establishing new communication channels is imperative. We need to demonstrate the diplomatic agility and manoeuvring skills



PHOTO: COURTESY

Maj Gen (retd) ANM Muniruzzaman

required in such complex conflict situations. Clinging to routine diplomacy will leave us overtaken by events. We cannot repeat our inactiveness during the Rohingya crisis, when we'd started our diplomacy after the influx. We must be proactive, anticipating developments and taking steps to prevent the situation from spiralling out of control.

What additional measures can we take?

Beyond diplomacy, we must prioritise physical security. This requires fortifying and strengthening our borders, and closing any loopholes vulnerable to infiltration or security breaches. We need comprehensive armed arrangements to effectively respond to potential threats across the entire border region. These are immediate crisis management needs.

Furthermore, engaging with regional

powers is vital. Understanding their perspectives on the security situation and aligning our own needs with theirs is crucial. This multipronged approach requires a comprehensive understanding of how to effectively secure our borders.

You mentioned major global players being involved. Can you elaborate on their motivations and specific interests in Myanmar?

Myanmar's geostrategic significance has long attracted major powers seeking spheres of influence, driven by national interests, security concerns, and strategic aspirations. The ongoing crisis has reignited their involvement, with each aiming to maintain or expand their reach.

For example, India has a significant presence in our bordering state Rakhine. There is the Kaladan Multi-Modal Highway, which enters India's northeast from Sittwe port by land and river. This is a multi-billion dollar project for India, and India's interests are directly involved in it.

We also know that Rakhine is a major gateway to the Bay of Bengal and the Indian Ocean. And for this reason, all the major powers have a special interest in this region. The deep sea port that has been built in Kyaukpyu is a major Chinese port. It does not only serve as a deep sea port but is also a major energy hub—transporting oil and gas directly to China's Yunnan province. This strategic location aligns with their national and energy interests. So China has significant interest in Rakhine.

There are also several special economic zones being set up in Rakhine, where Russia and China plan to establish industrial zones, drawing Russia into the mix.

In the current geopolitical reality, with global strategic competition being high, wherever China has an interest, the US gets involved to counter it. So that's why the US has a big interest here too. This is evident in their close monitoring of Myanmar and the

recent Burma Act legislation, signalling their readiness for action.

What strategy do you propose to deal with the current crisis?

Our approach must be exceptionally dynamic and innovative. We need unconventional solutions alongside traditional diplomacy, engaging with multiple actors. Maintaining active communication with Asean, given Myanmar's membership, is crucial. Additionally, establishing communication with the major global players I have mentioned, while considering their interests alongside our own, is essential. We must also reevaluate the timing of formally engaging with non-state actors. Time is of the essence. Delays in effective diplomacy could lead to even more significant challenges.

This is a crisis, and like any crisis, it demands more than a routine 9-to-5 office. Establishing a dedicated crisis task force is paramount. This team, comprising representatives from various ministries and government agencies (foreign affairs, home affairs, defence, intelligence), humanitarian organisations and relevant stakeholders, should operate 24/7. Their mandate would be to constantly monitor the situation, analyse developments, and propose solutions for political decision-making across various angles: security, diplomacy, conflict resolution, humanitarian aid, and resource management.

It's crucial to remember that this is not just a security concern; it's a multifaceted crisis with diverse dimensions requiring a holistic approach. Addressing emerging challenges swiftly and effectively necessitates a collaborative effort beyond the capabilities of any single ministry.

Traditional diplomatic methods of summoning ambassadors or issuing protests are inadequate for this dynamic situation. We need a fresh, analytical approach, tailoring responses to emerging threats. Proactive measures are essential; there is no time to lose.

GI OF TANGAIL SAREE Whose is it?



Dr. Mohammad Towhidul Islam is professor at the Department of Law in Dhaka University.

MOHAMMAD TOWHIDUL ISLAM

Recently, a debate has emerged on social media regarding whether or not the Tangail saree can be protected by a geographical indication (GI) and can belong to India.

The 1994 WTO TRIPS Agreement defines a GI as an indication that ascribes to a specific quality, reputation, or other feature of a product that is fundamentally attributable to its geographical origin within the territory of a WTO member or a regional locality within that territory.

A GI is customarily applied to industrial products, handicrafts, agricultural products, consumables, and wine and spirit beverages. Here, the question is raised as to whether the Tangail saree falls under the definition described above. The answer is: yes. As a handicraft, it does.

Additionally, the product eligible for a GI must have its place of origin within the territory or a designated region of a WTO member state. The question arises as to whether the Tangail saree originates in a member state's territory or a specific region within that state. The etymology of the Tangail saree, indeed, indicates that it originated from an area named Tangail in West Bengal, India.

Furthermore, in order for an item to qualify as a product bearing a GI, it must possess a specific quality, reputation, or other feature that can be attributed to its native land. The enquiry arises as to whether the Tangail saree's quality, reputation, or any other attribute can be primarily ascribed to Tangail in West Bengal, India.

In light of the enquiry posed on social media regarding the provenance of the Tangail saree, the following will be addressed. Given the absence of India's GI registration details pertaining to the Tangail saree, certain conjectures exist. One such conjecture is that the origin of the Tangail saree could be a geographical location named Tangail in West Bengal,



Given the absence of India's GI registration details pertaining to the Tangail saree, certain conjectures exist.

FILE PHOTO: MIRZA SHAKIL

India, from which its distinctive quality, reputation, or attribute may be derived. An alternative theory posits that the majority of the Tangail saree weavers relocated to West Bengal, India, subsequent to the Partition, where they persisted in producing this customary artistic creation.

In relation to the geographical origin of Tangail, be it India or Bangladesh, the principles of homonymous geographical indications (GIs) are acknowledged under the legal systems of both the countries. Although homonymous GIs share a similar nomenclature in terms of spelling and pronunciation, they may still meet the criteria to obtain independent protection. Nevertheless, the homonymous GI registration system is exceedingly complex due to the possibility that identical qualities,

reputations and other attributes of the product are not present in both GIs. Moreover, this usage could potentially lead to consumer confusion, thereby fostering unjust competition within the market.

With respect to the assertion made by emigrant West Bengal Tangail saree weavers from Tangail, Bangladesh, the fundamental criterion that the product bearing the GI must have its origin in

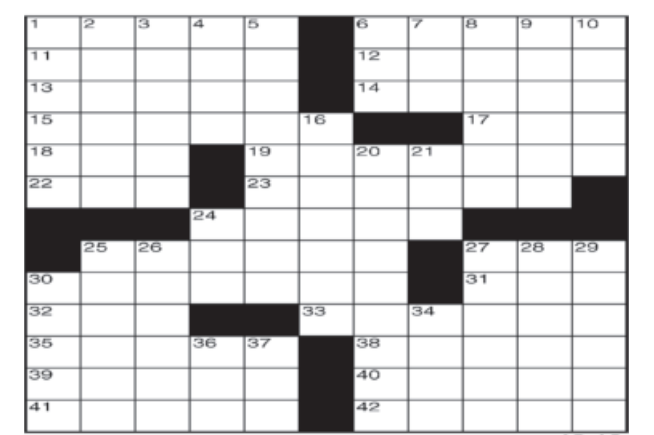
dispute pertains to a breach of trade regulations, Bangladesh representing the stakeholder may consider resorting to the WTO's dispute settlement body. In the event that it is established that a geographical area bearing the identical name, Tangail, is situated in West Bengal, India, the Tangail saree will transform into a matter of international concern. The transborder geographical area of origin is addressed by the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, which functions as a central registry for GI. It specifies that if a geographical area of origin includes or contains the name of a geographical area, or another designation known as referring to such an area, it may encompass the entire territory of the Contracting Party of Origin, or a particular region, locality or place within the Contracting Party of Origin. This does not preclude a portion of a transborder geographical area comprising a geographical area of origin from being subject to the provisions of this act. The Geneva Act delineates the procedure for joint application in the case of a transboundary geographical area in such circumstances. It stipulates that if a geographical area of origin comprises a transborder region, the neighbouring Contracting Parties may file an application jointly through a commonly designated Competent Authority in accordance with their agreement. Within the framework of the Lisbon Union, the 2015 Geneva Act of the Lisbon Agreement thus paves the way for a unified registration of the transborder GI. Neither Bangladesh, nor India, however, are signatories to the Lisbon Agreement, and are therefore unable to resolve the dispute.

At the domestic level, in the case of a cross-border GI such as the Tangail saree, distinct and autonomous registration may be possible under the names Bangladeshi Tangail saree and Indian Tangail saree if a homonymous location bearing the same name, Tangail, exists in West Bengal, India. The distinct registration procedure, on the other hand, is protracted, expensive, and cumbersome. Furthermore, this could potentially render the GI product of Tangail saree semi-generic in other nations, resulting in the revocation of protection in those specific countries.

CROSSWORD

BY THOMAS JOSEPH

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| ACROSS | player's worry | 8 Film set on |
| 1 College houses | 31 Dr.'s org. | Pandora |
| 6 Isolated | 32 FBI worker | 9 Rise up |
| 11 Fable writer | 33 Rehearsal | 10 Pollster's find |
| 12 Ohio or Missouri | 35 Comedic tribute | 16 Vilified |
| 13 Island off Naples | 38 Code name | 20 Skin-related |
| 14 Scoundrel | 39 Poet Guest | 21 Guitarist |
| 15 Reparations | 40 "The Tempest" sprite | 24 Cry of horror |
| 17 Cargo amount | 41 Grating | 25 Eastern temple |
| 18 Bear's lair | 42 Yorkshire city | 26 Security badges |
| 19 Green stone | | 27 Stephen King book |
| 22 Hosp. sections | DOWN | 28 Tickled |
| 23 School paper | 1 Fake front | 29 Comic strip |
| 24 With all one's might | 2 Juice extractor | makeup |
| 25 Enterprise captain | 3 Quaking trees | 30 Less decorated |
| 27 Upper limit | 4 Rent | 34 Days gone by |
| 30 Football | 5 Role for Tom Holland | 36 Easy victim |
| | 6 Torah cabinet | 37 Attempt |
| | 7 Wrestling win | |



MONDAY'S ANSWERS

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