

The Daily Star

FOUNDER EDITOR  
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## Illegal firearms being sold as legal

How did customs allow these weapons to enter the country?

ALARMINGLY, a section of licensed arms dealers are importing military-grade semi-automatic weapons into the country in the name of rifles and then selling them off to licensed arms holders by declaring them as rifles on paper. Law enforcers fear that this reckless practice could prove dangerous and pose a threat to the law and order of the country, and we fully agree with their analysis.

The semi-automatics being sold can hold a total of 20 bullets, five more than the standard firearms issued to law enforcers. That itself gives anyone carrying one of these an edge over them. Moreover, the Arms Rules 2016 states that the import of semi-automatic or automatic weapons is prohibited in Bangladesh. Why then have licensed arms dealers been allowed to sell these weapons, and even more importantly, how did these weapons come into the country by getting through customs in the first place?

Apparently, there are such irregularities in the arms import because there are no arms experts in customs and district commissioner offices. But how can that be the case? It is a given that the import of illegal arms is one of the greatest concerns for customs, as it relates to law and order and national security of the country. Then why does the customs department lack even one expert who can judge which firearms are legal and which ones are not? Why haven't the authorities taken any initiative to address this?

In response to letters from the DB, six arms dealers have provided lists which suggest that they have imported 91 Uzis since 2015—and have already sold 49 of them. Currently, there are 84 licensed arms dealers in the country, and amidst such lax monitoring, one can only guess how many illegal firearms have entered the country and been sold off legally on paper.

The DB and other law enforcing agencies must investigate and find the exact number of these weapons, and also who owns them. But this can only be a stop-gap solution. Ultimately, customs must prevent these weapons from coming into the country, and the fact that it has failed so miserably in doing that is simply preposterous. Therefore, we urge the authorities to immediately assign arms experts at customs offices, and to hold anyone at customs responsible for such failure to account.

## KSA's decision to quash sponsorship system commendable

It will ease the exit and re-entry visas and recruitment processes for expats

WE are pleased to learn from a recent report published in this paper about the plan of the Kingdom of Saudi Arabia (KSA) to eliminate its decades-old system of sponsorship—also known as *kafala*, popular in the Gulf countries, which requires workers to be sponsored by a local employer who is responsible for the employees' visa and legal status—within the first half of the next year. The workers will no longer need any approval from their Saudi sponsors, and this will make their employment and lives more flexible. The move would be the latest in a series of economic reforms being carried out in line with the Kingdom's Vision 2030.

We welcome the Kingdom's historic initiative which was long overdue, given the amount of hardship that workers have to endure as the system tends to subjugate them—workers are obligated to work for their sponsors, and cannot work for any other employer unless the sponsorship is formally transferred, which is often a gruelling task. They also require the sponsor's permission to open a bank account or even to leave the country on vacation. The seven-decade-long system will be replaced by a work contract that regulates the relationship between employers and foreign workers and aims to improve the quality of the expatriates' lives, providing them freedom of movement as per their work contract.

This new initiative, when it comes into force, will be of great benefit for the Bangladeshi migrant workers who reside in KSA. Time and again we have witnessed how our workers have fallen victim to this inhumane system of sponsorship and been taken advantage of, as it always gives the employers the upper hand. The stories of our migrant workers suffering at the hands of some of their Saudi employers are plenty and painful. And it is mostly because of this system that they remain helpless and “enslaved”, and even if they manage to make it back home, many have returned empty-handed or in coffins. We hope the Saudi Ministry of Human Resources will formally announce the major features of this initiative soon and put an end to the sufferings of migrant workers.

## LETTERS TO THE EDITOR

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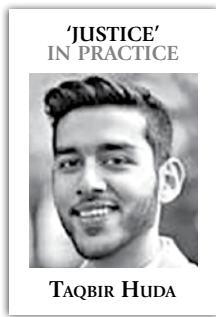
### Train journeys can be threatening

I was commuting by train a few days ago when, suddenly, a stone came flying through the window and hit the passenger sitting beside me. Instantly, blood started gushing out of his head. It was such a helpless situation, and the only thing we could do then was to help stop the bleeding. I had often heard about such incidents but to witness it first-hand was nothing short of petrifying. I never truly understood the severity of the issue, until now.

This sort of mischievous act of throwing rocks and other dangerous objects towards a moving train has always been an issue that remains unaddressed. And if the injury is serious, Lord knows how long it takes for the injured person to reach the nearest clinic or hospital to get medical assistance. I urge the railway authorities as well as law enforcement officials to pay heed to this matter. We must put an end to such violence if we are to commute freely on trains.

Kamal Ahmed, Chattogram

# Marital rape killed a child in our country. Why is it still legal?



(DMCH).

The girl has been identified by the police and locals as Nurnahar, a student at the local Kalia Biddaloy. Nurnahar belonged to a poor family. Since both her parents were full-time labourers and would frequently quarrel with one another (with her father being absent most of the time), Nurnahar's maternal grandfather, Lal Khan, brought her to his home in Kalia village when she was aged four, and she had been living with him ever since. He enrolled his granddaughter in school, and was paying for her upkeep and education from his daily wages as a labourer. Nurnahar got promoted to eighth grade this year and was known as a meritorious student, coming second in her class.

The ongoing pandemic has magnified the struggles of low-income families, and Lal Khan's household was no exception. On September 20, Nurnahar was contracted into marriage with a 34/35-year-old man named Rajib Khan, hailing from a nearby village in Kauljani union. As Rajib is an expatriate working in the United Arab Emirates, currently visiting his homeland, Nurnahar's family was incentivised to marry her off to him due to his relatively high earnings. Lal Khan spent Tk 30,000 on her wedding. Since Nurnahar had not reached the minimum age of marriage under the Child Marriage Restraint Act 2017 (eighteen), the marriage was not registered by the families. Nurnahar was then taken to her in-laws' house in Fulki Paschimpapa village, Basail.

Lal Khan told *Dhaka Tribune*, “My granddaughter informed us that she had been receiving treatment from a village doctor [kabiraj], since she told her in-laws that she has been bleeding from the first night of her marriage.” Far from ensuring proper medical treatment, Rajib continued having sexual intercourse with Nurnahar, disregarding the girl's injurious condition. As the bleeding did not stop, the families discussed Nurnahar's condition and afterwards her mother-in-law fed the girl some medicine from the *kabiraj*. It is only when Nurnahar's condition took a dangerous turn that her in-laws took her

to a private clinic in Tangail on October 22, and tactfully handed over the girl's custody back to her family and relieved themselves of further responsibility. As her condition kept on deteriorating, she was then shifted to Kumudini Hospital in Mirzapur.

Meanwhile, Nurnahar's family was struggling to finance the treatment, and the local villages pooled together Tk 60,000 for her treatment. Afterwards, Nurnahar was finally transferred to DMCH for better treatment, but by then it was too late and she ultimately succumbed to

filed a complaint with the Basail police station against her in-laws—although, in contracting an underage girl into marriage, they themselves committed an offence under section 8 of the Child Marriage Restraint Act 2017 (CMRA), punishable with up to two years' imprisonment and/or Tk 50,000 fine. It did not matter that Nurnahar was the second-best student in her class and could one day have been their ticket out of poverty. What only mattered, even to a grandfather who had admirably been financing her education on his own initiative, was the economic



We are still forced to accept that even when a victim of child marriage dies as a result of marital rape, this forceful intercourse is not a crime, simply because the man happened to be her “husband”.

COLLAGE: KAZI TAHSIN AGAZ ARBURO

her injuries on October 25. The next day, she was buried at a local cemetery near her grandfather's house in Kalia, after an autopsy had been conducted. Lal Khan blamed Rajib Khan for the death of his granddaughter. Rajib did not even bother to show up at the girl's funeral.

Bilkis Begum, Nurnahar's mother-in-law, told the press that the girl was “possessed by a demon” and that is what apparently caused the genital bleeding. Dr Firozur Rahman, Basail Upazila Health and Family Planning Officer, said that panic and fear is a natural reaction for girls during their first sexual encounter and that genital bleeding often occurs with those who get married early. In order to stop the bleeding, a gynaecologist ought to be consulted immediately.

The girl's in-laws have proposed to “settle” the matter through *shalish*. However, Nurnahar's family has reportedly

prospects of creating marital ties with an expatriate grandson-in-law.

While it should be clear to anyone that Nurnahar died after being forced to have intercourse with her husband, the sad thing is, our law would not consider Rajib's action to be rape as marital rape of wives above the age of 13 is specifically excluded from the offence of rape in section 375 of the Penal Code 1860, which defines rape. Furthermore, according to section 376 of the Code, which originally set out the punishment for rape, marital rape is only punishable if the wife is under the age of 12, and there can only be a maximum of two years' imprisonment or even just a fine. These provisions were introduced by our British colonisers at a time when Victorian morality dictated that wives ought to be treated as the husband's property, so the very concept of holding a man liable for

# Reimagining post-pandemic cities and towns



humanitarian crisis. As a result, issues that urban development experts have been advocating for years have come under the spotlight again. In Bangladesh, recent Covid-19 impact assessments conducted by different agencies and think tanks including PPRC-BIGD warn that there will be millions of “new poor”, adding to the city authorities' responsibilities for providing full recovery support until they are back on their feet.

As we approach the World Cities Day to be held on October 31, it is important to take stock of the urban situation in Bangladesh in the wake of Covid-19 and consider what we can do to mitigate the crisis.

Physical distancing strategies used to contain the spread of the virus are extremely difficult to implement in a highly dense city such as Dhaka, especially in informal settlements and slums. A recent study by the Bangladesh Institute of Planners reveals that Dhanmondi is currently accommodating 1.5 lakh residents, although this residential area was planned for 18,000 people. Such density increases the risk of spreading infectious diseases through crowded sidewalks, marketplaces, mass gatherings, and commuters on public transport networks. With the pandemic's catastrophic impacts on urban liveability and livelihoods, how do we effectively manage our future cities?

### Bridging the urban divide

As the crisis continues to hit our urban areas, Covid-19 has exacerbated the vulnerabilities of dwellers in terms of health and lack of safety nets. A UNDP study estimates that only 17.84 percent of city residents are covered by social safety nets. Furthermore, SANEM, a leading think tank, estimated that the pandemic took away around 6 million jobs in various sectors. Most people who lost their jobs are low-paid or self-employed. They are the ones we rely on to run our cities and towns. Income sources have dried up for many such low-income families, with

little or no coverage of social safety nets and no financial support to fall back on.

Moreover, many are pavement-dwellers and living in densely populated informal settlements in cities that lack proper basic services and other amenities, including health services. As such, reducing poverty as well as ensuring equity of the urban poor must be given due care and consideration at the policy level to balance an equitable national growth scenario.

### Overhauling urban planning

Ongoing Covid-19 trends are closely interlinked with livelihoods, local economy, and functions of neighbourhoods. Balancing between “densification” and “disaggregation” is perhaps the key question for city planners when it comes to future urban planning. The pandemic has clearly proved how ill-prepared our cities are in facing

more street space to make safer roads, promote sustainable development goals, and provide carbon-free mobility. For instance, Berlin is using tapes and mobile markers to create quick “pop-up” cycle lanes, and has listed cycle service shops as an essential service. The mayor of Paris, Anne Hidalgo, is planning to convert it into a “15-minute city” to ensure it takes no longer than 15 minutes for the residents to get to work, move around to shop or take children to school. London is also prioritising bikes as a safe mode of transport for commuters. Just as the pandemic has triggered a revolution in cycling around Europe, Bangladesh can also follow a similar strategy by encouraging cycling and introducing dedicated cycle lanes in city streets like those recently introduced in Dhaka's Agargaon area.



File photo of people crowding the Dhupkhola Bazar in Dhaka, on April 8, 2020.

PHOTO: FIROZ AHMED

any unforeseen risks. Planning refers to designing an evolving system that balances rewards, risks, and limits. There is an urgent need for more well-planned urban centres that are crisis-ready, built-in with prevention measures, and fully equipped with adequate health systems and proper surveillance to control any such risks. There is a glaring need for new urban design standards that combine crisis response with long-term, equitable benefits for society as a whole and for Mother Nature.

### Easing mobility in cities

Global cities are gradually allocating

### Affordable housing: a new frontier to curb density

The pandemic has raised important questions in terms of housing, making the need for exploring alternative housing models a key priority. Are stay-at-home policies a realistic option for the homeless or a five-member family living in a ten-by-twelve, one-room shanty? Can highly dense slum settlements exist in the cities/towns in a post-pandemic world? This is an opportune moment for us to pursue sustainable urban development where agriculture, industry, and service sectors move in sync to provide affordable shelter.

raping their own property was seen to be absurd.

Our country has introduced special laws on violence against women (including rape) three times since independence: first in 1983, then in 1995, and finally in 2000. However, each time, our lawmakers consciously chose to retain the marital rape exemption clause in the Penal Code, instead of repealing it, while Britain for its part criminalised marital rape in 1991. Pakistan, which also inherited the same marital rape exemption clause, removed it in 2006.

The National Survey on Violence Against Women (2015) found that 27.3 percent of ever-married women experienced sexual violence perpetrated by their husbands during their lifetime, including forced sexual intercourse. This means, out of the 19,987 ever-married women interviewed by the Bangladesh Bureau of Statistics, over 5,390 women said they were raped by their husbands. In retaining the marital rape exemption clause, we are telling these women, and the thousands of other women and girls who are undoubtedly subjected to marital rape, that they have no right to seek justice for being raped. We are reinforcing the archaic notion that wives are the chattels of their husbands and upon signing the marriage contract, a wife perpetually and irrevocably consents to sexual intercourse with her husband whenever he so demands. We are forced to accept that even when a victim of child marriage, like Nurnahar, dies as a result of marital rape, this forceful intercourse is not a crime, simply because the man happened to be her “husband”—as a result of a forced marriage in which she most certainly had no say.

The one offence that Rajib, and others in his position, could be charged with is “contracting a child marriage” under section 7 of the CMRA, the maximum punishment for which is two years' imprisonment and can also just be an order of fine. Therefore, if any sex-crazed man wants to rape a girl every night of the week with total legal immunity, child marriage continues to be the perfect option—there is always plenty of unwanted daughters to choose from and no police station or court could file a marital rape case against him.

This is our law. This is our reality. We must know it. We must loathe it. We must challenge it.

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(This article relies on news reports relating to Nurnahar's death as published by Dhaka Tribune, Bangla Tribune and Jugantor.)

Given our problems with congestion and density, we need to redesign our housing landscape in a way that caters to future needs, including affordable housing for people in all strata of life.

### Way beyond smart “cities”

Covid-19 has intensified the need for digitisation globally, including in Bangladesh. With the high penetration of digital gadgets in our daily life, the post-coronavirus approach to urban design should integrate this usage of data to ensure informed policy decisions. Embracing a smart-city pathway is a sustainable urban development solution that city authorities should consider. In many cities worldwide, including Dhaka, smartphone apps have proven to be useful in resuming activities and gradually getting business and trading back to some semblance of normalcy. City authorities must work with communities as well as businesses and entrepreneurs on a priority basis to design the digital infrastructure required to serve the various income groups and users, including children and students.

### A paradigm shift is inevitable

The best way to stop a pandemic is to never let it start. The Covid-19 crisis has presented a unique opportunity for Bangladesh to rethink how our cities can be designed to make them better equipped to stop potential future diseases from spreading at the initial stage. The pandemic not only exposed the pathetic state of the poor but also pushed the vulnerable to become the “new poor”. These failures may have adverse multiplier effects unless reversed through a proactive course of corrective actions. Many cities have already announced policy measures to support sustainable urban development through low-carbon footprint, sustainable recovery, dedicated new bike lanes, widening pavements, and pedestrianising neighbourhoods.

The pandemic has forced us to stay at home literally but it also made it important for us to adopt and adapt to a new way of urban living and embrace drastic changes to all aspects of traditional liveability. Its impacts on our habits and socioeconomic fabric will vary from region to region. Moreover, sustainable urban development will require a new set of actions aimed at optimising our limited resources. Importantly, the new reality that we find ourselves in should lead us to welcome a new urban paradigm.

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