

Migrant Bangladeshis caught in MRP trouble

Government must explain passport position to authorities abroad

THE United Arab Emirates authorities are reportedly refusing to issue visas to Bangladeshi workers who do not have machine readable passports (MRPs). If indeed the UAE authorities stick to their decision, it will have a very negative effect not only on the future of our migrant workers but also on the country as a whole. Just why that might be has to do with the fact that annually 2.5 lakh Bangladeshi workers are employed in the UAE, which makes the emirates the largest provider of jobs to migrant Bangladeshis. A refusal, therefore, to issue visas to those holding manually prepared passports or to insist that they replace such passports with MRPs will put all of us in a quandary. Fortunately, the Bangladesh ambassador to the UAE has held out the assurance that his mission will explain to the UAE government the details of the MRP programme as it exists in Bangladesh at present.

That brings us to the core issue here. It is quite probable that the UAE authorities are in a sort of dilemma with some workers holding MRPs and others possessing old manually prepared passports. Moreover, with the international civil aviation authorities stipulating a few years ago that all countries provide their citizens with machine readable passports by April 1 this year, a question must have arisen in the UAE about the dual nature of Bangladesh passports as it might in other countries. Such confusion, we must admit, would not have been there had the Bangladesh government undertaken the job of keeping the governments of countries employing Bangladeshi workers in particular and other governments in general informed about the progress in the preparation of MRPs. There is no question that by April this year MRPs for everyone would not have been possible. And the fact remains that the government has decided what it must do regarding new passport applicants and those whose old passports yet have a long time before expiry. But was the position made known to foreign governments, especially in the Middle East where we have the bulk of our migrant workers?

Before the first MRPs were prepared, the government made three moves about the old passports, each move superseding the other. It was first said that those holding old passports would be given MRPs in a year's time. That period was then changed to two and eventually three years. The responsibility of the Bangladesh government, especially of the Foreign Office and the manpower ministry, should have been to communicate officially with overseas governments spelling out the details of the MRP programme. Such action would have staved off the problems that our workers today face in the UAE.

We expect the government to take up the matter with the UAE in right earnest, considering the economic aspects of the issue. And lest Bangladeshis run into problems in other countries over the manually prepared passports they yet hold, let the government keep the authorities of those countries posted on the situation. Let not bureaucratic sloth or incompetence come in the way of Bangladeshis' travels abroad.

The AL-BCL link disowning

Ashraf's comments belie public perception

WE find rather strange and unacceptable the comments of Syed Ashraf Islam, minister for local government and general secretary of the AL, that since there is 'no link' between his party and the Bangladesh Chattr League, the AL has no responsibility for the BCL's activities on the hartal day.

What occasioned the remarks was the question raised by journalists regarding the anti-hartal activities of the BCL that led to clashes with Chattr Dal, in and around the campus and the Shahbag crossing, on the day of BNP-called hartal. We are not only surprised by his observations, we find these irresponsible and expedient too which neither behooves his position as a minister and particularly as general secretary of Awami League.

We are afraid we cannot accept such comment, it being, to our mind, an attempt to shirk the responsibility by the party for what the BCL did on the 27th. As the Chattr League elements were seen engaged in clashes with the pro-hartal elements, the police were in very close proximity to the scene appearing as mute bystanders at the very least. One wonders what the source of the strength of the BCL is. And even for the sake of argument if one were to accept that the government adopted a hands-off policy on the BCL, was it not tantamount to abetment. Was it not an issue of law and order which the administration, the law enforcing agencies in particular, were duty-bound to address effectively and even handedly?

We cannot believe that when all kinds of processions and picketing on the day of the hartal was banned by the administration in certain areas, an anti-hartal procession could have been brought out by the BCL without the back-up of sorts.

Therefore, any attempt to disown the link between the BCL and the AL whenever things go wrong evoking adverse publicity, it appears not only convenient but also irresponsible on the part of high government and ruling party functionary such as Syed Ashraf Islam. It is patently disingenuous too. We wonder whether that is the position of the government. If that be so, government's credibility will be called into further question.

We are all for maintenance of peace at all costs as well as for people's right to register their protests peacefully. But what people won't stand for is even any smack of duplicity and double standards and playing politics with law and order issues.



STAR
Violence can never be a solution.

Hartal yes, violence no

Even if hartal is justified as a democratic right (never mind the economic cost), how could such mindless violence be justified? Why should government tolerate violence and public arson in the evening before the hartal day? Do these terrorist and anarchistic activities also come under the ambit of democratic rights?

HABIBUL HAQUE KHONDKER

A day before the dawn to dusk hartal (shut-down), planned and enforced by the BNP, one NGO official expressed some satisfaction and relief at the impending hartal. For the boss of the NGO, a day of rest which amounts to a long weekend is a good thing.

It is not a coincidence that the hartal was called on a Sunday following the weekend. He seriously considered sending a text message to Begum Zia, the leader of the opposition thanking her. He was dissuaded by not being able to find her mobile phone number. This is surely a proof that the said official is not a BNP loyalist.

Another young business executive I met days before the hartal told me that it was after pulling some strings, he could get a flight out of Dhaka as flights were all booked for the long-weekend, thanks to the hartal. A driver in an international agency I spoke to also welcomed the extra day of rest in this season of the late night World Cup football matches.

In the political culture of Bangladesh hartal -- like sycophancy, patronisation of

hoodlums, intra-party competition for exposure, etc -- has found a secured place. Parties in power condemn it; opposition parties adore it. In order to rid such sacred political cultural practices, you need a major reform. Reform, needless to remind the readers, is a bad word in Bangladesh politics.

Hartal is a democratic right to be exercised by the political parties. In discussing the importance and urgency of the need for a hartal the leadership of the BNP did not waste any opportunity to remind that hartal has been an important democratic right. Besides, the seasoned and media-savvy politicians who favor hartal invoke peaceful protests and picketing. It is hard to remember a day of peaceful hartal.

The government did declare that it would not stand in the way of a peaceful day of protest except it would protect the law and order and public safety. So the government is duty bound to deal with the anarchists who set cars on fire, attack hospitals, or beat up the journalists.

The main opposition party planned the hartal ahead of the mayoral elections in Chittagong where most of the experts

advising the opposition leader predicted election engineering that would put in place the reigning AL-backed mayor. As a contingency for responding to the defeat of the opposition-backed candidate by hook and crook, a hartal was considered a justifiable strategy.

To the dismay of the opposition, their candidate won the election, with no proof of election engineering. Yet, the hartal has been declared and since there is no shortage of issues to mobilise people (perhaps, the party loyalists), hartal went on.

Election engineering would have been a potent ground. Alas that opportunity was lost. Shortages of power, gas, water (never mind the rain), and price inflation of consumer goods are valid causes. If and when these issues become less significant, there is always the issue of traffic jam. Bangladesh is not likely to run out of issues for the opposition to call for hartal.

Hartals are like committee meetings or commissioned researches; one creates the condition and need for the subsequent one. It is an endless process. The violence caused by the hartal loyalists, hartal-busters, and the law enforcement authorities would give fuel for future political unrest.

Violence is a sad reality of hartals. The attack on the house of a leading BNP official and clubbing the party loyalists and family members inside the household was carried out in full view of the television cameras.

The government should give a full clari-

fication explaining the conduct of the law enforcers in a transparent manner matching the transparency in which the attack was telecast live. What was baffling was the violence that took place the evening before the hartal day where several cars were set on fire and damages were caused.

Even if hartal is justified as a democratic right (never mind the economic cost), how could such mindless violence be justified? Why should government tolerate violence and public arson in the evening before the hartal day? Do these terrorist and anarchistic activities also come under the ambit of democratic rights?

It is time for drawing line and debating the rules of procedures of hartal. If hartal is an integral part of our political process, let us formalise the rules of the game. I remember that in the US, the unionised auto workers would put the decision of strike to vote. There would be a strike only if the majority of the members supported it. Since similar poll cannot be conducted for a nation-wide strike, an alternative strategy has to be worked out.

I propose round-table conferences on the rules and procedures of hartals leading to a grand convention on hartal participated by the leading political parties of the country. In the end, we may get something like a Geneva Convention for the hartals. This would be something novel. Politics of change must embrace ideas that are new.

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Timidity in the face of corporate clout

The effort to bury the Bhopal legacy is misguided. Unfortunately, the legacy lives on. Justice demands that it is brought to an honourable, dignified closure in a fair, transparent manner. The GoM fails to do that.

PRAFUL BIDWAI

THE contrast between BP's response to the outrage over the US oil spill and Union Carbide's attitude to the uproar over the Bhopal disaster couldn't have been sharper.

BP has pledged \$20 billion in initial remediation and is mobilising \$50 billion -- although its legal liability is only \$75 million. Carbide got away with \$470 million, equivalent to its insurance cover plus interest, for the world's greatest industrial disaster.

The spill's death-toll (11) is tiny beside Bhopal's, although the environmental impact will be enormous. But President Obama wants to "kick ass." BP's chairman had to apologise repeatedly for referring to the affected fisherfolk as "small people."

Carbide chairman Warren Anderson was arrested in Bhopal, but released within hours and flown in a state plane to Delhi, where he met India's president.

In the US, corporations and politicians are trying to align with strong anti-BP public opinion. In India, industry associations have been silent on the June 7 Bhopal judgment, which treated the disaster like a traffic accident.

Worse, some business leaders, including Deepak Parekh -- one of India's best-regarded executives -- found the verdict harsh. They warned it would scare independent directors away from companies.

They ignore the notion of strict or no-fault liability. Negligence which causes public harm can only be deterred if severely punished. Being corporate decision-makers, directors are liable -- even if they

aren't personally responsible for every operational hazard.

Their culpability is greater -- as in Bhopal -- if they know of the hazards. Union Carbide's directors clearly knew of the Bhopal plant's potential for fatal accidents. These had occurred before December 1984.

This doesn't argue that the US government and legal system are pro-people, only that India's legal system is institutionally flawed. Its self-appointing higher judiciary is unaccountable. It hasn't developed instruments for punishing corporate crimes.

The Indian establishment is cravenly pro-rich, pro-corporate and pro-American. This includes top judges, lawyers, opinion-shapers and bureaucrats who inherit a people-unfriendly colonial state structure.

Yet, so great was the public outrage over the latest Bhopal judgment that the government reconstituted the Group of Ministers on Bhopal, which has submitted its report.

On its positive side are recommendations for a curative petition on the latest judgment and the 1989 settlement; expediting Anderson's extradition; and speeding up the case against Carbide's successor, Dow Chemical, in Madhya Pradesh.

On the negative side are its silence on Dow's liability and its paltry recommendations for relief to the victims.

A curative petition asking the Supreme Court to modify its 1996 order downgrading criminal charges against UCC, Carbide's fully-owned Hong Kong-based subsidiary Union Carbide Eastern, and

Union Carbide India Ltd (UCIL), is welcome. But this shouldn't stop at restoring the culpable homicide charge.

Section 300 of the Indian Penal Code defines murder. Subsection 4 says: "If the person committing the act knows that it is so imminently dangerous that it must, in all probability, cause death or such bodily injury as is likely to cause death, and commits such act without any excuse for incurring the risk of causing death...."

Carbide indisputably committed such acts by operating a poorly designed, unsafe plant -- which, it knew, would cause large-scale fatalities. A 1982 safety audit said the plant had 30 major flaws. Logically, the accused must be re-tried for murder.

Yet, Anderson and UCC and UCE directors weren't even tried in Bhopal because they absconded. This violates a condition stipulated in Judge Keenan's order, which sent the case back to India -- namely, they would stand trial in India.

Not only does this warrant Anderson's extradition; it allows India to press fresh charges against UCC in the US, including contempt of court. This must be done expeditiously.

The 1989 compensation award was based on the assumption of 3,000 deaths. But today's estimate is 15,000-plus deaths. The average compensation for death was Rs 1 lakh -- a travesty. Compensation even in rail accidents is higher.

In Bhopal, about 2 lakh people were significantly injured, but 5.74 lakhs were given compensation. This reduced the amount paid to the seriously affected. This couldn't even pay for their medical treatment, leave alone get damages for suffering or disability.

Only 3,241 victims (0.7 percent of total) were categorised as severely injured. This makes nonsense of surveys by the Indian Council of Medical Research and other agencies.

The new GoM-proposed enhanced compensation will cover only 42,208 peo-

ple and exclude 91 percent of those affected. This is grossly unjust.

In 2008, the government had agreed to institute a high-level Empowered Commission comprising medical and rehabilitation experts and the victims' representatives, to organise adequate compensation and medical treatment. But this GoM report doesn't mention it.

New medical facilities must be urgently established so the victims can live with dignity, and freedom from pain and humiliation. These must be staffed by sensitive professionals who understand the need to rebuild the survivors' lives in their entirety. The GoM ducks the issue.

The GoM doesn't hold Dow liable for land and water contamination around the Bhopal plant because Dow doesn't own it.

But Carbide created a liability over and above the accident through the contamination. Through site surveys, Carbide knew this and its likely effects.

By natural justice principles, a successor company inherits both the assets and liabilities of the corporation it purchases. Dow is obliged to clean up the Bhopal site and compensate the people who are forced to drink the polluted water.

Dow wants to evade this responsibility and has pressed its nefarious case through Prime Minister Manmohan Singh, Home Minister P. Chidambaram, Mr. Ratan Tata, and other bigwigs.

It's imperative to hold Dow liable. If the government presses charges against Carbide in the US for violating the conditions for trial in India, the liability issue will inevitably arise. That must be settled now.

The effort to bury the Bhopal legacy is misguided. Unfortunately, the legacy lives on. Justice demands that it is brought to an honourable, dignified closure in a fair, transparent manner. The GoM fails to do that.

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