

## Errant RMG owners going free

*Time to place BGMEA under scanner*

**A** BASIC sign of the rule of law underscoring societal and political life is a working of it in natural manner. Given this premise, the owners of Rana Plaza and the garment establishments located in the collapsed building should have been nabbed immediately by the law enforcers and produced before the law. That it has not happened is a sad commentary on the state of affairs.

The prime minister having ordered the arrest of those responsible for the tragedy in Savar, we hope to see some effective action in arresting them. We expect justice to be done, knowing full well that if the owners of the building and the factories go free this time, the ramifications can only be horrendous. That of course raises the very necessary question of why garment industry owners have, despite the hundreds of deaths of workers in accidents at their factories, remained beyond the pale of the law. In recent years and months, accidents have claimed the lives of workers at such establishments as Tazreen Fashions, Smart Fashions, Spectrum and now at Rana Plaza. Altogether 112 workers perished in the Tazreen fire last November; 65 workers died in the Spectrum tragedy in 2005; and seven lost their lives in the January 2013 Smart Fashions tragedy. Except for the owners of Smart Fashions, which has no BGMEA affiliation, none of the owners of the establishments in question have been punished. The owner of Tazreen was seen moving around freely at the last BGMEA elections. A number of inquiry bodies, each one formed after the occurrence of a tragedy, have submitted reports which have never seen the light of day.

Such a situation needs to be corrected. The first step is to place the BGMEA under a scanner in order to probe its role in ensuring better security for workers. BGMEA leaders, regularly concerned about violence in the garments sector, have not convinced the nation that they have done their job where taking the owners of bad RMG factories to task is concerned. The government must be under no illusion about what it needs to do, which is that all garment industry owners whose indifference and callousness have led to the deaths of workers must be taken to task. It is time to say enough. A failure to act decisively this time will only strengthen what is now a growing culture of impunity.

Finally, one needs to ask the BGMEA leadership: what prevented them from ordering the two-day closure of garment industries, the day on and after the tragedy, rather than yesterday? That way they could demonstrate their sensitivity to the plight of garment workers and express solidarity with them better.

## Soul-stirring compassion

*Citizens lend a useful hand in recovery and rescue operations*

**T**HEY were pulled by a deep sense of humanity to do some hand-holding with the men and women buried under the wreckage of the Savar building collapse. Many young men, students and others, local and from far away places of their own volition, converged on the wreckage site and worked wonders as good Samaritans.

They strained their ears to sense any purring sign of life and focused their eyes on every nook and cranny of the rubble to respond to any faintly audible SOS call. They went with their bare hands to get to work that was fraught with daunting odds. Their grit, ingenuity and compassion drove them into improvising devices to get to the badly wounded or dead men and women and shoved them out into the open. As priority was given to the survivors, recovery of dead bodies was considered no less important for turning the corpses over to their relatives.

The important thing to realise is that the conditions were life-threatening both for the victims as well as those on rescue mission, although in varying degrees. It took a lot of brawn, brain, courage and presence of mind to work out split second solutions to get the living and dead out of the piles of rubble. Those who donated blood in large numbers deserve a word of thanks.

They all are achieving a mission impossible shoulder to shoulder with the army, navy, air force, police, BGB and civil defense personnel on whom we depend for the major part of the undertaking. Their call to duty is hardly over, though.

The way different hospitals have been working relentlessly to succour the suffering giving them a life-saving healing touch has been quite laudable as well.

Now, the real job begins of helping the injured to their feet and rehabilitating them as compensation is given to

### SUNDAY POUCH



ASHFAQUR RAHMAN

Savar, in which, so far, 315 garment workers died and thousands were injured. The building owner had been absconding till yesterday.

This is not the first time a building has given way or workers have been trapped inside a blazing factory. Each time such a tragic incident occurs, there is a public outpouring of grief followed by paltry compensation given to victims' families. But arrests of those who had built such faulty structures or those who planned or gave permission for such buildings are rare. BGMEA, the body that looks after the interest of garment manufacturers, had never seen to it that such dangerous buildings were shut down. So more than 3 million garment workers continue to work and support 15 million or so members of their families under such trying conditions.

The question is where lies the problem? Why the charade continues? Why a nation remains impotent to address recurrence of such tragedies? Why we, a proud people, continue to bear the brunt of international humiliation as a nation that cannot get its house in decent order? The reason behind our paralysis in taking any action is what has been aptly termed as our "culture of impunity."

The dictionary meaning of the term impunity is "being exempted from punishment, or from injury as a consequence of an act." Thus when someone commits an act which under law can be defined as criminal and is left off, for some reason or the other, this constitutes impunity. The UN Commission on Human Rights goes further in describing impunity as "the impossibility, de

jure or de facto, of bringing the perpetrators of violations to account."

In Bangladesh, impunity has become almost a norm rather than an exception. There is very little accountability. Just glance at our political history. The wanton killing of citizens on political grounds since our independence till today has not been taken serious cognisance by any government. Every human life is valuable. They cannot be squan-

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dered to suit the agenda of any political party or group. The insane deeds of violence by political cadres to please their masters, causing death or injury, are rife. To whom or what do we owe this state of affairs?

The trial of the killers of Bangabandhu and the apprehension and trial of Bangla bhai and his associates are rare cases which have been taken note of by the agencies of the state and action taken. The trial of those who committed crimes against humanity during our War of Independence is another case of taking cognisance of behaviour of impunity.

But then let us look at other areas where we are behaving with impunity. Take the matter of corruption. Certain groups or individuals resort to corruption with total impunity. They know that they will remain scot free even if they are accused of these deeds. Therefore, we see scandal after financial scandal occurring. Although the state and the people are incurring huge loss, no one is given adequate or deterrent punishment.

How do you describe all the criminal acts committed during *hartals* and political rallies? The rioter, the arsonist and the violator of human rights get away although lives are lost or property damaged. At the same time, security

agencies, acting alone or together, are reported to resort to torture or ill-treatment of citizens in order to punish those allegedly involved in crimes. In most cases no credible investigation takes place. Enforced disappearances are also taking place of persons who are politically or economically important. Their disappearances are rarely acknowledged. So the culture of impunity is doing well here.

Then there are journalists who write about corruption and human rights violation. Extra-judicial killings are also these journalists' ambit. But they become targets for harassment by security agencies. Often perpetrators of such acts on journalists temporarily disappear from the scene, only to return later with the ability to hurt others with impunity.

The question that arises is why some people in our society are able to carry out criminal acts without being subjected to investigation and without punishment. Who are these people? How long will they be able to avoid facing justice?

To understand the dynamics behind acts of impunity, we must know that these are done by people who have power and influence. This power could be either political or financial or both. These people also use personal relationships or family ties to commit crimes with impunity. Obstacles are often placed before the law enforcing agencies and some of them are able to influence the prosecution at all levels and places. They also influence corrupt elements working within the security agencies to get their way.

Lack of proper law enforcement, erosion of confidence in our laws and growing intolerance help perpetuate

### HUMAN RIGHTS IN BANGLADESH

# Commitment of the government and the ground reality

SULTANA KAMAL

**T**HE human rights situation of Bangladesh is going to be reviewed at the Human Rights Council of United Nations under the Universal Periodic Review (UPR) mechanism on April 29. Along with the state report from Bangladesh, 27 alternative reports from various NGOs have been submitted. UN Human Rights Council has prepared a compilation on the basis of these reports.

Universal Periodic Review (UPR) is relatively a new mechanism of the United Nations to oversee the human rights situation in countries. The purpose of this mechanism is to improve the human rights condition of the member states of UN and to raise voice against violation of human rights -- in whichever corner of the globe it takes place.

There are three reports taken into consideration in this process:

- A report prepared by the government;
- A report prepared by the Office of the High-Commissioner for Human Rights (OHCHR) on the basis of information provided by different UN agencies and bodies; and
- Reports submitted by other stakeholders (including NGOs).

Furthermore, the National Human Rights Commission of Bangladesh is also participating in the UPR process for the first time by submitting its own report.

The Human Rights Forum, Bangladesh (HRFB), a coalition of 19 human rights and development organisations, has also submitted a report on the basis of information gathered from its own and other sources. The Forum also participated in the first UPR process in 2009.

The aim of the Forum is to portray the current human rights issues of the country through effective utilisation of the UPR process, to be informed

about the position of the government on these issues, to obtain effective commitment from the government in protecting human rights and to carry on further advocacy with the government to realise the commitments and thus improve the human rights situation of the country through continuous dialogue and advocacy.

Apart from submitting its report in

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the 2009 UPR, representatives of the Forum participated in the review session. Later, they advocated with the government for the implementation of the recommendations made by many states. The Forum also prepared an intermediary report on the implementation of those recommendations.

To participate in the 2nd UPR process, the Forum has already prepared a report on the human rights situation of the country for the period September 2009 to September 2012. The important parts of this report were presented to the media in November, 2012. The UPR session is to be held on April 29 in Geneva. But those who have submitted report to participate in this process have already reached there and are participating in various issue-based discussions.

Most importantly, they are holding bilateral meetings with the representatives of different states and will raise the issues on which they can advise the government of Bangladesh. Groups that can present the most timely and effective recommendations to these representatives will get the most acceptance.

Later, these representatives of mem-

ber states will convey the recommendations to the government of Bangladesh during the UPR session. A notable aspect of this year's UPR is that the implementations of recommendations forwarded to and accepted by the present government in 2009 will be reviewed during this session.

The Forum has already discussed the issues of concern with the diplomats in Dhaka, and representatives of different international organisations. The report has been shared very widely, including discussion meetings at the district level. Out of these meetings, it seems that issues like the Rohingya refugee, trial of crimes against humanity, labour rights, women's rights, extra-judicial killing, etc will get wider attention during the UPR session.

To participate in this year's UPR

the culture of impunity. In our country, many people have lost faith in the government's ability to act. Part of the problem with the government is fear of political reprisals. Non-state actors are also sometimes powerful enough to challenge government machinery. Government functionaries also fear personal vendettas. So on many occasions they are not free to act.

Do we therefore have any institution or a guardian who will be able to act as a guardian over our guardians? The United Nations Human Rights Commission, in a report, has tried to answer this question generally. It has set down general obligations of the state to take effective action to combat impunity. It has laid down broadly that every person in a state has an inalienable right to the truth. The state has a duty through its agencies to preserve records of occurrences of impunity. The victims have a right to know and there must be guarantees to give effect to the right to know.

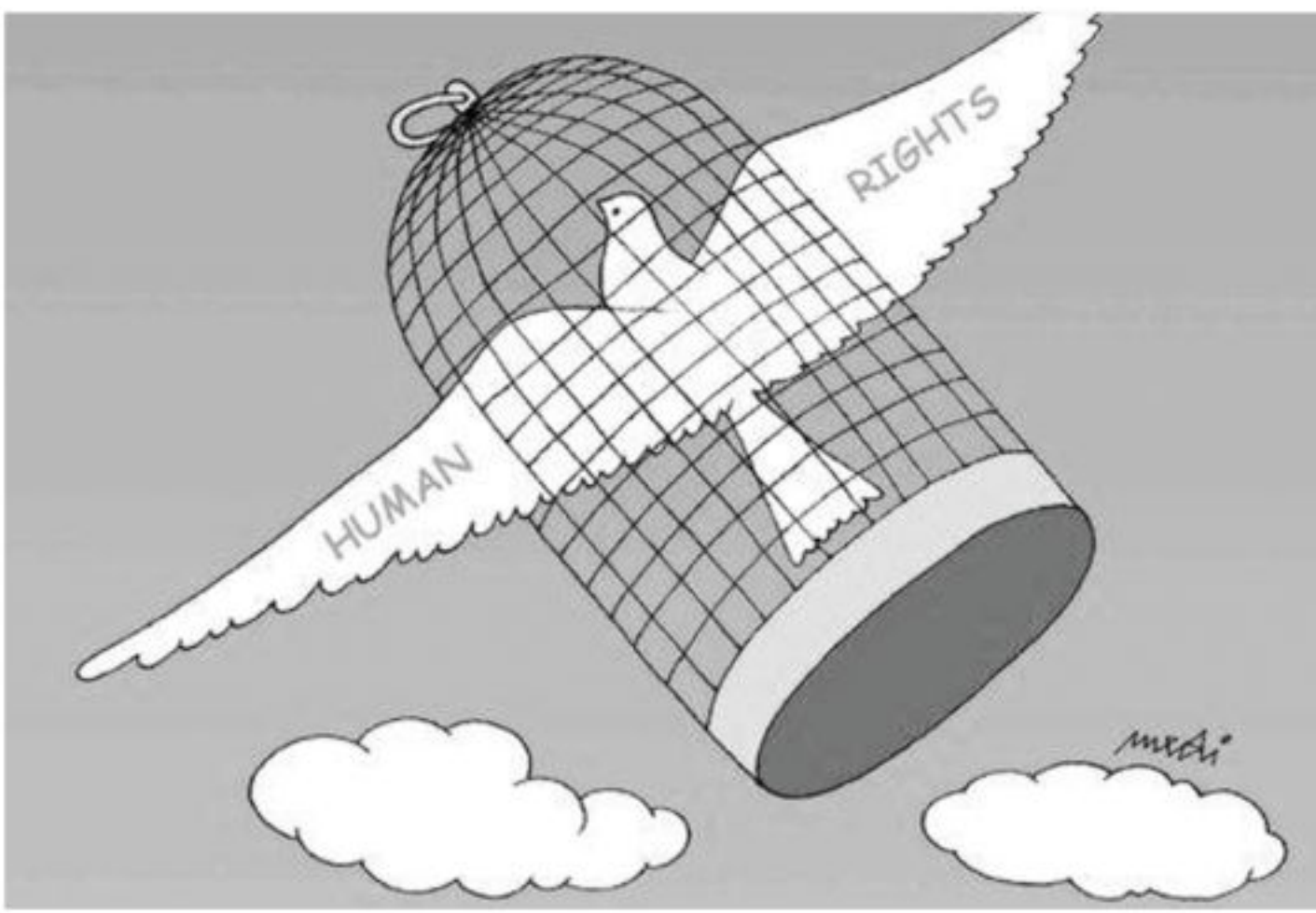
The report recommends establishment of truth commissions and other commissions that ensure and guarantee independence, impartiality and competence of investigations. It also suggests preservation of and access to archives bearing witness to violations, as well as cooperation between archive and courts of law. The right to justice is emphasised and the right to guarantees of non-recurrence is insisted upon.

The international community therefore suggests that a culture of impunity can be restrained if not stopped anywhere in the world.

For the present tragedy in Savar, let us hope that our government will begin to take firm and effective steps to finally stop the culture of impunity. The victims of this criminal act are too many. Bangladesh has to address impunity now. The nation that stood up against impunity of oppressors of 1971 cannot now cherish the culture of impunity.

We as a nation stand ashamed.

The writer is a former ambassador and a regular commentator on current issues.  
E-mail: ashfaque 303@gmail.com



put forward some important recommendations on the current human rights situation to Bangladesh and the government of Bangladesh will positively consider those recommendations.

This year's UPR session is very important in the context of the present situation in Bangladesh. At the time of the first UPR session in 2009, the present government had just been sworn into power. But now, the government is about to complete its tenure. Thus, the human rights situation of the past four plus years of this government will be reviewed with much attention.

Besides, the implementation of the previous commitments made by the government will also be discussed seriously.

The writer is Convenor, Human Rights Forum, Bangladesh.

## THIS DAY IN HISTORY

April 28

1969

Charles de Gaulle resigns as President of France.

1975

General Cao Van Vien, chief of the South Vietnamese military, departs for the US as the North Vietnamese Army closed in on victory.

1978

President of Afghanistan, Mohammed Daoud Khan, is overthrown and assassinated in a coup led by pro-communist rebels.