

Election Commission

Legislate mode of appointment

A new EC is due in the next two months and a national election in the next two years. Regrettably, the current EC has not acquitted itself well to the satisfaction of all the stake holders. Either it was unable to do so or was unwilling to stamp its authority in the conduct of elections in the last five years. It was perhaps the only statutory body that sought to curtail its own powers when in 2013 it recommended to the government to do away with its powers to cancel the candidature of any candidate for violating the electoral laws. And the rationale it offered was quite unintelligible.

Regrettably, in so far as picking of the EC, no government had applied itself to fulfilling the provisions of Article 118 of the Constitution that requires appropriate legislation for laying out the modalities for appointing the EC and the CEC.

While a new legislation may not be possible before February, 2017, it is imperative that such an EC that would be able to regain the confidence of the voters and the political parties is picked. And in that regard we repeat what we had suggested not long ago, that in picking the new EC members it may be a good idea to seek opinions of all the stake holders in order to dispel any misgivings regarding the new election commission.

An EC, which is independent and can perform without let or hindrance from any quarters, and a free, fair and transparent election are the most important factors that can help lay the foundation of a functional democracy and, consequently good governance, in the country.

Cops mug egg traders!

Law enforcers become law breakers

THIS paper's report of two policemen being caught while mugging an egg trader, is an appalling reminder of the extent to which some errant members of the police force believe they are above the law. The egg trader was stopped by two police constables on the pretext of searching them as part of routine security checks. But they chose to pocket the 44,000 taka that belonged to the trader. Ironically, the trader caught hold of the constable thinking he was a mugger disguised as a policeman! If he had known that the culprit was indeed a constable then it is very unlikely that he would have retaliated in this way.

This brings to light the impunity rogue elements in law enforcement agencies enjoy, allowing them to extort money from small traders who comply out of fear of repercussions. The report gives two more examples of men in police uniform taking away large sums of money from other egg traders. Whether they were actual cops or muggers pretending to be cops can only be ascertained through investigation, which is unlikely. But the point is, the fear of the consequences of reporting these muggings to the authorities and the general assumption that the money will never be recovered, prevents ordinary people from reporting the incidents to the police station.

Now that the two constables have been caught red-handed, there is no other alternative for the police department besides taking stringent action against them. This means that they must be tried as criminals (the deputy commissioner has said that they would) and justice must be meted to them. In addition the police department must probe into whether other members of their force are engaged in mugging and extortion followed by necessary punitive action.

LETTERS TO THE EDITOR

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Road accidents must be stopped

Road accidents continue to be a major cause of death and injuries in Bangladesh almost every day. People of every age, background and gender have lost their precious life because of pure negligence. We already know of the various factors causing this reckless drunk driving, helpers behind the wheel instead of drivers, bad roads, ramshackle buses, failing breaks, speeding, irresponsible pedestrians crossing the road, etc. What we don't know is how it can be stopped.

It is not enough to grieve and console each other for the lost lives. Measures must be taken to curb these incidents. We urge the government and the road and highway authorities to immediately address and tackle these issues.

Selim Reza Mridha
Chittagong University

Risky sports on highways

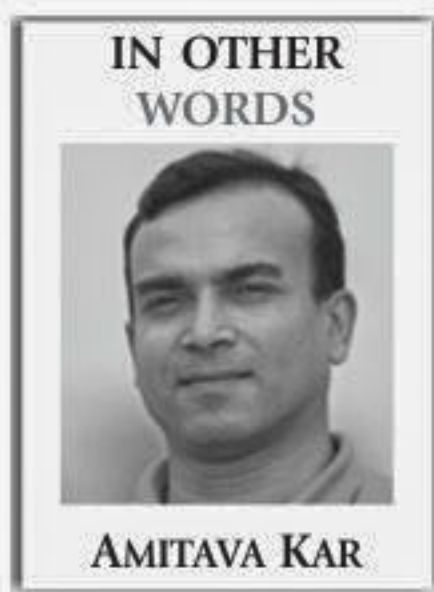
Cricket has long been a beloved sport for the people of Bangladesh, especially the youth. However, due to the lack of playgrounds in our urban areas, many of them take to the highways to play cricket and other sports. This is very dangerous. Speeding vehicles may run them over, or may also crash into other vehicles in order to avoid hitting the players. The ball may also hit commuters and pedestrians, causing serious injury.

In order to reduce such accidents, we need to increase awareness of the risks involved, and set up more playgrounds for sports enthusiasts in our cities.

Akib Sumon
Bangladesh Agricultural University

WORLD DAY OF REMEMBRANCE FOR ROAD TRAFFIC VICTIMS

The terror on our roads



IN OTHER WORDS

I don't believe Bangladeshis are genetically bad drivers. The same Bangladeshi driver who drives on our highways as if his wife was giving birth to their first child in the back seat of a car will drive like a saint in any city in the United States. He will do so because the police there will stop him, confiscate his license, impose a heavy fine and threaten him with worse if he attempts to bribe him. It is, quite simply, fear of the law that makes him drive sensibly in any North American city.

Conversely, it is the lack of that fear that makes Bangladesh one of the deadliest places in the world on the roads. Road crashes in Bangladesh kill more people than any epidemic but the authorities fail to see it for what it is - a national crisis. According to a WHO estimate, the actual number of deaths in road crashes in Bangladesh may be around 20,000, one of the highest in the world although the numbers released officially are much lower. The fatality rate is around 70, affirming the country's status as among the riskiest in the world for road users. With the number of motor vehicles growing at 8 percent per annum, there is a serious risk that road casualties will increase.

What exactly are we doing wrong? First of all, we are hiding the actual numbers. And we have a tendency to oversimplify the reasons. Almost always, it is the driver who gets the blame for over speeding and reckless driving. But according to research by Accident Research Institute of BUET, there are other factors such as the condition of the road, carelessness of pedestrians and condition of the vehicle. ARI suggests forming specialised teams in every zone or police station to investigate the real reasons behind the crashes.

Journalists too can play an important role by producing reports that are more investigative and objective rather than emotional, ARI recommends. Instead of saying "the bus lost control and fell into a ditch" it would be much more objective to find out how the bus lost control. Was the driver drowsy from working overtime? Does he have a valid driver's



A member of Rapid Action Battalion (Rab) was killed and three others injured as a truck hit their pick-up van earlier this year in Narayanganj.

PHOTO: STAR

license? Is the vehicle fit to drive? Was a curve too steep? Was a pedestrian talking on his cell phone while crossing the street? Questions like these would no doubt help find the real cause behind a crash.

And we should stop using the term 'road accident'. The word "accident" absolves the responsible parties of any responsibility, as if it happened beyond our control. But when we call it a 'crash', we know that mistakes were made. And if we can avoid those mistakes, we can prevent crashes from happening.

One of the most effective measures to bring down the number is zero tolerance enforcement. Most crashes are a direct result of lack of order. What usually follows a crash reinforces the degree of lawlessness: the mob beats up the driver if they can catch him. In some cases, the police arrest him. If someone dies or gets severely injured, they may get some kind of immediate payout from the owner of the vehicle or the driver, but nothing close to their loss. And no one sues them for damages or loss. Because the idea that victims of a car crash may have the right

to claim compensation from the party at fault is mostly unknown in Bangladesh, although the law has provision for it.

In order to set a precedent, the families of Tareque Masud and Mishuk Munier as claimants filed two cases on February 13, 2012 before the Motor Accidents Claims Tribunal, Manikganj under Section 128 of the Motor Vehicle Ordinance 1983. On October 1, 2013 applications under Article 110 of the Constitution for transfer of both cases to the High Court Division were filed. Considering its importance, the HC issued orders to move the cases to the High Court from Manikganj.

Earlier, a criminal case under Section 304 of the Penal Code for reckless driving was filed in this regard and both the cases continue to move forward. "Under the Motor Vehicles Act (MVA) 1983, not only drivers, but also vehicle owners and insurers, are liable as responsible parties under civil law," one of the claimants said, "Our case is a ground-breaking attempt to bring this long-neglected law to public notice so that in future, road crash victims and their families may have

a means to be legally compensated for their losses."

Hopefully these cases will lead to greater accountability established for vehicle/transport company owners and insurers, who will in turn, out of their own self interest, be motivated to support and institute measures for improvement of road safety, i.e. proper driver training, more rigorous enforcement of vehicle fitness standards, requiring first party insurance for all public transport vehicles and perhaps, goodwill of political parties.

Everyday people get killed on our roads. How much are their lives worth? Can anyone tell? Will they be back if their families file cases? "We are not doing it for money. We won't be able to bring back the dead," the claimant said. "But at least for those countless thousands of victims and their families, we hope to establish some kind of precedent so that in future there is some hope of accountability and legal recourse."

Someone has to pay.

The write is a member of the Editorial Team.

Should Trump's win concern Bangladesh?

NAHELA NOWSHIN

IF there is one thing we have learnt from the US presidential elections this year, it's that polls, political commentary and predictions are of little significance. The crushing defeat of career politician Hillary Clinton at the hands of business magnate Donald Trump was foreseen by few. Despite running a campaign filled with hateful rhetoric, Trump successfully generated a populist wave, especially among white working class voters who seemed to have found an unlikely hero in the controversial figure. As a result, the post-election analyses have mainly stemmed from two questions: What contributed to Trump's win? And what is in store for the US and the world for the next four years?

misleading stories. Then there are statements that Trump has made himself in the campaign trail - from calling Mexicans "rapists" to demanding a ban on all Muslims - that has amplified the hysteria surrounding him. Note that the statement calling for a ban on Muslims mysteriously disappeared from his campaign website after the elections, prompting many to believe that his xenophobic and nativist rhetoric was primarily designed to be a campaign device to harness votes.

Political pundits now wonder, what does Trump really believe? Does he even have a coherent foreign policy? It has become difficult to differentiate the mania from the legitimate threats that the rise of Trump represents, which is essential to predict the likely policies he will pursue and their ramifications.

In this regard, there are three areas of particular



PHOTO: MARVIN JOSEPH

interest to Bangladesh: trade, immigration and climate change. The US is the largest export destination for Bangladesh outside of the European Union and a majority of Bangladesh's exports to the US comes from the RMG sector. However, Bangladesh lost duty-free access to the US market (benefits of Generalised System of Preferences) in 2013 as a result of the collapse of Rana Plaza and Tazreen factory fire, and business leaders in the country believe that there will be little impact on its trade with the US. Historically speaking, there have been no major changes in US trade policy towards Bangladesh in the last three decades. As far as Trump's vehement criticism of outsourcing is concerned, Bangladesh, once again, should not be too worried as most of his threatening trade rhetoric is directed at China and Mexico, two of the US' largest trading partners.

When it comes to immigration and climate change,

For Bangladesh, though, are there reasons to be alarmed? Before jumping to conclusions, we need to first rein in exaggerated assumptions—and there have been many fuelled by the media.

however, there is cause for concern for Bangladesh. Immigration was a central issue of Trump's campaign; he has pledged to build a wall on the border with Mexico and deport millions of undocumented immigrants (many of whom are Bangladeshi), and expressed support for extreme vetting of Muslims entering the US. Trump's policy advisers are reportedly considering the reinstatement of a national registry of immigrants and visitors from Muslim-majority countries where militant groups are active. This does not bode well for Bangladesh since the Gulshan attack allegedly carried out by ISIS along with a string of targeted killings over the last few years has jeopardised the secular image of the country and forced the Bangladesh government to ramp up its efforts in thwarting militancy.

Last but not least, environmental policies under the Trump administration are perhaps the most critical issue facing Bangladesh. Trump, who does not accept the overwhelming scientific evidence that climate change is real, wants to dismantle the Paris Agreement which was signed by nearly 200 countries last December and of which Bangladesh is a signatory. World renowned public intellectual Noam Chomsky, in an interview, recently echoed the concerns of environmentalists about the detrimental effects of such environment-unfriendly policies and cited Bangladesh as an example saying, "In Bangladesh alone, tens of millions are expected to have to flee from low-lying plains in coming years because of sea level rise and more severe weather, creating a migrant crisis that will make today's pale in significance." To make matters worse, the environmental agenda is at a point of contention for Bangladesh, given public opposition to the construction of Rampal power plant and the ensuing debate on politics versus environment. If the Trump administration adopts catastrophic environmental policies and withdraws from international agreements (despite the US being the second largest greenhouse gas emitter), it will set a dangerous precedent discouraging other countries, including Bangladesh, from committing themselves to tackle the effects of climate change and, in Chomsky's words, "accelerating the race to disaster."

The writer is a freelance contributor.