

Protecting the rights of migrants

Make the global compact comprehensive

THE consensus to have a global treaty for the better protection of migrants, reached by 130 countries, is a welcome development. The number of displaced people fleeing from war, conflict or persecution and looking for a better future in other countries, according to the United Nations Refugee Agency, had exceeded 59 million last year -- highest since World War II. At a time of plenty and the supposed peak of human progress, this, truly, is a tragedy of unmatched proportions.

Also tragic is the struggle migrants face on their perilous journeys to find safety, in many cases, only to be denied even that by the host country. Places such as the Calais Jungle and other refugee and migrant encampments, where migrants lived (or are living) in the most atrocious settings imaginable, again illustrates the urgent need to protect the rights of migrants.

We have continually seen countries backtrack on their earlier promises to help migrants and ameliorate their situation. Given the graveness of the situation, however, the only way to protect the rights of migrants is for the whole world to unite under the one banner of humanity. That a global compact on migration is very likely to be adopted in 2018 is thus a very encouraging prospect.

The lot of migrant workers is no better either given that many host countries renege on the agreement regarding their pay and other benefits. Thus, it is a matter of satisfaction that the Middle Eastern countries in particular have acknowledged the problems that migrants face in their countries, those being the prime destination of our workers, and have agreed to factor these in, in the global compact.

A policeman's humane behaviour

Should be the norm rather than exception

A bus had overturned in Ramu upazilla on the Cox's Bazaar-Chittagong highway on December 13 that killed four people and injuring another three. This incident would have been just another accident had it not been for the heroic efforts of Constable Sher Ali of Chittagong Detective Branch who rushed to the scene of the incident. Having found a child whose head was stuck in the overhead luggage space in the bus, he pried the child loose and brought her out. The rescued child uttered the words "father" and a compassionate policeman was exposed. Overcome with emotion, he hugged the injured girl. The image of the constable with tears in his eyes as he carried the child, captured by a photographer, has gone viral on social media prompting thousands of likes and comments from viewers.

We are so used to a whole different image of law enforcers that what Sher Ali did took most of us aback. His actions speak of a different type of policeman than the ones we encounter on a daily basis. Indeed, this is precisely the sort of behaviour that ordinary people expect from the police in any situation, -- humane and kind. However, our general perception about the law enforcers is one of intimidation, which has alienated people to the point of general wariness of the police in most matters, to be kept as far away as possible. Constable Sher Ali breaks out of that stereotype and his actions are an example of what should be the normal disposition and deportment of a policeman be -- someone to be trusted rather than feared.

LETTERS TO THE EDITOR

letters@thedailystar.net

A laudable judgment by the court

I applaud the court's verdict barring primary school kids from carrying bags with more than 10 percent of their weight. Through this verdict, the court has also highlighted the tremendous health risks exposed to children, both physical and mental, of carrying excessively heavy books.

We hope that the concerned authorities, as well as parents of primary school students, will understand the implications of these issues and take necessary measures to remove such sources of pressure on young minds.

Md. Abdur Rahim
University of Dhaka

Martyred Intellectuals Day

14 December is the day of remembrance for the intellectuals who lost their lives for this country -- a pain in the history of this nation. Pakistani forces and their local collaborators killed teachers, writers, doctors, journalists and talented youth one by one on this day, with the goal of stifling our growth in the absence of intellectuals in our midst. Although we mourned for our losses, the perpetrators did not realise that this nation never takes heed of barriers. Instead, Bangladesh considered it as the first sign of success, continuing to reach greater heights ever since. However, we would also like to see some justice for the individuals who lost their lives for us.

Minhazur Rahman Rezi
University of Dhaka

RTI Act: Learning how to use it

SHAMSUL BARI and RUHI NAZ

DESPISE the political turmoil that engulfed much of the first two and a half decades of Bangladesh's entry into the 21st century, we have fared remarkably well in terms of development and economic growth. While serious governance issues persist, accompanied by socio-political unrest, there is a consensus that the country is going through fundamental changes. We are moving away from the image of a poverty-stricken, trouble-ridden third world country and surging towards becoming a middle-income country soon.

Important questions, however, remain on the future course of development. What kind of a nation is Bangladesh going to be? Will it move towards authoritarianism or become more democratic? Will economic progress be at the cost of good governance or will the two proceed in tandem? Will political and sectarian tensions affect future economic growth or will rule of law bring stability and co-existence among differing groups? In short, will Bangladesh abandon its troubled past and emerge as a stable developing nation?

There are, of course, no simple answers to these questions. Nor is there any inevitability in the likely course of development. The outcome could be a combination of factors. While the government's role is key to spur development and create conditions conducive to sustained growth, active participation by citizens is vital. Since in a democracy people are the final arbiters of state powers, they have the responsibility to ensure that the government exercises its authority responsibly. By keeping watch on its performance, citizens make the government accountable to them. Accountability is recognised as key to stability and good governance.

To talk about monitoring and controlling the work of government would be sacrilegious not very long ago. But the Right to Information Act 2009 (RTI) has now given citizens a legal right to do so in practice. A watchdog role for the people is envisaged in the law, which states: it is "expedient and necessary to make provisions for ensuring transparency and accountability in all public, autonomous and statutory organisations and in other private institutions constituted or run by government or foreign financing."

Every authority which uses or benefits from public funds falls within the ambit of the law. Citizens can now seek and obtain information from public authorities that would shed light on their integrity and diligence. There can be no better tool to keep public authorities in check.

Despite such clarity, however, the law

has remained underutilised.

Misunderstanding about its objectives abound among all classes of citizens. Many still perceive it simply as a tool to obtain information they may need occasionally, not realising that information under the law is a tool for an end, which is to establish transparency and accountability of public offices. Because of such misperceptions, people who are traditionally afraid to approach government offices are reluctant to use the law.

It is important, therefore, that citizens, particularly the middle class, who have traditionally been at the forefront of all progressive movements in the country, fully understand the purpose and power of the law. They must realise that RTI provides them the possibility to make public authorities more responsive and law-abiding. At the very least, RTI queries

accountability in the work of public offices. Third-degree outcomes are those that bring overall systemic change in governance.

How can such outcomes be brought about? The approaches may vary but there are some basic elements. The first task is to know the types of information, relevant for the RTI process, that are available with public authorities. Survey of RTI literature discloses several categories which formed the basis for most RTI applications globally. These range from institutional information about internal regulations and mechanisms of an authority to organisational information, indicating who does what in an organisation. They also include budget details and information on lists, registers, databases held by the authority, and operational information including strategies, plans,

important thing to remember is that the law has been framed to combat personal, political, class or group interests in the work of public offices and promote public interest in all state activities.

Once the issue and purpose have been determined, the drafting of the application would require some careful attention. It must be made in the prescribed format to be obtained from the website of the Information Commission. It is important to remember that some types of information are exempt from disclosure. These include matters relating to national security, foreign relations and individual privacy. Another useful point is that the RTI request must be specific and unambiguous. It must relate to existing information which is available with the



make public servants aware that their work is under public scrutiny; occasionally, inquiries may unearth wrongdoings or irregularities in their work. Over time, this may lead to systemic change in bureaucratic culture.

In the seven years since the RTI Act came into force in Bangladesh, the law has been used mainly to seek information of relevance by individuals and groups. It has helped them obtain benefits from authorities under various laws, such as those relating to social safety net programmes. Their RTI queries often made authorities wary that their misdeeds might get exposed. Such results may be called first degree outcomes.

But other, more socially beneficial outcomes are also possible. Second-degree outcomes would be those which over time lead to transparency and

policies, activities, procedure, reports, evaluations and so on.

Armed with this knowledge, the next task is to identify issues that require probing. These generally include questions relating to health, drug standards, food adulteration, industrial emission, environmental pollution, education, tendering and procurement, construction of bridges, roads and highways, building permits, government assistance and subsidies, water supply and corruption issues.

After identification of the issue, the objective for RTI intervention must be determined. Most applications are aimed to find out if public policies, laws, rules and regulations are duly followed. Others seek to ensure transparent and corruption-free decision-making. In short, the

authorities in one form or another, as described above. The authorities are not required to answer "why" questions, provide explanations or concoct information.

It is time that all citizens take note that the RTI Act has given them a tremendous opportunity to play a critical role in state-building. We can help the government to ensure that public authorities abide by the law and arbitrary decision-making is replaced by transparent and accountable governance. We can do so without fear, as we are now legally empowered. This is a proven way to build our democracy and strengthen public institutions, while we move ahead as a confident nation.

The writers are Chairman, Research Initiatives, Bangladesh (RIB) and Project Coordinator (RTI section), RIB, respectively. Email: rib@citech-bd.com

Challenges before the new UN chief

IN OTHER WORDS



AMITAVA KAR

ANTONIO Guterres became the next Secretary-General of the United Nations on Monday when relations between the US and Russia are probably at their grumpiest since the end of the Cold War, nationalist movements are on the rise around the world and amid what he called a loss of confidence in institutions, including the one he will take over in January.

Mr. Guterres inherits tough challenges: war, climate change, widening income inequality and unprecedented levels of global displacement which will test his ability to balance the demands of the world's most powerful countries with the needs of the world's most vulnerable people -- starting, no doubt, with the wars in Syria and Yemen and the ongoing atrocities against the Rohingyas in Myanmar.

An engineer by training, the former prime minister of Portugal earned a name as "a skilled negotiator," who was credited with reaching over the aisle in getting things done. In 1974, he joined the protests that led to the overthrow of the authoritarian government. He helped found his country's Socialist Party and became its leader. But he added a red rose to the party's clenched-fist logo, in a bid to recast it as less aggressive.

Multilingual and articulate; and affable but steely, he is known as a skillful international operator; as the former head of UNHCR, he understands the inner workings of the vast and cumbersome UN bureaucracy. During his tenure, the refugee agency's budget grew significantly, though still short of what it needed to assist the record numbers of displaced people worldwide. To earn the trust of donors, he moved agency staff members around, slashing the head count at its headquarters in Geneva and adding more personnel in field offices.

Mr. Guterres "will take charge of an organisation close to political bankruptcy," said Richard Gowan, a UN expert at Columbia University. The Syrian catastrophe, he said,

marks "the worst institutional crisis the Security Council has seen since the Iraq war". Yet the secretary-general is a persuader and fixer, not a global boss. He is "not a politician with an election victory under [his] belt but a civil servant with 193 stropmy masters," said Lord Malloch-Brown, a former UK government minister who was the UN's deputy secretary-general in 2006.

As the new leader of UN, he will have to reinforce the UN's three main pillars: economic development, human rights, and peace. This last is the hardest and trickiest--case in point: Syria. However frail the UN may seem, it is still the global body with

"The threats to these values are most often based on fear," he said. "Our duty to the people we serve is to work together to move from fear of each other to trust in each other. Trust in the values that bind us, and trust in the institutions that serve and protect us."

Mr. Guterres has to find a way to ensure that the incoming US president does not cut US funding for the UN or undermine the institution as a solution to larger problems of the world. The third quandary is Syria, which Mr Guterres staked out as his top priority when he campaigned for the job. US President-elect Donald Trump has suggested he wants to join Russia in retreating IS from Syria, even if that



Antonio Guterres has a lot on his plate.

PHOTO: AFP

by far the widest reach and heaviest weight. With 100,000-plus blue-helmeted soldiers and police on a number of peacekeeping missions around the world, it is best equipped as a neutral authority for stopping wars.

His greatest challenge, however, will almost certainly lie in how he deals with the Trump administration. Even as he needs commitment from the United States, the single largest funder of the United Nations, he will be under pressure to call out US leaders if they defy the basic values of the UN Charter, including "respect, human rights, tolerance and solidarity," as he described them to the packed General Assembly hall on Monday.

means keeping Assad in power. If he does that, Mr. Guterres, a seasoned politician who has cast himself as a champion of human rights, will face the prospect of endorsing a leader who is widely accused of committing war crimes.

On Monday at the UN, he laid out his priorities while reassuring big powers that he has their interests at heart. He also said he would make the UN more "nimble" and "efficient," another name for cost-cutting.

The UN chief will have no time to catch his breath.

The writer is a member of the Editorial Team.

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