

Bangladeshi expatriates' voting rights – and wrongs

Draft of Road Transport Act Lacks tough stance on fatal accidents

THE Cabinet has approved the draft of Road Transport Act 2017 on March 27. It requires education of up to at least eighth grade for getting a driving licence and up to fifth grade to work as a helper. Penalties ranging from one to three months' jail and Tk 5,000 – Tk 35,000 fine for being intoxicated or using mobile phone while driving and driving on the wrong side of the road have also been imposed. The draft law includes harsher punishments for many other driving offences.

While we welcome this proposed piece of legislation, it is quite disturbing that it does not include a provision for punishment for fatal accidents or incidents that cause severe injuries. The highest punishment for fatal road accidents remains the same: a meagre three-year jail sentence. The government has also not changed the sentence to a non-bailable offence despite protests by road safety experts and practitioners.

As per the most recent statistics, up until March 27, there have been as many as 428 deaths in 46 days due to road accidents. Bangladesh also has one of the highest death rates in the world due to road crashes. Why then has tougher punishment for killing due to reckless driving – the most serious offence – not been included in the draft law? Is this a case of interests of transport sector lobbyists superseding those of the public? The government should look into these aspects of the draft law keeping in mind that the punishment, at all times, must fit the crime.

Killing fish stocks in Sundarbans

What are the authorities doing?

FISHERFOLK in the Sundarbans wilfully ignore the government ban on the use of fine-mesh current nets which is fast depleting various species of fish in the area. The livelihoods of a few hundred fishermen and their families operating in Khulna's Dacope upazilla depend on their catching fish and juvenile shrimp. Although it is the job of the forest department to work with the Coast Guard to enforce the ban on the use of illegal variety of net, there is little by way of enforcement of the law.

A recent report in this paper has revealed that there is a nexus between some unscrupulous forest department officials and traders which lets this unhealthy practice to continue. We are disheartened to see authorities turning a blind eye to the rampant use of banned fine-mesh fishing nets in the protected mangrove forest of the Sundarbans, home to many unique species of fish.

With the gradual reduction of fish that are indigenous to the waterways in and around the Sundarbans, environmental experts calculate that fisherfolk are destroying on average around 200 fish fry to catch one juvenile shrimp. The result of such irresponsible behaviour is the havoc that is caused to the natural breeding patterns of many types of fish and the decline in fish stocks is a natural result. The government should help these few hundred fishermen and their families to adopt alternative means of livelihood and haul up the corrupt officials who connive in this illegal activity and make examples of them.



NAJRUL KHASRU

“THE right to vote is a fundamental right of citizenship, and this right is not affected by where a citizen chooses to live,” said Jean-Pierre Kings, a former Chief Election

Commissioner of Canada. Indeed, the fundamental nature of such a right imposes an obligation on a country to enable its citizens to vote in its national elections, regardless of where in the world they live as long as the citizen has retained a stake in that country.

According to the International Institute for Democratic and Electoral Assistance (International IDEA), a Stockholm based organisation, there are 126 countries and independent territories in the world that offer some form of voting rights to their expatriates. The figure was 93 in 2006, indicating a sharp upward trend in recent years in recognising voting rights of overseas citizens worldwide.

Nevertheless, there is a significant number of countries, including Bangladesh, whose expatriates remain disenfranchised. It is interesting to note that hardly any of these governments, in the recent past, opposed expatriates' voting rights as a matter of policy. In fact, it appears that inertia, failure to prioritise the issue, slow pace of bureaucratic machinery and reluctance to undertake the necessary logistics are primary reasons why these countries continue to deprive their citizens abroad of such a fundamental right.

At present, there is at least a dozen countries, including India, Pakistan and Ireland, where various steps are being taken to introduce legislation or work out logistics in order to implement their expatriates' voting rights. Intense pressure from the diasporas (including mass hunger strikes in the case of Indian expatriates) seems to have provided the necessary impetus for these countries to embark on expatriates' voting rights programmes.

Bangladesh is one of the few nations which has neither implemented any active steps in ensuring the voting rights of its expatriates, nor is it in the process of doing so in the near future. Yet even a superficial examination of the issue would show that Bangladeshi expatriates probably are more deserving of such rights than many other countries.

A reliable estimate shows that there are approximately nine million Bangladeshis living and working in various parts of the world, representing around 5 percent of the

total population of the country. According to the World Bank data, in the last five years, the average yearly remittance sent by expatriates of the country was over USD 14.5 billion, amounting to almost 10 percent of the country's GDP. The Migration and Remittances fact-book 2016, published by the World Bank, shows that in the last few years, Bangladesh has been consistently among the top ten remittance receiving countries in the world. If we disregard smaller countries (countries with population under 10 million), overseas Bangladeshis' contribution to the country's GDP would stand as the highest such contribution by expatriates of any country in the world, except for the Philippines.

Bangladeshis abroad, especially those living in the UK, have long been campaigning for their voting rights in Bangladesh. However, successive governments, with the exception of the current government during its previous term in office (between 2009 and 2013), have made no real headway in this direction. Here a brief outline of the legal issues and chronology of the government and other bodies' involvement in this issue would be useful.

Unlike the Constitution of some countries, the Constitution of Bangladesh requires no amendments to afford voting rights to its citizens living abroad. One difficulty arose when the Electoral Rolls Ordinance of 1982 defined the Constitutional term,

suggested that the government needed to amend the 1982 Ordinance in order to implement such rights (it appears that the Commission overlooked the additional need of amending the Representation of the People Order 1972).

The matter was then put on the back burner, possibly due to change of government in the latter part of that year, until 2007 when the Election Commission under the Caretaker Government picked up the baton only to quickly realise their limitations, and the whole issue petered out once again.

The next crucial development was in August 2009 when the Parliament repealed the 1982 Ordinance and specifically added a provision stating that Bangladeshis living abroad would be deemed as residents of the constituencies where they had lived before emigrating or where they still own their ancestral homes. This piece of legislation may be regarded as the first solid step towards implementing expatriates' voting rights in Bangladesh.

There appears to be no other public records of any further progress until June 2013, when the Prime Minister in Parliament, while answering a question as to whether expatriate Bangladeshis would be able to vote from abroad, stated: “Necessary amendments to the Representation of People Order 1972 will be made for this to happen.”

This is where the trail goes cold. The Representation of People Order 1972 was indeed amended in 2013, but not for the purposes of enabling expatriates' voting rights. Inexplicably, once again the ball was kicked into the long grass.

The situation must be retrieved. Interestingly, during the crucial developments of this issue in 2001, 2009, and 2013, Sheikh Hasina was the Prime Minister of the country. Her personal commitment and intent in implementing expatriates' voting rights is therefore evident. As such, there is no conceivable reason why the government should not kick-start and complete the outstanding legislative and logistic processes before the end of its current term of office, thereby enabling expatriates to cast their votes in the general election due in 2019. A no-excuse jolt from the Prime Minister might be necessary to shake up the proverbial bureaucratic inertia.

A renewed sense of obligation in this respect in the collective conscience of the government would also go a long way. History will judge favourably a government in general, and a Prime Minister in particular, that sees it fit to enfranchise a group of citizens who have ventured far and wide, essentially to enrich and empower the motherland they have left behind.

The writer, a British Bangladeshi, is a Barrister and a part-time Tribunal Judge in England. E-mail: Khasru_uk@yahoo.co.uk



Expatriate Bangladeshis' contribution, in terms of government taxes on their investments and assets in Bangladesh, is also considerable. The fact that they send home such a huge amount of remittance, in spite of being well-settled with their families abroad, is a real testimony of their patriotism. It is well-recognised that as unofficial ambassadors of the country, Bangladeshis abroad through their work have raised the image of Bangladesh in the outside world. Thus, it is a democratic and moral oversight for us to keep this productive and resourceful group of our population disenfranchised by denying them their voting rights, and so should be righted urgently.

“deemed by law to be a resident” of a constituency so rigidly that it even excluded those expatriates who were able to visit Bangladesh to register and vote. This was successfully challenged in the case of Ali Reza Khan v Bangladesh Election Commission in 1997.

The next significant development was in February 2001 when the Prime Minister's Office sought the opinion of the Law Commission as to whether it would be “proper to confer the right to vote on Bangladeshi citizens residing abroad,” and if so, what steps the government should take in this regard. The three members of the Law Commission answered the first question unequivocally in the affirmative, and as regards to the second question, they

Like several other diasporas,

Transformative adaptation to climate change Why investing in the education of girls is a must



SALEEMUL HUQ

THE subject of adaptation to climate change has gone through two major phases already and is now on its third phase.

The first phase was about identifying and stopping “maladaptation” to the future impacts of climate change. This was based on initial vulnerability assessments in each country, and identifying policies and actions that instead of reducing vulnerability were in fact enhancing vulnerability to climate change impacts, such as building on floodplains that would be flooded more frequently in future due to climate change. A major portion of this phase, of vulnerability assessments, has already been completed in most countries, and steps to prevent further maladaptations are now in place.

The second phase of adaptation to climate change, which is still underway, looks at current and planned investments in different sectors of countries, adding investments and actions to make them more adaptive to the adverse impacts of climate change. This phase is called “incremental adaptation”, and cities and countries around the world are currently focusing on this phase of adaptation.

The third phase, which is still in the stage of theory rather than implementation, is the notion of “transformational adaptation”, which means going well beyond just incremental adaptation to manage the additional risks due to climate change to make transformational changes.

I will share below some thoughts on how Bangladesh can become perhaps the world's first country to carry out transformational adaptation at scale.

First, let me start with the more conventional incremental adaptation phase where we have already identified the low lying coastal zones of the country as being the most vulnerable to possible salinity intrusion due to sea level rise, affecting millions of people living there. Another associated vulnerability to those millions of people forced to drink saline water is that young women, particularly pregnant mothers, are especially vulnerable to high blood pressure which can lead to problems at childbirth. Therefore, the immediate

(incremental) adaptation is to provide fresh and safe drinking water to these people, especially to young women.

However, we can also start to think about moving beyond simply looking at girls as victims of climate change but rather as potential agents of change, not only for themselves and their respective families but for the entire country. This can be done if we formulate a priority programme of investment in education (not just quantity but also quality), that can enhance the skills of the girls of Bangladesh (with a focus on the

inland so that girls can study or work within their own communities.

Thus, over the next decade or so, the young girls of today can become agents for enhancing Bangladesh's resilience to climate change through transformational adaptation. The women of Bangladesh over the last several decades have already contributed to a transformation through their education and family planning awareness programmes to bring down the population growth rate from over 3 percent to less than 2 percent over a single generation. With the right kind



SOURCE: BLOGLINES72PY

coastal zone). This will enable them to obtain gainful employment in towns and cities inland away from the coast.

There is one other corollary that will need to be done at the same time; investing in creating educational and job opportunities in around a dozen towns further

of investment and support, the girls of today can help the subsequent transformation of the country over the next generation.

The writer is Director, International Centre for Climate Change and Development at the Independent University, Bangladesh. E-mail: Saleem.icccad@iub.edu.bd

LETTERS TO THE EDITOR

letters@thedailystar.net

Capital shortfall of government banks

Government banks are running acute capital shortfall of Tk 15,000 crore as reported in the media. In this backdrop, the government is once again going to replenish a partial shortfall amount of Tk 4,000 crore from the budget allocation.

Seven government banks are so far running capital shortfalls. These trends hamper the banks' business relations with foreign banks, which become reluctant to engage in transactions with us. On the other hand, if the government continues to inject capital support from taxpayers' money, it will set a bad example and fuel further irregularities in the banking sector. Instead of continuing this practice, it should be identified as to why government banks are facing capital shortfall once again, and apply remedies accordingly.

Mohammad Zonae Emran
 By e-mail

Supplementary duty on powdered milk import

The price of powdered milk has skyrocketed in the past few months, forcing a good number of people to refrain from purchasing milk powder. 50 percent of the children in Bangladesh were reportedly deprived of milk consumption as a premium source of nutrition due to lower production, supply-side shortage and high price. The BNP government's decision in the 90s to boost domestic milk production by imposing high supplementary duties proved fruitless. Instead, milk has now become a rich man's food – one litre costs Tk 63 now. With Ramadan fast approaching, I urge the government to withdraw the supplementary duty on powdered milk imports so that more people can afford to consume milk.

Md Ashraf Hossain
 Ramna