

# A sense of fear prevails

2017 paints a grim picture of human rights in the country



**D**ECEMBER 10, 2017 marked the 70th anniversary of the adoption of the UN Universal Declaration of Human Rights (UDHR). The historic document laid down the principle that people all over the

world, irrespective of their diverse backgrounds, have fundamental human rights that must be protected. This is a day to show solidarity to those who struggle for their rights. The year 2017 also marks the 50th anniversary of two major documents on human rights: the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), which were produced by the UN Human Rights Commission.

After 70 years of UDHR and 50 years of ICESCR and ICCPR, what is the human rights situation in Bangladesh in 2017?

There have been continued attacks on free-thinkers and civil society members for expressing their views. Such acts threaten people's constitutional right to freedom of speech. On December 5, Ain o Salish Kendra (ASK) organised a civil society dialogue with the National Human Rights Commission, Bangladesh (NHRC, B) in which 20 rights workers from 14 districts and others working with various national human rights organisations were present. They all acknowledged that they are working with a sense of fear and insecurity.

In the last few years, this sense of fear and insecurity has intensified leading to a culture of self-censorship. It's like a double-edged sword; on one side, there are threats of attacks from the extremists and powerful sections of the society, and on another, there is the fear of offending the state and its agencies.

The use of Section 57 of the ICT Act has been considered a disabling factor to the human rights activists, journalists and free-thinkers in expressing their opinion. This trend is shrinking the space for creativity,



Hindu families, whose houses were burnt and vandalised at Thakurpara village of Rangpur, form human chains on Dinajpur-Dhaka highway demanding justice.

PHOTO: KONGKON KARMAKER

open discussion, debate and thus development of an independent, secular and democratic nation. The government has argued that the new draft Digital Security Act would put to rest all controversies surrounding Section 57. In reality, what happened is that Section 57 has been embedded into sections 19 and 20 of the proposed Digital Security Act. Thus, all arguments against Section 57 will stand true against the new law. It will also criminalise unwanted online writing through vague terms and shrink space for intellectual discourse by promoting self-censorship.

In 2017, the alarming trend of enforced disappearance continues, despite concerns expressed repeatedly by national and international human rights organisations. According to an estimate by ASK, 54 persons

were allegedly victims of enforced disappearance since January 2017, and some 366 persons between 2013 and 2017. This number itself is mind-boggling and justifies the general sense of fear among the people. Utpal Das, a journalist of an online news portal, remains missing since October 10, 2017. On November 7, Dr Mubashar Hasan, an assistant professor of a private university, disappeared. Their whereabouts could not be traced till date.

The government and law enforcement agencies have consistently denied any involvement in the disappearance cases. Although a few victims were later produced in court by the security forces, or surfaced alive, most of them remain unaccounted for. Sometimes the dead bodies of the victims have been found with visible wounds. The

victims who came back barely talk to the media and disclose any information regarding their detention. In many cases, the police have refused to accept general diaries if the complaint contains an allegation that a law enforcement agency was involved. In rare cases where the families were finally able to file complaints, there has been little or no progress in investigation.

The term "enforced disappearance" is absent in national laws although civil society organisations and human rights activists have repeatedly demanded its official recognition. Thus, this dreadful act is dealt under the definition of "abduction," rejecting the involvement of state agencies. In any case, it is the duty of the state to find out whoever is responsible behind a case of disappearance and

provide safeguards to its citizens to ensure their right to life. Such incidents are a gross violation of human rights and an international crime. To end this culture of impunity, ASK has repeatedly demanded response from the state to bring an end to this heinous crime acknowledging the incidents of enforced disappearance. ASK also urges the government to establish an independent commission to ensure transparent and accountable investigation of all alleged enforced disappearances, and prosecution and punishment of those responsible, and reparations for the victims to establish justice in society.

Attacks on the religious minorities and indigenous people also continued this year. In Thakurpara, Rangpur, religious extremists burned down at least 30 Hindu houses because a Hindu had allegedly posted objectionable content related to Islam on Facebook. The role of local law enforcement agencies was questionable, as they failed to play a proactive role and take preventive measures although a group of people were inciting the locals to violence for days. There were all signs of an impending attack.

A democratic society must offer opportunities for peaceful movement. On July 20, students of seven Dhaka University-affiliated colleges were demanding on the streets for information on their exam schedules. At one point during the protest, a student's eyes were exposed to a teargas shell hurled by a member of the security agencies and eventually he lost his eyesight.

In short, the human rights situation in Bangladesh paints a picture in stark contrast to that envisioned by our Constitution. There is a constitutional guarantee of fundamental human rights for all in Bangladesh. Article 32 of the Constitution proclaims that "no person shall be deprived of life or personal liberty save in accordance with law." Despite that, Bangladesh has witnessed a large number of extrajudicial killings and enforced disappearances each year. We should not forget that the people, society and country will prosper only when the rights of the people are ensured and protected.

Sheepa Hafiza is an equality and rights activist, and executive director of Ain o Salish Kendra (ASK).

# The new wave of resistance



**S**OME interesting and unique changes are taking place on the political map of the United States. When Donald Trump won the 2016 elections

by brazenly exploiting the racial divide and targeting immigrants, he unleashed the primal roar of disaffected white working-class voters who felt abandoned by the Washington Establishment and the Democratic Party.

But Trump misread the basic values and the political texture of the United States. The blowback against Trump's racial divisiveness has come too soon. The message from the 2017 state elections, particularly in Virginia (traditionally a Republican state), was loud and clear. The voters not only elected Democratic governors but also chose an ethnically and economically diverse group of House of Delegates. What is most encouraging is that the resistance is being spearheaded by a coalition of women and minorities at the grassroots level.

If we take a closer look at the profiles of the 2017 winners we cannot help but wonder if this indeed is an indication of something much more significant—a grassroots democratic protest against Trump's attempts at undermining the disempowered minority. A black transgender activist was elected to a city council, a Hispanic woman and a

Sikh man won mayoral races in two cities. Add to this list a Vietnamese immigrant's daughter, an Arab-Latino single mother and a Liberian refugee. Many of these candidates defeated opponents who ran homophobic, anti-immigrant, misogynistic and racist campaigns.

Some are sceptical of reading too much into an off-year election. Many may say this is not extraordinary given that people tend to vote against the ruling party in the following election. But then change happens when "ordinary people do extraordinary things."

After Donald Trump's somewhat unexpected election victory, the popular refrain among liberals was that America's democratic institutions, its people and the legal system would serve as the bulwark against executive excesses and abuse. It seems we are beginning to see that happen. Despite the president's brinkmanship in bending the ethical code and pushing the limits of his power, the checks and balances of the system seem to be working.

There are two objective ways that the resilience of the democratic system can be tested. The first is to determine if the institutions are working efficiently and neutrally. The second is to ascertain if the legal system is functioning independently. As for the institutions, the recent state elections have reaffirmed our faith in the electoral system and the power of the vote. Those of us who were wondering whether Trump is a historical accident or the harbinger for the dominance of white nationalist, anti-immigrant politics in



There were many historic "firsts" in the 2017 election results in the US as people of colour and transgender candidates won races across the country.

America have been reassured that the American values of "equal opportunity and inalienable rights for all" can be retrieved through the coalition of civil society and the vigilant media that has been consistently exposing the duplicity and mendacity of the powers that be.

As for the legal system, the recent indictment of Donald Trump's former National Security Advisor Michael Flynn has proved that no

one is "above" the law. A Special Counsel investigation found that Flynn had lied to the FBI about his conversations with the former Russian ambassador. When questioned, Flynn told investigators that "a very senior member" of the presidential transition team had asked him to make contact with Russian government officials—in other words, he claimed that he was following orders from President Trump's team.

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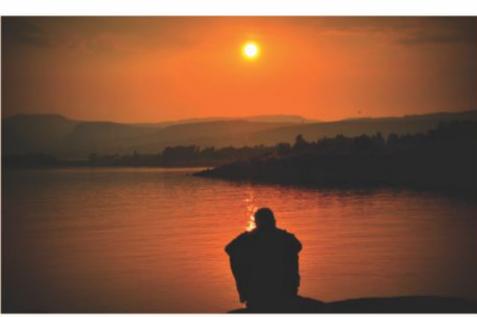
may even shrug their shoulders and say: "This is all an eyewash. There will be no impeachment or indictment at the highest levels. The Special Counsel is just going through the process to stop public outcry." Only time will tell if this is true. But there is a deeper moral lesson to be learnt from recent events. The small but significant state election victories tell an interesting story: that ordinary people are feeling empowered as moral agents and the disparities of power, wealth and opportunities have failed to suppress the will of the common people. And that in a functioning democracy people's voices matter most!

The second lesson is that the rule of law is robust enough to face the headwinds from the executive branch. Some of us who have been struggling with the depressing thought that the rich and the powerful can "always" get away with infringing the law can find comfort in the fact that even President Trump's powerful advisors could not escape legal retribution.

We cannot extrapolate the current trends to predict the future of US politics and its impact on the country's multiracial and diverse population. But for now, we can console our sagging spirits with the thought that in the Karmic cycle, right does ultimately win over wrong. And virtue is the strongest weapon of the weak and the honest.

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## A WORD A DAY



**POTAMOPHILOUS**  
adjective

Loving or having an affinity towards rivers

## CROSSWORD BY THOMAS JOSEPH

- ACROSS**
- 1 Sign of sorrow
  - 6 Verboten
  - 11 Parcel out
  - 12 Deal maker
  - 13 Shoe part
  - 14 Sacred song
  - 15 Cheering cry
  - 16 Rink material
  - 18 Stunned wonder
  - 19 Mex. neighbor
  - 20 Flop
  - 21 Birdie beater
  - 22 Field game
  - 24 Puts down
  - 25 Some time back
  - 27 Theater award
  - 29 Hams it up
  - 32 Dull existence
  - 33 Radius setting
  - 34 "—had it!"
  - 35 Simile center
  - 36 Employ
  - 37 Debate side
  - 38 Road reversal
  - 40 Carter and Gwyn
  - 42 Deserve
  - 43 Canyon of comics
  - 44 Baja "Bye!"
  - 45 Alleviates
- DOWN**
- 1 Spring sign
  - 2 Border city
  - 3 Third-brightest star
  - 4 Eurasian deer
  - 5 Alias of Tolkien's Aragorn
  - 6 Broken
  - 7 In the past
  - 8 Some electrons
  - 9 Words on an arrow
  - 10 Weasels' cousins
  - 17 Hairdresser's items
  - 23 Low island
  - 24 Summer sign
  - 26 Enormous
  - 27 Emotional wound
  - 28 Gave the boot
  - 30 Change gradually
  - 31 Detects
  - 33 Mom's sisters
  - 39 Carnival city
  - 41 Greek letter

**YESTERDAY'S ANSWER**

M	A	J	O	R	D	E	C	A	F
O	H	A	R	E	A	G	A	T	E
M	A	D	A	M	T	O	P	A	Z
E	L	O	P	E	S				
P	E	P	D	U	D	R	A	M	
A	L	L	I	E	S	H	U	L	A
P	E	A	R	L	H	A	R	B	O
A	N	N	A	I	N	S	Y	N	C
L	A	T	E	N	D	G	E	O	
		M	C	G	I	L	L		
C	O	R	A	L	R	E	A	M	S
A	R	O	M	A	O	N	S	E	T
T	E	N	E	T	N	A	S	T	

## BEETLE BAILEY BY MORT WALKER



## BABY BLUES BY KIRKMAN & SCOTT

