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FOUNDER EDITOR
LATE S. M. ALI

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More than 72 percent terrorists on bail!

Plug the hole in the bucket

THE figure is horrendous and unbelievable and speaks volumes about the woeful disjunct between the law enforcers and the legal process that should result in a good charge sheet and ensure conviction and not result in bail for the arrested terrorists. The statistic was revealed in a report in a national Bangla daily yesterday. The situation becomes even more horrific when one considers the fact that, according to RAB, all of the 546 of the 779 terrorists arrested between January 2016 and September 2017, and who got bail, belong to the proscribed JMB. The situation has severe long-term implications on our efforts to combat and eventually end religious extremism and terrorism in the country.

Clearly, the situation indicates that while the police is doing a good job in arresting the alleged terrorists, the sloppy investigation—which means weak charge sheet due to shoddy groundwork and lack of attention to details, as has been admitted by the attorney general—is resulting in such large and unacceptable percentage of them being at large on bail. These arrests are done randomly on flimsy grounds with ulterior motives by the law enforcing agencies. Regrettably, the consequence of this is that while innocents are caught and harassed, the real terrorists are getting out. And both must stop.

The situation demands a quick and long-term remedy. We suggest the government set up a special committee to go into the matter and suggest appropriate solutions. Also, it must monitor those alleged terrorists on bail very strictly to ensure that they do not indulge in their trade while out on bail.

Rohingya children must be protected

Global community has a moral responsibility

WE are appalled to learn that there are around 40,000 orphans among the three lakh children in the Rohingya refugee camps in Bangladesh. These unfortunate children have lost either one or both parents in the brutal persecution of Rohingyas in Myanmar's Rakhine State that has forced over six lakh Rohingyas to flee their homes and take refuge in Bangladesh. One can only imagine the trauma these children have gone through and continue to suffer as they await an uncertain future.

So what can be done to save the lives of these hapless children who are also vulnerable to disease and death because of the acute malnutrition that most of the children in these camps suffer from? Save the Children estimates another 48,000 babies to be born this year in these squalid, unhygienic camps. How will these babies survive?

It is heartening to know that the social welfare ministry, in collaboration with Unicef, has initiated a Tk 17.22 crore project that will give financial support to around 9,000 orphans. The project will have 90 child protection committees to supervise around 34,000 children. Centres under this project will educate children about child trafficking, reproductive health and try to protect them from violence.

But the huge number of children who fall under this category of being "orphaned" makes it obvious that this project has to be expanded significantly to provide protection to all these children. Here we emphasise the role and responsibility of our government and the international community to come up with immediate plans to address the needs of not only the orphans but all the children in these camps including the ones yet to be born. As a global community, we have a moral responsibility to protect these children from hunger, disease, violence and despair.

RTI ACT

Making public exams transparent

SHAMSUL BARI and RUHI NAZ

COMPETITIVE examinations are a long-standing and important fact of life for our youth entering public service. But few know that the Right to Information (RTI) Act of 2009 can play an effective role to ensure that these exams are transparent and fair.

Unfair and irregular practices in the exam system can impede access of worthy candidates to government jobs and facilitate the entry of the undeserving. The RTI Act has the potential to fight such corrupt practices in the system. A sizeable number of RTI interventions by exam-takers in the country over the last few years show that this is becoming a reality.

A common request for information is to ask to see the marks given by examiners on the answer papers. The objective is to find out if any unfairness can be discerned. Other requests include disclosure of marks and answer papers of qualifying candidates to check if favouritism played any role. A few interventions sought to know if government's quota policies for different underprivileged groups, such as the disabled or disadvantaged communities, were followed.

Examination-related RTI requests are typically submitted to public authorities administering competitive exams. It is not known how many requests receive positive responses. In most cases, the information sought appears to be denied. This is clear from case-studies of complaints which more persevering candidates file with the Information Commission (IC). The IC decisions are largely focused on denial by authorities to the information sought, citing long-standing institutional policy of secrecy and personal safety of the examiners.

A close look at the complaints submitted to the IC in the last five years demonstrates that this is one area where the RTI Act has been used by citizens more for monitoring the work of public institutions and ensuring their transparency and accountability, than for personal benefits.

A survey of IC decisions from 2013, when the first such complaint was made, to the end of 2017, shows that more than 20 complaints were dealt with by the IC during the period. A few examples will shed light on the matter. They will also reveal the shortcomings and challenges facing the RTI regime.

The cases involve authorities such as the Bangladesh Public Service Commission (BPSC), Bangladesh University of Engineering and Technology (BUET), Institute of Bankers, Bangladesh (IBB) and the Bangladesh Judicial Services Commission (BJSC). Exam-related RTI requests have also been made, among others, to the Primary Education Directorate and Comilla and Dhaka Education Boards.

In a well-known case, a candidate asked the Bangladesh Public Service Commission for marks he obtained, both in written and oral tests, in the 29th BCS

examination held in 2013. The candidate was denied the oral marks as this would violate the Commission's policy of confidentiality and could endanger the lives of the examiners. When it came as a complaint to the IC, the latter directed BPSC to disclose the marks obtained for the oral exam too, since the latter is based on an aggregate of marks given by a group of examiners and not by a specific examiner, and hence would not endanger any of them.

The candidate had also requested information on the qualifications of the examiner for the Science and Technology Paper. This request was denied on the ground that it would affect the examiner's safety. The IC, however, directed BPSC to simply disclose the qualifications of the relevant examiner without disclosing his/her identity.

Another request of the candidate was

remained unresolved. Due to this, all RTI applications relating even to subsequent BCS examinations are routinely rejected by the BPSC; the IC, too, refuses to entertain complaints on them.

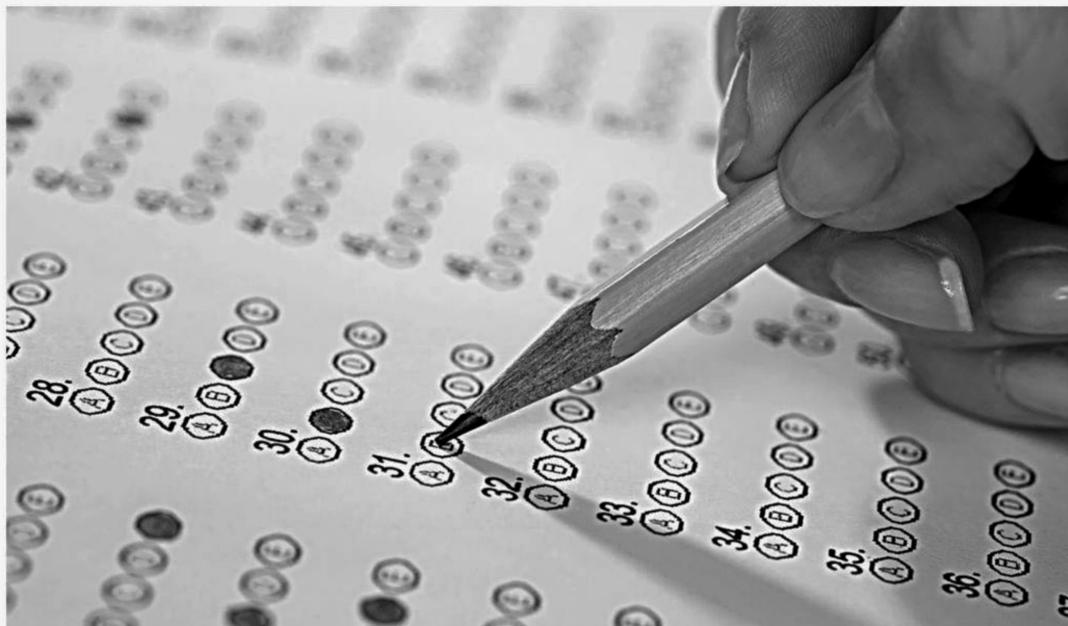
In an analogous complaint, related to the Institute of Bankers, Bangladesh, the IC had similarly directed for the release of requested information. The Institute likewise challenged the decision in the High Court. As in the earlier case, the matter has since then remained unresolved as no party appears to have responded to the HC ruling.

The IC deserves credit for taking the position in favour of transparency and disclosure. However, it is disconcerting that it has so far not defended it at the High Court. Government support to the IC verdict will be a tremendous encouragement for citizens and a boost for the Act. More concerted civil society efforts are necessary to resolve the stalemate.

many were appointed as judges, etc.

Not receiving the information requested, the applicant filed a complaint to the IC. At the IC hearing, the complainant explained that the basic purpose of his application was to find out if the rights of candidates with various disabilities were violated in the selection process. On the other hand, the representative of BJSC argued that the information was not disclosable as they were of a confidential nature and exempted.

In this case, too, the IC decided that after the announcement of the results, the information in question became public and hence disclosable. And because the quota for persons with disability was introduced after the examinations in question were held, IC found the inability of BJSC to provide the requested information justified. However, being dissatisfied with the



for the scores, both for written and oral exams, obtained by persons who were placed last on the lists of candidates who qualified for appointment to such services as: foreign affairs, public administration, police, tax and customs. The IC asked the complainant to reapply to BPSC with a more specific description of the information sought. Overall, it was a well-argued decision by the IC.

Sadly, however, when the complainant reapplied, the BPSC not only refused to provide the information but ended up challenging the IC decision at the High Court. The latter asked the government and the Information Commission to explain why the decision should not be declared to be of no legal effect. As neither party has so far responded to the HC ruling or, even if they did, it has not come up for hearing, the matter has

In a case involving BUET, the applicant asked for copies of answer papers relating to results of semester examinations held in 2013 and 2014. The information was refused on grounds similar to the preceding examples. In the complaint case that emerged, the IC once again decided in favour of disclosure. However, BUET then claimed that the answer papers had been destroyed. As this was not reported by BUET authorities at earlier hearings of the IC, it became a mockery of the RTI process.

A more hopeful case with the Bangladesh Judicial Services Commission related to a request for information on the number of candidates appearing in the Judicial Services examination; the gender balance; the number of physically challenged; how many among them passed the exams and what numbers they obtained; how

disclosure directive, the BJSC subsequently submitted a review petition to the IC, which the latter squashed as there was no scope for it in the RTI Act. It is not known if the information has been subsequently released. Hopefully, the matter will not end up as a writ petition to the HC.

Transparency in the selection of candidates for appointment in different public services has clearly emerged as a matter of grave concern to citizens, as revealed through their RTI applications. It is important that the government and the Information Commission pay due attention to such concerns and help citizens to play a constructive role to take this most important law forward. It will benefit citizens and the state alike.

Shamsul Bari and Ruhi Naz are Chairman and Project Coordinator (RTI section) respectively of Research Initiatives, Bangladesh (RII). Email: rib@ictech-bd.com

#MeToo exists because of unequal power between men and women

#MeToo exists because one side has power—in insurance companies, government offices, in police forces, in Hollywood—and the other does not



QUESTION: How do you know that a social campaign is working?
Answer: When someone organises another campaign opposing it.
French

newspaper *Le Monde* on Tuesday reported that it was sent a note signed by 100 women, including actress Catherine Deneuve, saying that the #MeToo trend shows "a hatred of men", and that it is creating a puritanical wave of witch-hunts of men, and that "touching one knee, stealing a kiss and talking about intimate things at a business dinner" are not offences that should lead to firings.

"Insistent or clumsy flirting is not a crime, nor is gallantry a chauvinist aggression," it adds.

Some years ago, a friend of mine took a part-time job at a large insurance company. A man there decided to do things, such as those described in the letter, to her. He was wooing her quite ardently.

What I've left out of the paragraph above is that he was middle-aged, powerful and married. She was a teenager, still going to school.

She was not amused or flattered. Nor did she feel caught in a delightful dance of seduction, clumsy and uninvited though it might have been.

She was terrified and called her father to escort her home from the office after she had packed up her desk and quit,



German MEP Terry Reintke (C) sits with a '#metoo' placard during a debate about combating sexual harassment and abuse in the EU at the European Parliament.

following one particular stomach-churning episode of sexual innuendo.

This is why #MeToo exists: Because one side has power—in insurance companies, government office, in police forces, in Hollywood—and the other does not.

The power imbalance makes a mockery of the idea that sexual harassment is simply seduction read wrongly by the other party, or that if we demonise harassers, men will forever be too afraid to pursue women, leading to

the death of romance.

Harassment and flirtation are not on the same spectrum, where one is the stronger version of the other, and that the difference between the two lies in the eye of the beholder.

"Potato, Po-tah-to" does not apply here because one side, the man's, has credibility, status and the ability to punish women who fail to obey. The voice of the other side was not just much softer, but it was also heard with a degree of victim-blaming, of asking if she deserved it

because of her industry ("It's show business, what did she expect?"), what she was wearing, what her behaviour was like at the time of the incident.

Power is what disgraced and fired mogul Harvey Weinstein had. He was not flirting clumsily. He had held the careers of actresses hostage: They give him what he wanted or he would retaliate. Actress Mira Sorvino, in a letter to *Time* magazine, tells of how Weinstein blacklisted her in Hollywood for years. Refusing him had cost her dearly.

This is why saying that #MeToo criminalises stealing a kiss or putting hand on a knee is ridiculous—it removes those acts from context. If someone steals a kiss from a woman, it matters if he is a stranger or a husband. It matters if he is a producer or director and she a young actress desperate to start a career.

In the age of Tinder and OkCupid, flirting and seduction have not died. Quite the opposite. Flirting has gained superpowers. I know people who flirt on several open channels, simultaneously, while at work.

Okay, emoji and swipes are not quite scented letters and poetry penned in desire, but these seem to make both parties quite happy.

On an app, men and women are equal, there are no repercussions for ghosting, no one side feels obligated to say yes because there is a penalty for saying no.

See the difference?
John Lui is senior correspondent with *The Straits Times*.
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LETTERS TO THE EDITOR

letters@thedailystar.net

Unethical practices in private hospitals

Early this month, my pregnant sister was admitted to a private hospital for delivery. At one point, because of the objectionable treatment and services offered by the hospital authorities, it felt like we were hostage to them. They asked us to conduct a number of tests, some of which were totally unnecessary. My sister was not in a critical condition, yet she was kept in the emergency room that was expensive. The most outrageous thing is the rent of the wards. They are not so much different from a room in a regular flat, yet the fee is higher than that of a five-star suite.

Anyone who has ever been to a private hospital for any medical service would understand the kind of exploitation that takes place there. I believe these unethical practices by the private hospitals, as well as their public counterparts, are why many Bangladeshis prefer to go abroad for treatment. The country is losing huge amounts of money to other countries as a result.

The private hospitals must improve their services to earn the patients' trust.

Piash Sarkar, By e-mail

