

Security for victims and witnesses must be ensured

Pass the Witness Protection Bill now!

It is extremely disappointing that an important Bill drafted in 2006 has been sitting in the freezer for 12 years now. Speakers at a conference highlighted this and asked the government to make into law the Witness Protection Bill which aims to ensure the security of victims and witnesses of crimes. We reiterate this and call on the state to put special focus on guaranteeing the security of rape victims, their families and witnesses, who are especially vulnerable to being harassed and intimidated into silence.

Such harassment has been revealed to have taken place on numerous occasions through media reports, many a times, without the authorities taking any action against the harassers who, let us not forget, were at the time under investigation for committing the severest of crimes. This shameful practice is especially prevalent when the accused is connected to powerful groups or sections of society—further increasing the power imbalance between the accused and the accuser, which ultimately makes it even more difficult for justice to prevail.

Consequently, it should not be forgotten that harassing victims and witnesses in itself is a crime—witness tampering—aimed to cover up another. Given that a number of issues already discourage victims of rape in our country to make public the severe injury that was done to them, it is vital that the authorities take meaningful steps to stop them or their family members and witnesses from being harassed, intimidated and, essentially, prevented from seeking justice.

The concerned authorities should immediately pass the Bill into law and ensure that strong mechanisms are in place to uphold it.

A new overseas labour market

Seize the opportunity

THE Japanese government has pushed through legislation on December 8 that has opened up the labour market for up to 345,000 foreign workers in various sectors. This is a landmark decision by PM Abe and the move will allow for foreign workers to work in construction, food services, nursing and other designated sectors for five years initially. Foreign workers will have to pass a tough Japanese language proficiency test and the work visas will be for workers only at inception. The new opening for additional overseas employment should be fully utilised by our government.

Since language proficiency is a prerequisite, our training institutes, both government and non-government, should be scaled up both in terms of number of candidates and quality. That way our prospective overseas workers, who will be competing with other major manpower-exporting countries in the Asian region like the Philippines, Nepal and India, will stand a better chance at being recruited. We should also keep in mind that every labour market comes with challenges and our labour ministry and missions abroad must be adept at handling those.

We need to focus on specific areas of expertise that are being sought by Japanese employers, i.e. construction, nursing, hospitality services, etc. The focus on our part should be to impart requisite skills through both training and improving language skills because that will go a long way in boosting our workers' proficiency in meeting the competition that will inevitably come from other competing nations. If our prospective overseas workers destined for the Japanese market receive quality training, a new avenue for inbound remittances will be opened up.

LETTERS TO THE EDITOR

letters@thedailystar.net

Stop charging SSC candidates additional fees

The education ministry has fixed the exam fees for SSC candidates. Tk 1,550 has been fixed for students of humanities and commerce and Tk 1,650 for students of science. However, we came to know from recent news reports that some schools are charging SSC candidates additional fees. There have been allegations against a particular school in Dhaka which charged additional fees from students (*Prothom Alo*, December 8, 2018). Apart from exam fees, the school has collected board, coaching, session, and model test fees. Such unethical practices by school authorities must be brought to an end.

Mufti Abdullah Al Hadi Shohag
Savar, Dhaka

Aririty's death and some questions

Viqarunnisa student Aririty's suicide has brought to light the issue of teenage suicide. We are shocked that a girl so young would end her life so abruptly. But were the teachers alone responsible for her death? Were there other factors that contributed to her feelings of hopelessness and despair? These are some things that we should think about. And we, as a society, should take the issue of teenage suicide seriously and understand the underlying reasons so that we can prevent our loved ones from taking the same path as Aririty did.

Tanay Datta, Dhaka University

Rights at stake in Bangladesh on Human Rights Day



SAAD HAMMADI

At a time when the most powerful countries in the world are closing their doors to refugees, Bangladesh has allowed in more than 700,000 Rohingya people, who fled violent attacks by the military in Myanmar since August 2017. Prime Minister Sheikh Hasina has shown tremendous compassion and courage at embracing such a large population in spite of Bangladesh's own socio-economic challenges.

As of November, the international community's response to the financial assistance needed to support the Rohingya refugees has met 72 percent of the USD 950.8 million appeal made by the UN for 2018. What is worrying though is that the funds for the refugees in Bangladesh may dry out soon as focus shifts to crises in countries such as Yemen.

It is crucial that the international community approaches the Rohingya situation more pragmatically that would not just see this as a short-term crisis funding and evaluate the economic diplomacy that can empower the Rohingya people.

Nearly 60 percent of the Rohingya refugee population are children, who would have a much better future with early intervention in their upbringing. The potential of these children would be wasted without providing them with access to health and education.

The responsibilities of the international community towards the Rohingya coincide with the development funds and assistance they provide to Bangladesh in areas of poverty alleviation and governance. It is therefore even more crucial that countries like the United States, UK, Japan, Canada, Australia and Switzerland, which have a development focus in Bangladesh, take the issues of Rohingya and some of the key human rights on table, to look at the bigger picture of how this affects the country's development.

Equally important is the need to ensure accountability on the Myanmar side of the border, and for Bangladesh to continue to meet its obligations by ensuring that refugees are not forcibly returned against their will or removed to places which will only increase their suffering and hardship.

As Bangladesh prepares to hold the 11th parliamentary elections shortly, now is the time that political parties should commit to do away with some of the dangerous laws and actions that violate international human rights laws.

Legitimising repression

A highly repressive Digital Security Act, which was enacted in October, is hardly any relief for the people of Bangladesh especially when many have been arrested

in the past six years under the preceding Information and Communication Technology Act.

Previously, Bangladeshi authorities used section 57 of the ICT Act to criminalise freedom of expression if they are deemed to "hurt religious belief" or "deteriorate law and order." If convicted, a person could face up to 14 years in jail.

Several ministers of the government assured that the draconian sections would be repealed with the new Digital Security Act coming in place.

Sadly, the new Act expanded section 57 of the ICT Act into multiple sections, broadened the remit of the authorities to penalise people with up to life imprisonment for exercising freedom of expression, and empowered invasive online surveillance.

Maroof Zaman had disappeared when he was on his way to receive his younger of the two daughters from the Dhaka airport on December 4, 2017. His car was found abandoned near the airport. The government has repeatedly refused to acknowledge crimes of enforced disappearance by state agencies, but local human rights organisations have documented at least 71 cases of alleged enforced disappearances this year.

Denying the incidents hardly provides assurance that the crime does not exist, simply because of the alarming number of incidents reported by the families.

Enforced disappearance is one of the cruelest forms of human rights violations. People are taken away by people acting on behalf of the state, who later deny the action, leaving the families devastated

the families that have become vulnerable in their absence.

The ruling Awami League did nothing to stop extrajudicial executions introduced first by the Bangladesh Nationalist Party by launching the Rapid Action Battalion in 2004 to combat serious crimes. Prime Minister Hasina had vowed to disband RAB during her political campaigns before assuming power in 2008. The need to uphold the moral values has become more crucial now than ever.

Rights of indigenous peoples

At least 22 members of regional political parties at the Chittagong Hill Tracts, home to over 25 indigenous peoples, have been killed allegedly in internecine conflicts.

Two members of the Hill Women's Federation, Doyashona Chakma and Monty Chakma, accused the law enforcement agencies of their complicity when they were abducted by a group of men in March. They were released on condition that they would give up politics.

In March 2018, Amnesty International called for an independent investigation into the sexual assault of two Marma sisters, allegedly committed on January 22. Two Tripura girls were allegedly raped in the region by members of the law enforcement agencies on August 22.

The Bangladesh authorities must launch independent and impartial investigation into the crimes against members of the indigenous community.

Human rights defenders

Bangladesh's Election Commission abruptly cancelled the registration of a prominent human rights organisation on November 6, 2018 as observer for the 11th parliamentary elections.

Even as a decision remains pending on the status of Odhikar, the NGO bureau has frozen all bank accounts of this local human rights group since April 2014.

Rights groups including Transparency International in Bangladesh are concerned about state repression on them under the Foreign Donations (Voluntary Activities) Regulation Act 2016. The Act empowers the bureau to cancel registration and confiscate foreign donation of organisations for making comments that the government finds "indecent" about the constitution or any constitutional institutions of Bangladesh.

Shutting down activities of human rights organisations cannot become an example of a country that has become an elected member of the UN Human Rights Council this year.

Bangladesh government must allow human rights organisations to function independently, without intimidation, and uphold freedom of expression and association of people in line with its ratification of the International Covenant on Civil and Political Rights.

Saad Hammadi is Regional Campaigner for South Asia at Amnesty International.



Adiba Hridi breaks down in tears at the Jatiya Press Club as she talks about her father Parvez Hossain, a BNP man, who disappeared after being allegedly picked up by law enforcers in 2013.

PHOTO: AMRAN HOSSAIN

Eminent Bangladeshi photographer Shahidul Alam was arrested in August under section 57 of the ICT Act shortly after he criticised the Bangladesh government's crackdown on a student protest for road safety in a televised interview. Though released on bail after more than 100 days, after the prosecution failed to corroborate the accusation against him, he could still face a jail term up to 14 years if proven guilty.

Bangladesh must drop cases against Shahidul Alam and all those punished for freely exercising their right to freedom of expression and association, which is one of the rights enshrined in the International Covenant on Civil and Political Rights, which Bangladesh has ratified.

Alleged enforced disappearances
A year has passed since former diplomat

and desperate to find closure.

It is important that the authorities put an end to the crimes and ensure closure for the families through prompt, effective, independent and impartial investigations.

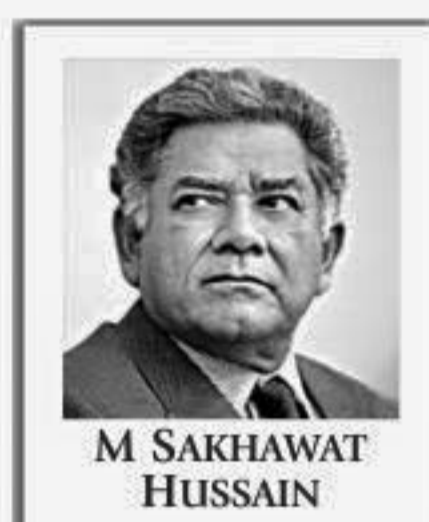
Many families have said their relatives were picked up by the law enforcement agencies, particularly the police and Rapid Action Battalion, days before they were killed in alleged "crossfires".

Local human rights organisation Ain O Salish Kendra has said that a total of 437 extrajudicial executions have been allegedly committed by security forces in Bangladesh in the first 10 months of 2018. At least 276 of these killings were carried out only since May, after Prime Minister Sheikh Hasina announced an anti-drug drive.

Many of the victims of alleged extrajudicial executions were breadwinners for

11TH PARLIAMENTARY ELECTION

What we need is a strong electoral system



M SAKHAWAT HUSSAIN

Rahman who fought all his life to establish a democratic, free and just society. The Six Point Movement spearheaded by Bangabandhu included two important issues: (1) economic emancipation and (2) establishment of democracy under universal suffrage. But 47 years later, we are still struggling to put ourselves on the path of democracy which, as I understand, is the underlying spirit of our freedom.

Democracy cannot be established without election of representatives by the electors and election is the process that allows electors to translate their will into desired results using the little paper that we know as the ballot. Therefore, voters or electors are the building block of any democracy. When Churchill talked about the power of the little man (voter) while paying tribute to democracy, he perhaps took it for granted that the little man would be free from intimidation and fear, that they would be free to vote for their candidate and that their vote would be counted fairly.

But that is not the case in some democratic countries such as Bangladesh. We are still struggling to find the methodology that would determine the composition of the government during election time.

Bangladesh has made significant achievements in almost all sectors and continues to make progress in the economic, infrastructure, and health and sanitation sectors. Bangladesh, in the last four decades, has made enviable economic progress with the aspiration to

become a developed country by 2041. The country has one of the largest young, educated and high-school educated populations. It has also progressed tremendously in terms of gender equality and fulfilled the MDGs set by the United Nations. The current government has much to its credit and this was also made possible due to the positive contributions of past governments. There is no doubt that Bangladesh has been successful in branding itself as a country that has attained rapid progress.

But the areas where we have not succeeded are good governance and

Most of the ECs have suffered from a trust deficit which has affected their performance. The EC has not been able to come out of that spell of distrust. Its performance can be judged by looking at the last 10 parliamentary elections, of which only four were considered to be genuine and acceptable both at home and abroad. These four elections were held under the caretaker government. The remaining six did not meet the international standards as they were held under ruling parties. A couple of these elections were highly controversial. Of these, the 2014 election was termed by international

culture and the responsibility rests on the major political parties. They need to set visible democratic norms within their parties and make an effort to select candidates through an "inclusive method" rather than an "elitist method".

Nevertheless there are other critical institutional issues of electoral governance that have to be addressed such as politicisation of the EC. These issues need to be looked into if we want to have free, fair, and credible elections.

Bangladesh can hardly afford another "flawed" or "failed" election which would seriously damage its international image that it has so painstakingly cultivated thus far. What we need is a process that enables "good" elections on a consistent basis so that the "little man" can freely exercise his/her will which is fairly and accurately represented in the results. Repeated "failed" or "flawed" elections will not only tarnish Bangladesh's international image but also give space for "extra-state forces" to rise which may jeopardise the progress we have achieved thus far.

The upcoming election will be a test for the current government as elections, for the first time in our electoral history, are being held with a full cabinet and 350 members of Parliament in place. It's the government that has to prove that an acceptable election can be held under the system. On the other hand, the EC has to prove that it can deliver under whichever government is in place. What needs to be taken note of is that inclusive elections cannot be competitive unless all parties have the opportunity to field contestable candidates.

The nation is eagerly hoping to see an acceptable, free, fair and credible election in the coming weeks, which is an essential element of the Universal Declaration of Human Rights of the UN.

M Sakawat Hussain, PhD, is a former election commissioner of Bangladesh and honorary fellow of South Asian Institute of Policy and Governance, North South University.



institutionalisation of a methodical electoral process. Bangladesh's electoral process is one that has been occasionally abused. It has strong electoral laws but weak implementation in most cases; thus elections have remained far from "genuine", "free", "fair" and "credible".

Although the country has an independent and legally strong Election Commission (EC), most of the ECs have failed to perform in their role as was expected from this very important institu-

comparative political scientists such as Pippa Norris, Professor of Comparative Politics, Kennedy School of Harvard University, as a "failed election" (*The Electoral Integrity Project*, Pippa Norris et al). Both the government and opposition political parties were held responsible for that election and the onus was mainly on the opposition party. A major party not taking part in an election has obvious effects in upholding a democracy.

We need to establish a strong political