

Kibria's murder trial shortchanged by poor progress

Speedy tribunal hamstrung in many ways

IN the first place, it took a long 10 years to start the trial of the murder case of former finance minister Shah AMS Kibria. The inordinate time taken to start a murder trial defies logic, even by our standards.

Understandably, there had to be several investigations since the plaintiff as well as the wife of the victim had expressed their no-confidence on the two initial charge sheets respectively, the second in 2011. And three years had elapsed between then and 2015 when the trial finally got underway. And there are reservations too, since the family of the victim hold the view that the investigation is incomplete, and there is perhaps more under the rug than has been actually unearthed.

But what is equally surprising is the rather slow progress of the trial even after it was transferred to the speedy tribunal court in 2015. We understand that no deposition has been recorded by the court from November 2016 till now. This was either because the accused were not present, or in some cases, the witnesses were absent. And to add to that was the fact that the trial judge was on leave between August 2017 and February 2018. We understand that a new judge has taken over from October 2018.

As it is, any trial process in Bangladesh is time-consuming. It is unfair, to the victim in particular, but to all the concerned parties too, that a trial should linger on for years on end. The state has doubly ensured that the trial of certain cases is speeded up by setting up special tribunals, but the idea is defeated when even speedy tribunal trials take an inexplicably long time to complete a trial. Given the circumstances narrated above, would we be remiss in thinking that the administration is giving a short shrift to the trial of the killing of the former finance minister?

Ignoring workers' safety—a recipe for disaster

Why hasn't this been recognised yet?

THE lack of any medical facilities in or around the Savar Tannery Industrial Estate which poses severe threat to the health and safety of around 1.29 lakh workers employed in the leather industry, is simply unacceptable. In October, when four workers at the estate suffered from serious acid burns, they had to be transported to the Dhaka Medical College Hospital nearly 20 kilometres away, with one worker losing his life as a result. And there have been other cases of preventable deaths at the estate, mainly due to the lack of medical facilities.

But apart from that, many more safety irregularities at the estate were reported by this newspaper yesterday, including the failure to keep fire extinguishers in the factories, and the absence of the most basic safety gears for workers. Additionally, gross irregularities by owners, when it comes to compensating their injured workers in violation of our labour laws, were also mentioned in the report.

Given the huge cost of the project, one would have expected the estate to have all the necessary facilities to ensure not only the health and safety of the environment, but also for its workers. The fact that this is not the case, however, raises serious questions about how much the concerned stakeholders and decision-makers really care about workers' safety. Moreover, while all these irregularities have been going on, the government bodies tasked with inspection and enforcement of the labour laws that ensure workers' safety claim to be suffering from a manpower shortage, which is equally shocking.

We call on the authorities to take note of these glaring shortcomings that are needlessly putting people's lives at risk, and to address them urgently as there can be no substitute to ensuring the safety of workers first.

LETTERS
TO THE EDITOR

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The #10YearChallenge and Dhaka

One viral trend that caught my attention recently is the "10 Year Challenge". The other day, I was wondering how Dhaka looks today compared to how it did 10 years ago. Certainly, a lot has changed over the years. But to me, the most notable change is the increased presence of confident women in the city.

Nowadays, we see women working as traffic police in many intersections in the city. What is even more promising and fills my heart with great joy and pride is the fact that more and more women are taking the driver's seat, literally, on two-wheelers to travel around the capital. Due to the ever-increasing traffic congestion and harassment in public buses, more and more women of different age groups have begun to use private two-wheelers.

Development and prosperity of a nation depend on equal contribution of men and women. When both men and women are given an opportunity to progress at an equal pace, the goal of becoming a truly developed country can be achieved.

Mirza Mohammad Asif Adnan, DMCH

Some questions on the role of NHRC



TAMANNA HOQ RITI

RECENTLY, there has been much discussion about the independence and effectiveness of Bangladesh's National Human Rights Commission (NHRC) in light of the Commission's probe committee's report on the gang-rape of a woman in Subarnachar upazila of Noakhali on December 31.

The victim and her husband repeatedly told to the media and other representatives of civil society organisations that she was attacked as she voted for the party of her choice in the recent national election. But in the committee's report, no linkage was found between voting and the incident. The committee went further and stated that "there is no proof that the accused are Awami League workers or that she was raped and assaulted by the Awami League workers." The report has been severely criticised and the NHRC has been accused of failing to play its due role. Later the chief of NHRC said that it was not NHRC's report but the inquiry committee's.

Almost a decade ago the NHRC began its journey (in 2009) under the National Human Rights Commission Act, 2009. Needless to say that since its establishment, the Commission has been struggling to overcome significant administrative, legal and political challenges. There has also been a lack of consensus about the role of such a state institution. Ain o Salish Kendra (ASK) recently published a report, titled "National Human Rights Commission: Existing Challenges and Expectations of Civil Society", to reflect on the role of NHRC in 2018 in upholding human rights in the context of Bangladesh.

The report mentioned some of the institutional developments of NHRC in 2018, such as the introduction of a hotline number, importance given to diversity in recruiting new members, increase in the number of local offices, activities of issue-based committees,

appointment of panel lawyers, coverage of the Commission's work in mass media, its updates on websites and social networking sites, promoting the rights of the disadvantaged section of society (i.e. persons with disabilities, third gender, children, etc.), increased engagement with UN human rights mechanisms, engagement with civil society, etc.

At the same time, it also highlighted the shortcomings: inconsistency with UN principles on national human rights institutions (known as Paris Principles 1991), limitations in the founding Act, no visible role in protecting civil and political rights, inadequate cooperation from government organs, etc. Nearly 10 years into the enactment of the existing Act, no step has been taken to revise these shortcomings: inadequate definition of human rights, lack of transparency in the



Kazi Reazul Haque, Chairperson, National Human Rights Commission, Bangladesh speaks at a dialogue organised by ASK in The Daily Star Centre.

PHOTO: ASK

election process of members, lack of complete freedom in financial matters, and limited mandate in matters of investigating allegations of rights violations against law enforcement agencies and security officials. Although the Commission, after discussing various aspects with stakeholders, has submitted a draft guideline to the law ministry, no progress has been reported on revising the Act.

As a state institution, it has greater autonomy, opportunity and mandate than non-government organisations to

work on these issues. However, the Commission has struggled consistently to make use of this opportunity; rather it has prioritised economic and cultural rights, a fact which becomes apparent from the subjects it chooses for seminars and meetings. Especially in 2018, NHRC's role in ending extrajudicial killings in the anti-drug drive, and taking initiatives to ensure justice against the attacks on students, teachers, and journalists during the quota reform and road safety movements was not as per one's expectations. According to civil society, they could have done much more as per their mandate.

The Commission was also highly criticised for not providing effective opinions on the draft law and policy to ensure compliance with international human rights standards. NHRC's role to

that citizens enjoy the right to express themselves and that they are not threatened or harassed when they do so. Unfortunately, the Commission has not done anything significant in this regard. In some cases, the Commission sent recommendations to the relevant government authority but the latter did not take steps to follow those recommendations.

According to media reports, the Commission rarely ever gets any response when it asks the relevant ministry for investigation reports. When the Commission asks for an explanation of a case, the ASK report rightly mentioned that the government should provide it within the shortest time possible, to reflect its own commitment and also that of its relevant ministries and state agencies to human rights and to the Commission. The government must remember that the Commission is a state institution. For the state to retain its commitment to human rights obligations—protect citizens' human rights and ensure justice—the Commission has the mandate to provide recommendations to the government.

Civil society organisations do not expect that the Commission will be able to work on each and every human rights issue. However, they do expect that it will play a very strong role in addressing issues that deal with protecting human rights in society and ensuring the government's accountability—to convey a greater message about the basic principles of human rights. Most importantly, people should have faith in NHRC as a last resort.

The tenure of the current committee will be completed in June 2019. We expect a transparent and participatory selection process. It is also high time for the Commission to work strongly to overcome the challenges it has been facing as well as to engage in discussions with the government to take immediate and effective steps for ensuring an environment where NHRC can play its due role of promoting and protecting human rights of the citizens of Bangladesh independently.

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Dhaka's traffic madness

Bringing order to our roads won't be an easy task, but it's not impossible either

FIROZ AHMED

DHAKA'S traffic system is one of the most chaotic in the world. Due to the city's notorious traffic congestion, people suffer economically, physically and even psychologically. People, on an average, lose almost 25 percent of their working hours spending time stuck in traffic. The speed of vehicles in Dhaka has come down to five kilometres per hour, while the average walking speed is also the same.

According to a BUET report, traffic congestion eats up five million working hours and costs the economy Tk 37,000 crore a year. But this includes only the cost of delays and air pollution, not the less tangible losses. Besides, road accidents in Dhaka on an average kill 25 people each month and 73 percent of people in the city suffer from extreme physical or mental discomfort due to incessant honking and air pollution.

Dhaka city's traffic nightmare is well-known among foreign travellers and media. As Jody Rosen, on September 23, 2016, so articulately wrote in *The New York Times*: "I was in Dhaka, which is to say I was stuck in traffic. The proposition might more accurately be phrased the other way around: I was stuck in traffic, therefore I was in Dhaka... Dhaka's traffic is traffic in extremis, a state of chaos so pervasive and permanent that it has become the city's organizing principle... Traffic in Dhaka is not just a nuisance. It is poverty, it's injustice, it's suffering."

Dhaka city has expanded too quickly, and that too in an unplanned manner, resulting in inadequate and narrow road spaces. For any city, 25 percent of its total area should be made up of roads, while Dhaka has only 7.5 percent roads, compared to 25 percent in Paris and Vienna, and 40 percent in Washington and Chicago. The streets are shared by different types of vehicles, such as rickshaws, scooters, motorcycles, CNGs, human haulers, cars, buses, pick-ups and trucks, and sometimes by push carts—all moving at different speeds. Dhaka adds an extra 37,000 cars every year to its already congested roads. And more than 700,000 rickshaws ply the city roads. Slow-moving rickshaws do not allow motorised vehicles to move faster and this is another reason for Dhaka's traffic jam.

Moreover, Dhaka lacks a mass transit system. Mass transit is a system of public transportation that includes buses, trains and subways. The Bangladesh Road Transport Corporation (BRTC) has only 1,000 buses, which is just 0.1 percent of total vehicles of the country. At least one-third of BRTC buses remain out of order, some are run by private drivers under daily contracts and some are leased out to the government secretariat and public universities. About 60 private bus companies operate buses in the city, which carry about 35 percent of passengers. The drivers are not salaried and at the end of the day the drivers have to pay a fixed amount to the owners and retain whatever money is left. That is one of the reasons why bus drivers are so profit-oriented and drive recklessly to make a quick buck.

Traffic rules are grossly and openly violated. Only 50 percent of city drivers have regular licences, and only 27 percent of them follow traffic rules. Slow- and fast-moving vehicles run through the same roads and lanes. There are no bus bays and parking facilities, and vehicles are parked almost everywhere. Sometimes

vehicles carrying "VIP passengers" run on the wrong side of the road.

The parliament passed the Road Transport Act in 2018 to improve traffic regulations, but its enforcement is not yet visible. Almost all private buses do not have back lights or indicators and the run-down condition of the buses speaks volumes about the "fitness" of these vehicles—not to mention they are a visual eyesore.

Pedestrians cross roads at will even when there are foot over-bridges nearby. Traffic policemen overlook the violation of traffic rules as well. There are hardly any zebra crossings and sometimes foot over-bridges constructed for this purpose are hardly of any use as they are located at some distance.

Traffic policemen are deputed in the traffic police department for a year or two, which means they don't hold the post permanently, resulting in their lack of specialisation and ownership. Although Dhaka has 650 major intersections, only 60 of them have electronic traffic signals. Traffic policemen are reluctant to operate automated signals and complain that the automated system is ineffective during rush hour.

and cars—so that they use specific lanes; a plan for designated bus stops throughout the city must be immediately drawn up and enforced; parking rules must be strictly implemented; and pedestrians must be made to follow traffic rules (e.g. when they cross the roads). We have to phase out the use of traffic policemen and automated traffic signals should be put to use throughout the city. This will not only reduce delays at intersections but movement will also become more organised—all this provided that commuters follow traffic rules and shun the culture of violating traffic laws. Immediate action is needed for marking proper zebra crossings and installation of automated signals at busy crossings. The traffic department of Dhaka Metropolitan Police needs to be reorganised and strengthened as a specialised unit with a trained, permanent traffic police force.

The government would need to procure and operate a large fleet of buses under BRTC. BRTC needs to be revamped and strengthened, and its services should be subsidised. Subsidy for city buses is justified and will be beneficial as traffic congestion in Dhaka costs the



FILE PHOTO

The government has updated its strategic transport plan for Dhaka for the next 20 years, which includes, among others, five metro or sky rail lines. Construction work on the first metro is progressing, but work on others is not yet visible. The government has constructed several flyovers and u-loops to ease traffic congestion, which might have slightly eased movement of private cars, but this has not reduced the distress of ordinary citizens. Financing more sky trains, underground railways, elevated expressways, flyovers and grade separation networks may not be feasible in the short run.

Focus in the short-term should be on strict enforcement of traffic regulations and proper management of the traffic system. Directives may be renewed for all vehicles—speedy or slow-moving, buses

economy enormously. In the '60s and '70s, BRTC was the major transport service provider for city dwellers. In many countries, the city bus or mass transit system is run by the government or by the city government. The government should bring back BRTC in the city roads rather than leasing them out to universities and secretariat. Alongside this, the city corporations could also introduce bus services such as "Dhaka Chaka" for the entire city. Certain countries, such as Estonia and Luxembourg, have even introduced free bus services for city dwellers. If the government is serious about bringing order to our roads, taking all these steps would greatly help ensure road safety in Dhaka.

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