

Who will answer for the 'shootout' killings?

Govt. must establish accountability in the security forces

THE deaths of five persons in "shootouts" in different districts, and the manner in which those were explained away by the responsible agencies, show how this method of dealing with alleged criminals has become a law enforcement tool in Bangladesh. The latest incidents saw three different agencies, including the police, Rab and BGB, use maximum force to address a law and order situation. Their excuse—"self-defence"—is not convincing enough given the alarming regularity with which such incidents are taking place. We find this extremely disturbing, not least because it violates the victims' right to justice. It also undermines the judicial system, consequently eroding the public's faith in it. Importantly, it also shows the increasing acceptance of extrajudicial means among a cross-section of law enforcement agencies who find it quick, efficient and rid of bureaucratic hurdles—making them judge, jury, and executioner all at once.

Just how pervasive the trend has become can be understood from the Ain o Salish Kendra's year-on-year data on extrajudicial killings. According to ASK, 170 people were killed in "crossfire" since January, taking this year's average monthly death toll to 34. Compare that to last year's toll which saw 365 people killed, meaning an average of 30 deaths every month. Last year saw the highest number of extrajudicial killings since the first incident of "crossfire" death in the country in 2004—due in large part to the government's crackdown on drugs.

We have often questioned this method in this column but it bears reiterating that this is totally unacceptable in a democratic country. At the heart of the problem seems to be a latent disregard for law. The checks and balances within the forces seem to have become non-functional. One casualty of this systematic malfunction is Bangladesh's reputation, both at home and abroad. The government must not entertain this any longer and should establish transparency and accountability in the agencies involved in maintaining law and order.

A major threat to the environment

Take strict action against those involved in illegal stone extraction

IT makes absolutely no sense as to why illegal stone extraction in Sylhet, Bandarban and other hilly regions in the country would continue despite directives from the High Court and calls from environmentalists and the local people to stop this dangerous practice. This daily published a picture on June 4 of a *tala* in Sylhet's Companiganj upazila which has now become a mining site where many workers are involved in stone-mining—risking their lives.

Over the years, many *tilas* and hillocks of Sylhet and Bandarban districts have been razed because of stone-mining by unscrupulous local influential people. And this happens under the very nose of the local administration, the officials of which, in many cases, abet the politically powerful people. Such practices have led to an acute water crisis in the remote areas of Bandarban. And in Sylhet, many villages are under threat of land subsidence. Already, a vast area in the Bichhanakandi village of Gowainghat upazila; Bholaiganj, Shah Arefin Tila, Kalairaj, Lilaibazar and Utmachara areas of Companiganj upazila; and Lobhachhara river belt of Kanaighat upazila of Sylhet have been destroyed because of indiscriminate stone extraction. Stone traders have turned the popular tourist destinations such as Bichhanakandi and Jafalong into mining sites. Apart from the environmental consequences, stone-quarrying has caused deaths of many workers. Reportedly, more than 50 workers were killed at illegal stone pits in Sylhet between 2017 and February 2019.

Illegal stone extraction needs to end in order to save the environment as well as the lives of people. And to do so, the government must play an active role. The nexus between the powerful locals and the officials of the local administration must be broken. It must also ensure that the authorities entrusted with the responsibility to stop such illegal practices can play their role without any interference from any quarters.

LETTERS TO THE EDITOR

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A new threat to banking sector

A new kind of fraud involving ATM booths is being suspected by law enforcement agencies after six Ukrainian citizens were arrested in Dhaka. It has been revealed that money was withdrawn from the ATM of a renowned private bank, but neither was any transaction recorded in the bank server nor was any money deducted from any client's account.

The on-duty security guard at the booth immediately reported to the bank authorities after getting suspicious. A new technology had been used because of which the connection between the machines and the bank servers was removed. The software incorporated is being looked into while the bank authorities and law enforcers have fortified ATM booth security until a viable solution is worked out.

Such incidents of foreign nationals withdrawing money through illegal means from ATM booths are nothing new in Bangladesh. According to a 2018 survey by Bangladesh Institute of Bank Management (BIBM), 62 percent of the country's scheduled banks are susceptible to cyber-attacks while 28 percent of the banks are not even equipped to deal with them.

We must be aware of the kind of technology being used to commit such crimes so that we can tackle them. Banks around the country must be alert to such fraudulent practices and take necessary steps to prevent their recurrence.

Md Zillur Rahaman, Gandaria, Dhaka

FARZANA MISHA and DIMPLE T SHAH

THE Rohingya influx into Bangladesh, described by the United Nations (UN) as the "world's fastest growing refugee crisis," has been one of the most discussed humanitarian crises of recent times. According to the United Nations High Commissioner for Refugees (UNHCR), Bangladesh, prior to the latest exodus, had already been hosting more than 300,000 Rohingyas refugees.

The latest mega settlement of Kutupalong-Balukhali, with a population of over 600,000 in Ukhiya, Cox's Bazar, was built swiftly within five months. More than 90 percent of the camp population live below the UNHCR emergency standards of 45 square metres per person and at some areas as low as 8 square metres. The overcrowding poses several environmental (e.g. deforestation, contamination), economic (e.g. impact on the host community's economy, reducing the average wage) and health (e.g. epidemics) risks. Considering the speed and scale of the crisis, the initial response of the host country and humanitarian aid organisations was to provide basic support to the refugees. However, the influx has decreased and the timeline for a safe and Rohingya-approved repatriation back to Myanmar remains unknown. Moreover, the Bangladesh government should rethink how to maintain medium- to long-term support to the Rohingya population in a more structured way while addressing host community needs.

The Bangladesh government had proposed relocating the Rohingyas to the coastal areas in 2015—specifically, to Bhasan Char (originally known as "Thengar Char") in Noakhali. Recent details of government-approved infrastructure reportedly include 120 plots of land (each containing 12 buildings housing 16 families in a 12-foot by 14-foot unit with shared kitchens and bathrooms), one cyclone shelter and a 2.47m high embankment-flood barrier. At present, talks about Bhasan Char have softened into whispers. There is no telling when the plans may resurface. Thus, a frank discussion exploring risks and vulnerabilities is necessary.

Initially, the relocation idea immediately received scrutiny from the public and organisations such as the UN and Amnesty International. The criticism stems largely because of Bhasan Char's exposure to natural disasters. This scepticism is anticipated as many are unfamiliar with the char lands.

In Bangladesh, close to three million people live on 185 fertile silt islands, known as chars, which are formed by the dynamics of river erosion and accretion. The chars are low-lying areas and the soil is of high salinity. Initially, the forest department develops newly emerged chars for a period of 10 to 15 years. The objectives of the forest department activities are to accelerate accretion, stabilise the land, and protect it against storms and cyclones. Historical trends reveal that during the times when the forest department was in control, poor and landless households located and occupied the chars. According to government regulations and the ministry of land oversight, each household is provided 1 to 1.5 acres of char land.

However, the geographical setting,

scarcity of proper infrastructure and isolation from the mainland impede the functioning of administration, and services such as law enforcement, economic participation, health and education are very limited. Adaptability strategies in these areas are strikingly different from the other parts of the country. The chars are considerably more susceptible to covariate shocks due to cyclones, erosion, water-logging, droughts and salinity intrusion. To improve the livelihoods of char-dwellers, several tailored interventions have been designed and implemented. While the beginning of development activities in these areas date back to the late 1970s, the Char Development and Settlement Program (CDSP) maximised the momentum and set itself up as a leading intervention circa 1994. Facilitated by the government of Bangladesh, Embassy of the Kingdom of the Netherlands and the International Fund for Agricultural Development (IFAD), it has since

applies if no private claimant establishes prior ownership rights. In addition, the lack of day-to-day char governance has created scope for manipulation among the char population. Mirroring a feudal system, *jotedars*—a class of "rich" peasants living on the mainland coast regions—have their own puppets called *lathiyals* to control char dwellers. Ironically, the *lathiyals*, using violence and intimidation, promise char dwellers security over other extraneous threats at a cost, collected as a form of rent. Their sinister antics also target government officials. Blurred property rights and the absence of government control create security risks for the Rohingya population. Not to mention, approximately 80 percent of the Rohingya population are women and children.

Typically, char dwellers work on economic activities such as livestock rearing, farming sustainable vegetation and fishing. These activities wholly depend on mainland trade. The

services. However, char dwellers depend on untrained practitioners.

Approximately 60 percent of the Rohingya children population require education, though NGOs can only provide foundational learning. Provisions for higher education are non-existent. How does the government propose to educate the Rohingya youth at Bhasan Char? It should be noted that seasonal extremes affect their school attendance too.

Discussion with aid personnel on the ground revealed that many Rohingyas harbour the desire to return home if their citizenship rights are restored. Relocating to Bhasan Char will, in effect, leave them one step removed from this possibility ever occurring. In the medium- to long-term, they believe in integration possibilities and enjoy a sense of familiarity with the Cox's Bazar terrain. Recommendations have been offered to ease host community tensions. For instance, the government and NGOs



Rohingya refugees gather at a market inside a refugee camp in Cox's Bazar.

PHOTO: REUTERS/MOHAMMAD PONIR HOSSAIN

expanded into several phases. This programme offers a wide range of support components that target livelihood in the chars among other areas. A recent CDSP study revealed that successful livestock rearing training positively influenced food consumption and increased entrepreneurship as well. In addition, there was an improvement in water and sanitation practices along with an overall increase in human rights awareness.

Undoubtedly, the CDSP programme has elevated living standards in the chars that improve at each programme phase although it is unclear whether the programme would be implemented in Bhasan Char. Habitation of Bhasan Char is widely debated, yet key questions surrounding security, economic participation and language are left unanswered. In addition, there is the question of the availability of health and education services.

The lack of law enforcement is a concern. Before 1994, char laws stated that the government automatically owned char lands. However, recent amendments suggest that government ownership

government will potentially allow the Rohingyas to work on Bhasan Char but they have not revealed the specifics yet. Will the government allow the Rohingya population full access to mainland markets? If yes, how will Rohingyas travel to the mainland? The inter-char transport system is active albeit limited to water-based methods. Beyond economics, water transport is necessary during frequent seasonal threats. Does the government plan on granting Rohingyas the freedom to move in and out of the char?

Another source of concern that has not been addressed is the language barrier. The dialect the Rohingyas speak is fairly close to Chittagonian, which is the local dialect of Chattogram and Cox's Bazar. This fluidity in communication promotes stronger integration and opportunities. However, this advantage dissipates should they move to Bhasan Char where the local dialect (Noakhali) is quite different.

Char health services have improved thanks to organisations such as BRAC, but are not near mainland capabilities. Some trained medical workers provide on-site medical care such as women's health

can do more to address major host community needs; joint programming on projects such as the World Bank's proposal to tackle deforestation serves as a strong community-building opportunity. In fact, recent survey results indicate that 58 percent of Rohingyas, who want to meet with host communities, believe not enough is being done to do so. Likewise, half the locals who want to meet with the Rohingyas agree.

Indeed, Bangladesh has generously sheltered the Rohingya population amid the mass exodus. Now tasked with considering medium- to long-term solutions, the international community must step up to assist Bangladesh with fair and adaptable options. Security, economic participation, communication, health and education are key elements involved in achieving solutions. Moreover, listening to stakeholders such as host communities and the Rohingya population should remain a top priority.

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INTELLECTUAL PROPERTY RIGHTS

Bangladesh has a long way to go

NADEERA SULTANA

INTELLECTUAL property is a category of property that includes intangible creations of human intellect. It primarily encompasses copyrights, patents and trademarks. And intellectual property rights refer to the exclusive rights given to people over the creations of their mind for a certain period of time. The owners of this right enjoy monopoly profit over the production of that particular product. This works as an economic incentive for their creation.

By now, Bangladesh has received the certification for *khirsapati* (a certain type of mango) as her third geographical indicator (GI) product. Intellectual property rights have important implications for Bangladesh. We can identify the impacts of these rights from two points of view: economic and non-economic. Economic impacts include potential advantages which have long-term impacts on economic wellbeing. Intellectual property rights are essential for maintaining sustainable economic growth. As one of the fastest growing countries in the world, Bangladesh should be looking to grow smoothly with a GDP above seven percent. Intellectual property rights can ensure this by promoting export diversification, foreign direct investment, etc. It is because these rights enhance the possibility of higher investment both in invention and production.

The other aspect of intellectual property rights is non-economic which is no less important than the economic impact. Bangladesh can achieve a distinct identity in the world market through intellectual property rights. Geographical Indication (GI) can bring our nationally



The *Khirsapati* mango, grown originally in Chapainawabganj, joined the list of Bangladeshi products with geographical identity status.

PHOTO: STAR

and culturally enriched products to the world market. Already, *jamdani*, *hilsa* and *khirsapati* mango have received GI status.

Besides, intellectual property rights can create additional value for our products globally. As a result, we can also get premium prices for these products. Intellectual property rights can help produce quality product, lead to financial gains as well as promote our country's brand. To achieve the goal of becoming a middle-income country by 2021, intellectual property rights can be of great

importance.

Now to move from the achievements to the shortcomings, let's take a look at the present scenario of Bangladesh compared to the three neighbouring South Asian countries. In terms of patents and trademark applications by origin, Bangladesh lags far behind India, Pakistan and Sri Lanka though Bangladesh is ahead of all these countries when it comes to industrial designs by origin. This was revealed in the report of Global Innovation Index 2018 where the scores

vary from 0 to 100 and are scaled by PPP GDP (billions). This indicates a poor state of utilising the gains from intellectual properties in Bangladesh.

The overall ranking of Bangladesh in this index was 116 out of 126 countries and the score was 23.06 within the range of 0 to 100. India, Pakistan, Sri Lanka and Nepal rank 57, 109, 88 and 108 respectively. All this data reflects poorly on Bangladesh in terms of protection of intellectual property rights.

On the other hand, protection of intellectual property rights is a major contentious issue for various kinds of products including life-saving drugs, technological innovations, etc. Considering this aspect, the World Trade Organization (WTO) has provided exemption for the LDCs to implement provisions of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement related to pharmaceutical products until 2033. The TRIPS agreement requires strong protection for intellectual property rights among the WTO members. LDCs are provided with an extended transition period to protect intellectual property under TRIPS. Bangladesh as an LDC is getting this extended opportunity of exemption. After the grace period of three years following LDC graduation by 2024, this opportunity will not be applicable for Bangladesh. As a result, Bangladesh would have to compete with advanced and developed economies for both domestic and foreign markets. Therefore, unless necessary steps are taken by the government immediately, Bangladesh's market share is fated to shrink.

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