

Contradictory findings on milk products

The ludicrous state of food safety

A recent study conducted by researchers at Dhaka University has revealed some shocking findings: detergent and antibiotics for humans in packaged milk. The DU study also detected a long list of health hazards, including textile colourant in turmeric powder.

However, in a confusing development, the Bangladesh Standards and Testing Institution (BSTI) submitted a report to the High Court recently saying its tests did not detect any harmful substance in pasteurised milk of 14 brands. This is only less than two months after the BSTI itself released a report which found 52 food items to be substandard out of 406 food items in 27 categories that it tested. Such contradictory findings will only create doubt in the minds of the general public. In the most recent case, the BSTI should make it clear what its test criteria were and the milk produced by the same brands should be re-tested independently. There is clearly a need to put in place a mechanism of double-checking.

It is a travesty that the administration has failed to ensure something as basic as food safety, raising serious concerns about public health in the country. Last month, the BSTI, Bangladesh Food Safety Authority (BFSA), and the Directorate of National Consumer Rights Protection (DNCRP) failed to withdraw immediately the substandard products from the market despite a HC order. Government bodies have, for too long, turned a blind eye to the corrupt practices in the food industry which continues to prioritise profit at the expense of public health. The result of this longstanding attitude of neglect is this: malpractices in the industry have spread so far and so deep that the job of rooting out corruption has become extremely challenging for the government.

Independent research has consistently found health hazards in basic food items, including staples such as poultry and milk, which is almost unheard of in any country. Countrywide drives should be launched and the government must equip the BSTI, BFSA and relevant bodies with adequate manpower and resources so that corrupt manufacturers and producers can be identified and held to account. Fines are not enough—legal action must be taken against them. These government bodies can no longer shirk their responsibility.

Eliminating child labour still remains a big challenge

We need realistic, implementable workplans

ELIMINATING child labour still remains a big challenge for Bangladesh as the country currently has 17 lakh children engaged in different forms of work, many of which are extremely hazardous. And without making implementable workplans, enforcing the relevant laws, revising the existing national policies as well as re-evaluating the list of hazardous work, ending child labour by 2025, which is an SDG goal, will not be possible. A recent roundtable by Prothom Alo has come up with these suggestions.

It is most unfortunate that despite having various policies on eliminating child labour from the country, the progress we have made in reality is very little. According to BBS, between 2003 and 2013, 15 lakh children were rescued from child labour across the country. But still, 17 lakh children are engaged in child labour, among them 12 lakh are involved in hazardous works. What is most shocking is that the number of children involved in hazardous works have actually gone up, according to a child rights organisation. Although the Labour Act 2013 (amended) has fixed the minimum age for admission to work at 14 years and in case of hazardous work, the age for admission to work is 18, this has hardly been followed. The situation is particularly bad for the child domestic workers whose rights are often violated by their employers. Although the policy formulated to protect the rights of domestic workers specified that no children under 12 years of age can be employed as domestic workers, and that child domestic workers cannot be engaged in heavy and dangerous work, in reality, none of these provisions are implemented.

Implementing the existing laws are a must to eliminate child labour from our society. To do so, the government must play a proactive role. Also, we need to abide by the international conventions of which we are a signatory country. In addition, we should immediately ratify the ILO convention 138 which has specific directions in terms of determining the minimum age for work. Only through coordinated efforts and proper workplans, can we completely eradicate child labour from society.

LETTERS TO THE EDITOR

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Why are your banks technologically backward?

Our banking industry has been susceptible to a number of cyber-attacks recently. Dutch Bangla Bank Limited (DBBL), NCC Bank and Prime Bank, have been subjected to cyber-attacks that siphoned off a big chunk of money.

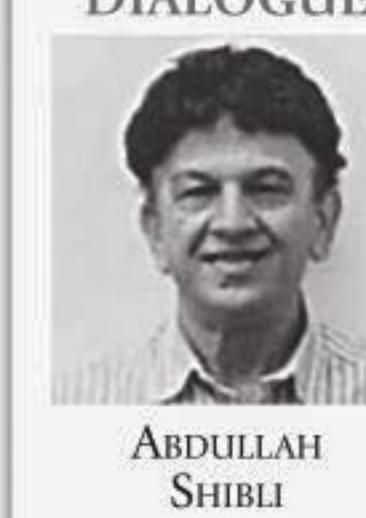
Prior to this, cards were cloned and money was withdrawn from various accounts through ATMs. Hackers allegedly pulled money out of ATM using malware. The IT officials seem to have been clueless about this, as they didn't notify the account holders, or disclose this information in the internal system of the bank. The fact that a cyber-attack happened was understood, only after someone realised that the amount deposited in the ATM bank had been reduced.

In this age of digital banking, it is necessary for banks to urgently invest in more software and fortify their system against cyber-attacks.

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Dhaka and the cities of the future

AN OPEN DIALOGUE



ABDULLAH SHIBLI

NATIONAL Geographic (NatGeo), the international news magazine, dedicated its April 2019 issue to the challenges of urban living and the progression of big cities. When I came across the hard copy of this issue, entitled "Cities: Ideas for a Brighter Future", my heart reached out for Dhaka, the city where I was born and the city of my love. I started going through the pages of the magazine reading up on ideas offered by some of the world's best thinkers, architects, urban planners, and civic leaders on how to build or rebuild their own favourite cities for the future. As a lifelong Dhakaphile, I assumed and believed that Dhaka, obviously, would be a prime candidate for NatGeo's attention and will benefit immensely from the contribution that could be provided by the team assembled by the magazine. Unfortunately, none of the essays in the Cities Issue of NatGeo addressed Dhaka's problems specifically. Nevertheless, what gave me reasons to rejoice was the affirmation that many of the world's largest, most crowded, and also the so-called "unliveable" cities face and manage the same set of problems that Dhaka does.

I have written in these columns in the past on some of Dhaka's pressing needs. Trash removal, ease of traffic congestion, pollution-free air, affordable housing, playgrounds. You name it. Yes, Dhaka has to solve these problems and many more. But reading the NatGeo articles gave me hope that none of them is insurmountable. If other developing countries and cash-strapped municipalities can do it, how can Dhaka be an exception?

Why did NatGeo zero in on the cities? Because, more than two-thirds of the world's population will be living in cities in 2050 compared to about half of the population in 2010, according to the UN. It is forecasted that the world's population will reach 8.6 billion in 2030 and 9.8 billion in 2050 from 7.0 billion in 2010. Dhaka's 2019 population is now estimated at 20,283,552 and will reach 31.23 million in 2035. In 1950, the population of Dhaka was 335,760. Dhaka has grown by 2,686,375 since 2015, which represents a 3.62 percent annual change. And the trend will continue. Let us hope that the growth rate slows down slightly between 2020 and 2035. According to one source, the growth rate of the city is projected to slow down from 3.56 percent annually in 2025 to 2.15 percent in 2035.

But, what do we expect the future city to look like? NatGeo tasked the internationally renowned architectural and urban planning firm Skidmore, Owings and Merrill (SOM) to explore and come up with a guideline to answer the

64 billion question, "How to design a city of the future?" My jaws dropped when I read the guidelines provided by NatGeo's editors.

The city of the future must meet 8 targets: i) It must have a plan to allow "ecology" to guide development; ii) The water resources are protected and systems are designed to capture, treat, and reuse it; iii) Energy is renewable and the city becomes more liveable even as it becomes more densely populated; iv) All waste becomes a resource; v) Food is grown locally and sustainably; vi) High-speed rail to improve mobility; vii) The culture and heritage of the increasingly diverse population are publicly supported and;

transportation projects in the city. But, what cheered me up even more was the news that things are getting better in some, albeit small, pockets of the city.

On Facebook, I am a member of a group that calls itself "Dhaka- 400 years. History in Photographs". On this page, members post facsimiles from various sources, both public and private. On a lazy day, I spend hours going over the black and white, sometimes colour, images of the city and livelihood, stretching from 100 years ago to more recent decades. The frames from the '70s and '80s hark back to the days when Dhaka roads were less congested and the neighbourhoods in Old Dhaka,

Secondly, the urban planners of Dhaka today face the same issues that their compatriots in Kazakhstan or Uganda confront. However, the solutions in each case is unique. Jared Diamond, Professor of Geography at UCLA, wrote, "It all comes down to compromises. As the world becomes increasingly urban, will all of us be forced to adopt more of Singapore's solutions?" pointing to the model adopted by Singapore, a tiny urban city with six million people packed into about 722 square kms. "Singapore's government monitors its citizens closely, to make sure that individuals don't harm the community." As an example, he cites the following: "Smart-technology sensors



An aerial view of Dhaka city.

PHOTO: ANISUR RAHMAN

viii) The infrastructure is carbon-neutral, and the economy is largely automated and online.

NatGeo's consultants paid glowing tribute to the city planners of Tokyo, the world's most populous metropolitan area. "Tokyo is one of the safest, cleanest, most dynamic, and most innovative cities." I was not surprised, but I was looking for clues that might help us understand why Dhaka had become so unliveable.

When I talk to someone who lives in Dhaka, or returned from a short visit there, we always return to our favourite topic, "Life in Dhaka". We discuss the new shopping malls, coffee shops sprouting up in every corner of the city, the flyovers and mega-projects, and the enhanced quality of life thanks to modern technology. The conversation then inevitably turns to tales of hours stuck in traffic, cost of decent healthcare in Dhaka, and the state of public

Motijheel, Dhanmondi, and Gulshan were pristine. But, I ask: Was Dhaka more liveable then as compared with the megacity it is today? I also wonder if this is a legitimate question since we are comparing apples and oranges. Dhaka of yesteryears was not the same metropolis we see today. Yes, we have more crowd and congestion today, but we also have better jobs, modern hospitals, and improved quality of life.

The most important conversation for all stakeholders ought to be: how do we see the Dhaka of the future? What are we willing to give up for the convenience of living in Dhaka? Urban life involves trade-offs, and we may gain big benefits only in return for suffering big disadvantages.

Turning to the NatGeo spotlight on cities, the takeaways are plenty.

First of, each city needs to manage three key areas: traffic gridlock, affordability, and the demand for civic amenities.

measure (or will measure) the traffic on every street, the movements of every car... They will track the water and electricity consumption of every household and will note the time whenever a household toilet is flushed." Are Dhakaites willing to accept such intrusions?

Thirdly, Jan Gehl, an urban designer in Copenhagen, Denmark who is revered for his insights, discounts the notion that one size fits all. Nonetheless, all city planners share a common vision, he says. "Waking up every morning and knowing that the city is a little better than it was yesterday—that's very nice when you have children," Gehl said. "Think about that... Your children have a better place to live, and your grandchildren have a better place to grow up than you could when you were young. I think that's what it should be like."

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SEXUAL HARASSMENT AND THE LAW Where's the problem?



TAQBIR HUDA

SINCE its inception in 2017, the #MeToo Movement has been spreading across the world; it has brought to the fore the grave extent to which women from all strata of society face sexual harassment in their daily lives. In this context, one ought to wonder how the legal framework in Bangladesh deals with sexual harassment. Unfortunately, there is no legislation specifically incriminating "sexual harassment" in Bangladesh.

However that is not to say that sexual harassment has been left completely unaddressed in our laws; there has been some notable legal development in this regard that we need to acknowledge.

For instance, there are certain (albeit archaic) legislation which can arguably be used to penalise acts of a man sexually harassing a woman. Section 509 of the Penal Code 1860 criminalises acts, words and gestures intended to "outrage the modesty of a woman" with a prison sentence that may extend to one year along with fines. Needless to say, the problematic wording of this colonial law invites sexist biases and unwarranted discussions about a woman's "modesty" which can end up victimising her rather than offering protection. Additionally, section 10 of the Nari-O-Shishu Nirjatan Daman Ain 2000 introduced an offence termed *jounipiron* (commonly translated as "sexual oppression") to criminalise the act of someone who touches a woman or child (with any part of their body or with an object) or "violates a woman's modesty" (*narihilotanikoren*) in order to "illegally satisfy their sexual desires."

As one can see, Section 10 is substantially similar to Section 509 since female "modesty" is still a point of focus. The punishment prescribed in Section 10 however, is imprisonment between two to 10 years, which is much higher than the maximum one year under Section 509. This is yet another example of our legislators' tendency to implement legal reform on violence against women by

simply increasing the penalty while preserving the archaic substance and definition of the offence itself.

More significantly in 2009, the High Court issued 11-point directives on the prohibition, prevention and redress of sexual harassment in the workplace and educational institutions, after a writ petition was filed by the Bangladesh National Women Lawyers Association (BNWLA) challenging the widespread prevalence of sexual harassment of women in university campuses and office spaces (29 BLD HCD 415). In

filed by women and then take the appropriate disciplinary action against the perpetrator if allegations are found to be true. It is important to note that the aforementioned penal provisions (Section 509 and Section 10) criminalise individual acts of sexual harassment by the perpetrator (and are perhaps more relevant for sexual harassment of women in public spaces), while the High Court directives focus on institutional responsibility to prevent and redress sexual harassment of women in the workplace and educational institutions.

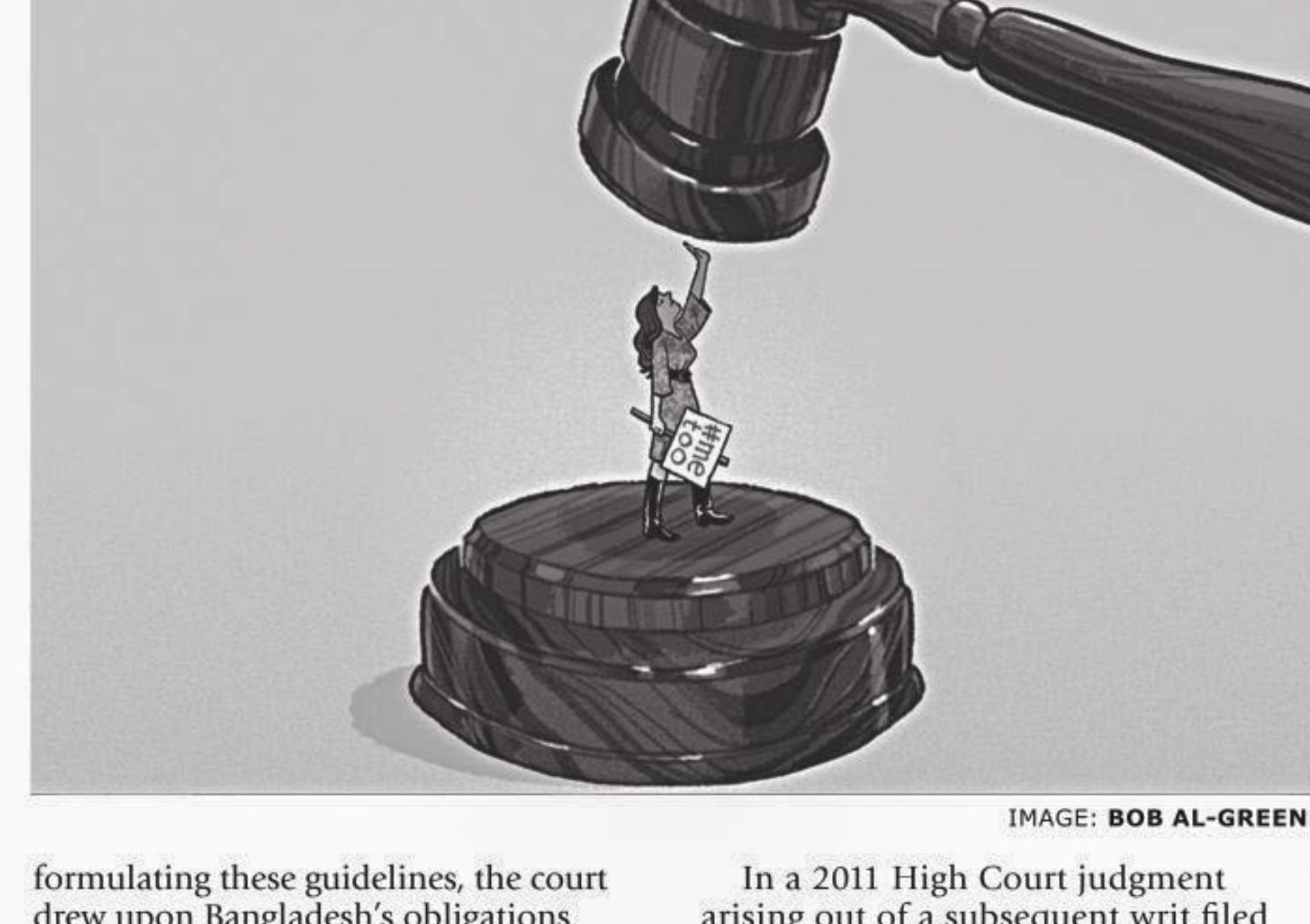


IMAGE: BOB AL-GREENE

formulating these guidelines, the court drew upon Bangladesh's obligations under the Convention on the Elimination of Discrimination Against Women (CEDAW) and our Constitution's affirmative safeguards on gender equality and women's rights. It extensively defined sexual harassment by outlining 11 different circumstances that would constitute acts of sexual harassment, ranging from unwanted physical contact to coerced sexual relations through abuse of power to unsolicited sexual remarks, advances and gestures be they in person, in writing or through telephone, etc. It obligated all institutions to form Sexual Harassment Complaint Committees which will register and investigate sexual harassment complaints

In a 2011 High Court judgment arising out of a subsequent writ filed by BNWLA challenging the prevalence of stalking and "eve-teasing", the court recognised that the government did take certain steps to tackle sexual harassment (31 BLD HCD 324), following the directives issued in the 2009. One of these steps was a proposed amendment to the 2000 Act, incorporating a new sub-provision to Section 10 titled "Penalty for Sexual Harassment" which defines sexual harassment as a distinct offence and imposes imprisonment ranging from one to seven years and also a fine. As such, when issuing the directives for this case, the Court stated: "Government shall, on an urgent basis, complete its initiative to insert a new

section in the Nari-O-Shishu Nirjatan Daman Ain, 2000 defining the mischief of 'Sexual Harassment' in the light of the definition given by us." Eight years since, the government is yet to implement this legal reform which it was directed to conduct on an "urgent basis."

While the BNWLA judgments are relatively well known, a much earlier and less appreciated case pertaining to sexual harassment is that of Shamsun Nahar vs. British American Tobacco Bangladesh (66 DLR AD 80) where a female employee sued the organisation for its failure to protect her from and respond to complaints about the continual sexual harassment she faced from two of the company's managers, and its decision to dismiss her instead of the alleged perpetrators. Although this case was filed in 2004, the trial is still pending due to the various technical grounds on which BATB has appealed to the Supreme Court utilising the Code of Civil Procedure to their advantage and arguing for the case to be struck out.

In 2018, BNWLA along with eight other organisations jointly submitted a draft law titled Sexual Harassment at Workplace Act 2018 to the law ministry, which formalises the 2009 guidelines and imposes a statutory obligation on all organisations to have Sexual Harassment Complaint Committees. Momentum surrounding a specific sexual harassment law has been magnified in the aftermath of Nusrat Jahan Rafi's heinous murder, since many argue that it is precisely the lack of a Sexual Harassment Complaint Committee in the Sonargaon Madrasa (owing to absence of legislation mandating it) that impeded Nusrat's ability to seek recourse against the accused principal which in turn prolonged her ordeal. It has been over 10 years since the High Court issued its landmark guidelines to prevent sexual harassment; how many years from Nusrat's death will it take for the sexual harassment bill to finally be passed and strongly enforced so that victims of sexual harassment do not have to face the painful circumstances that Nusrat did?

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