

The Babri Masjid verdict

Abjure violence

THE Indian Supreme Court has delivered its verdict on the long-standing dispute centring around the Babri Masjid in Ayodhya, Uttar Pradesh, India. The court has awarded the disputed site to the Hindus, and ordered a separate piece of land be given to the Muslims to construct another mosque. Predictably, the judgement has not satisfied all the Muslims. The All India Muslim Personal Law Board (AIMPL) has rejected the decision, expressing its intention of submitting a review petition, whereas the Muslim Waqf Board has accepted the decision with a caveat that it will do the same as AIMPL by appealing against the award. The Congress, on its part, has accepted the ruling.

A positive feature in this matter is that the aggrieved parties have all, without exception, called for calm, preferring the legal path to any other means. We believe that this is the rational way of addressing an issue which has been the cause of age-old friction between the two communities in India with the potential of perpetuating the friction unless the verdict is handled in a sensible and judicious manner. We also believe that violence has to be averted at all costs, as called for by all the parties including the Congress.

Without going into the merits of the cause or the arguments validating the decision, we would like to state that a mosque here or a temple there does not necessarily enhance the status of—nor denigrate—any particular religion. The location of a place of worship should in no way detract from the fundamental messages of the two major religions of the world—one that is being followed by more than a billion people all over the world, and another that has been in existence as a creed for the last 5,000 years. That would neither make nor break the core values of the religions, both of which espouse the cause of universal brotherhood and peace.

In this context, we would like to call upon the Bangladesh government to exercise careful vigil so that the situation cannot be exploited by the trouble-mongers. The unfortunate developments that followed in the wake of the December 1992 demolition of Babri Masjid should never be allowed to be repeated.

Enforce the transport act without delay

Formulate necessary rules to make it effective

IT is unfortunate that the Road Transport Act, 2018, which was supposed to take effect from November 1, could not be implemented due to a lack of preparation from the authorities, including the ministry, the Bangladesh Road Transport Authority (BRTA) and the police. Although the act was passed some 13 months ago, the authorities have not yet formulated the rules to make the law effective. Reportedly, in the new law, the rules regarding registering a vehicle, the method to examine a driving license, and the tenure of a fitness certificate, among other things, have not been defined clearly.

The government's lack of preparation was clear since there was mismanagement all around. Reportedly, mobile courts run by the BRTA and district administrations could not step in as the law was not incorporated in the schedule of the Mobile Court Act, 2009. Also, police could not impose any on-the-spot fines for traffic rules violations, as their point of sale (PoS) machines, providing instant challan, were not updated with the new law. What is more, there has been little visible effort to make people aware of the new law.

Surely, some provisions in the new act are praiseworthy, such as making the offence of killing anybody by reckless driving non-bailable and awarding the offender a maximum sentence of five years in jail or a fine of Tk 5 lakh or both, awarding hefty fines to the traffic rule violators, etc. But these important provisions will only bear results if the rules are formulated judiciously. It is beyond our understanding why that could not be done in the last 13 months. And it makes absolutely no sense as to why we would have to apply the rules of the erstwhile Motor Vehicles Ordinance, 1983 while implementing the Road Transport Act, 2018.

We hope the government would make the necessary preparations without delay and fully enforce the new act as soon as possible. In the meantime, the transport owners should have their documents updated and the government and non-government agencies concerned should hold rigorous awareness campaigns to enlighten the public about the new aspects of the act.

LETTERS TO THE EDITOR

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Save Dhaka from air pollution

With the advent of winter, smog has started to engulf the sky of Dhaka. Dust from the ongoing development projects, black smoke from vehicles and other sources have been polluting Dhaka's air in such proportions that it has become unsuitable for breathing. It was reported that Dhaka's air remained unsuitable for breathing for more than half of last year. This year, the situation seems to have aggravated more. So, in order to make Dhaka a habitable city, the authorities concerned should take strict measures, such as, restricting the operation of diesel-run vehicles inside Dhaka, shutting down brick kilns on the outskirts of the city, etc. It is high time the government woke up to the reality and took action to fight air pollution.

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EDITORIAL

FREEDOM OF EXPRESSION

Defending the mother of all rights



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for the Protection of Fundamental Rights held in Dhaka on November 2. Expressing their concern over the ever-shrinking democratic space, journalists and rights activists called for scrapping of laws that undermine free speech and for creating an enabling environment so that dissenting voices find space in print, electronic and social media without fear of retribution. The event was organised to mark the “International Day to End Impunity for Crimes Against Journalists”.

The resolution declaring the day for protection of journalists was adopted by the UN General Assembly in commemoration of the abduction and killing of two French journalists in Mali on November 2, 2013. The UN resolution condemns all forms of harassment, attack and violence against journalists and urges member-states to do their best to prevent the same, and ensure accountability and bring the perpetrators to justice. The resolution calls on states to ensure that victims have access to appropriate remedies and that a safe and enabling environment prevails for the journalists to perform their work independently and without interference. States were further urged to adopt and implement specific measures to counter the present culture of impunity for crimes against journalists.

Along with their counterparts across the world, including those in the developed countries, journalists in Bangladesh face a number of challenges. Threat, intimidation and harassment from powerful quarters, including state agencies, work as a major impediment for journalists to work freely. According to the Committee to Protect Journalists (CPJ), a total 1,053 journalists were killed globally during 2007-2019. In Bangladesh, the number stood at 14 for the same period. The CPJ further finds that in 90 percent of cases, the killers remain unpunished, a factor that likely contributes to perpetuation of the crime.

The criminal justice system in Bangladesh has thus far been unable to provide timely and appropriate redress. Dispensing justice gets bogged down by incompetence, if not malfeasance and delay. Over the last seven years in the sensational journalist-couple Sagar-Runi murder case, the date of submitting the investigation report before court has been extended for 68 times. This has happened despite the home minister's commitment to expedite the process.

The Bangladeshi representative of the Reporters Without Borders (RWB) notes that, of the 35 journalists killed in the country between 1996 and 2018, “the judicial process has been complete in only eight cases, and in five of those, the families [of the victims] rejected the verdicts.”

According to a recently published report of the RWB, Bangladesh stands 150th out of 180 countries in the World Press Freedom Index. This was a drop from 146 in 2018.

Freedom of expression is not a matter of concern only for the journalist

community. It concerns each and every individual of a society. The right to free speech is a well-recognised fundamental right enshrined in international conventions and covenants of which Bangladesh is a state party. Free speech is protected by the country's constitution as well. It was one of the most cherished tenets of the spirit of the War of Liberation.

The ability to think distinguishes a human being from an animal. The capacity to reflect is essential for an individual to harness his/her innate potential. It is incumbent upon every civilised society to create an enabling environment so that citizens—young or old, male, female or of the third gender, rich or poor—can think, reflect, share, argue and debate on issues that interest and affect them. Views expressed by an individual or group ought to be countered, challenged and contested by

or stealing information by illegally accessing computers. The newly passed law goes much beyond such remit and severely restricts freedom of expression. “Even if the law is not invoked, its sheer existence is enough to destroy journalistic initiatives,” observes the president of Bangladesh Editors' Council. He states that a staggering 14 of the listed 19 offences under the law are non-bailable. In other words, the accused may have to spend months behind the bar before the trial process even begins. The law also accords enormous power to the police to conduct search on premises of news establishments or seize computer and other equipment only on “mere suspicion”.

The defamation act is another legal instrument to intimidate journalists and free-thinking individuals. While defamation in most countries is treated as a civil offence, it is a criminal offence

and Kazakhstan, followed by Brazil, Bangladesh and Zimbabwe. The report notes that while the number of internet users in Bangladesh is steadily increasing, “constraints on internet freedom in Bangladesh tightened during the coverage period. The government used a variety of methods to restrict the online space; authorities blocked critical websites, circumscribed mobile networks to limit communication and mobilisation, announced new surveillance programs, and arrested journalists and users alike.”

The non-state actors also constitute a major threat to freedom of expression. The killing of several bloggers, writers and a publisher by right-wing zealots is evidence enough of their intolerance of free thinking. Likewise, the October 2019 killing of Fahad Abrar, a Buet student protesting the recently concluded Bangladesh-India river agreement, has demonstrated how the student



Journalists hold banners and placards as they protest against the Digital Security Act in front of the Press Club in Dhaka, on October 11, 2018.

PHOTO: REUTERS/MOHAMMAD PONIR HOSSAIN

advanced logic, reason and explanation—not by control, threat or coercion. Creativity, innovativeness and progress get stunted in societies that do not endorse, encourage and promote contra-opinion and dissent.

Free media and a vigilant citizenry are necessary prerequisites for a vibrant democracy. Such a system alerts the rulers to the concerns of the ruled, and ensures accountability of the state to its people. Unfortunately, over the years as the state becomes alienated from the masses, citizens of Bangladesh are being subjected to a whole range of legislative instruments and practices that have a significant bearing on free speech. Foremost among those are the Information and Communication Act (ICT), 2006 and the Digital Security Act (DSA), 2018.

Following public outcry, the government repealed the draconian Section 57 of the ICT Act. However, journalists and rights activists felt betrayed as most of the freedom-curtailing elements of Section 57 were reincarnated in the DSA, 2018—in some instances, in a more severe form. No one disputes that there is a necessity for having a law for crimes like hacking

under Bangladeshi law. Although the law explicitly stipulates that the plaintiff has to be an aggrieved party, in practice, defamation cases filed by individuals who had no *locus standi* to file them were admitted by the magistrates. There are instances in which dozens of cases have been lodged for a single offence. In one instance, 84 cases remain pending against the editor of a leading English daily of the country.

The state also enjoys a number of prerogatives through which it can influence the media. Included among those are the authority to issue license, control and direct the flow of advertisements and tinker with formats and contents of programmes through “informal advice”—a practice that had its roots in the days of military dictatorship.

Social media has also been adversely affected by restrictive measures. Last week, Freedom House, an international organisation working on expansion of freedom and democracy, reported that Bangladesh is “partly free” in terms of using internet. Of the 65 countries assessed, 33 have been on an overall decline since June 2018. The biggest score declines took place in Sudan

organisation affiliated with the ruling party acts as militia and can inflict immeasurable bodily harm on dissenters.

Freedom of expression is under a severe strain in today's Bangladesh. While the country marches forward economically and registers impressive growth in GDP figures, it slides in the scale of freedom of expression. Through a plethora of legal instruments and administrative practices, those in command of the state and their cohorts strive to curtail citizens' right to know facts and access contesting interpretations of events and developments.

So far, there has been little resistance to this assault on freedom of expression. It is disheartening to note that associations of teachers of universities, learned bodies, cultural organisations, poets and writers' guilds and those who have taken on themselves to champion the spirit of the War of Liberation have thus far remained silent. The right to free speech is the pathway to secure other rights. Thus, it is incumbent upon all to resist such moves and defend the right to free speech—the mother of all rights.

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Localising the SDGs in Bangladesh

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AS a signatory to the 2030 Agenda for Sustainable Development adopted on September 25, 2015, Bangladesh has been engaged in implementing the Sustainable Development Goals (SDGs) for the last four years and playing an active role in the global discourse on the SDGs. The government of Bangladesh has involved various stakeholders in the process of implementing the SDGs with a whole-of-society approach to this end. Non-state actors have also been playing important roles in carrying out activities towards the implementation of the goals.

The SDGs gave the world an ambitious aspiration that leads towards a transformational growth, with the commitment of “leaving no one behind”. Out of the 169 targets of the SDGs, the majority are not quantifiable within the national context. Unfortunately, data for forecasting those indicators, particularly reliable long-term data, are not available for Bangladesh. In this circumstance, the localisation of SDGs is very important for us. Localisation relates to two aspects: a) how local and regional governments can support the accomplishment of the SDGs at national level by means of action carried out from the bottom-up; and b) how the SDGs can provide a framework for local development policy.

Many Asian countries like the Philippines, Indonesia, China and India have developed their SDGs-related localised plan and implementation mechanism. In the meantime, in Bangladesh, the “Natore SDG Localisation Framework” was already developed with technical support from a donor agency. This subdistrict-level model plan addresses the identification of local problems, potentials, adoption, resources

mobilisation, database preparation, responsibility-sharing among government departments, civil society organisations, and the private sector. It is also about empowering the local people to participate in the accomplishment of the SDGs in their daily lives.

Bangladesh has six “hotspots” that simply define a broad grouping of districts and areas facing similar natural hazards and climate change risks. These are: 1) Coastal Zone (27,738 sq. km); 2) Barind and Drought Prone Areas (22,848 sq. km); 3) Haor and Flash Flood Areas (16,574 sq. km); 4) Chattogram Hill Tracts (13,295 sq. km); 5) River System and Estuaries (35,204 sq. km); and 6) Urban Areas (19,823 sq. km). The socio-economic, political and cultural problems and prospects of the six “hotspots” are completely different. For example, river erosion, electricity problem, lack of industries, energy crisis, communication hazard, lack of infrastructure as well as capacities in coping with disasters, inadequate budget allocation, inadequate

number of teachers, inadequate number of doctors, lack of local employment opportunities, inadequate fish production (due to lack of entrepreneurs), over-fishing, sea piracy, shortage of manpower in government offices, salinity and inadequate access to safe drinking water, sanitation for disadvantaged people, insecurity facing women, child marriage and child labour are the major socio-economic problems of the coastal belt.

Some problems are common throughout Bangladesh. But in the Barind

problems in Chattogram Hill Tracts. Also, urban poverty is an emerging issue in the present development discourse and Multidimensional Poverty Index (MPI).

The issues and concerns of the six “hotspots” must be addressed in the national planning of SDGs from the bottom-up. Remarkably, the government has undertaken some important initiatives for implementing the SDGs, such as integration of SDGs into the 7th Five Year Plan, Ministry mapping for implementation of SDGs, SDGs Financing Strategy, Data Gap Analysis, Monitoring and Evaluation Framework of SDGs, forwarding outlooks, and joint collaboration with citizen's platforms for SDGs.

But it is important that every sub-district of the six “hotspots” has a localised plan for SDGs. It should be based on local problems and solutions. The localisation process may take into account the local resource mapping, sub-district development plan, and an implementation committee coordinated by the Upazila Nirbahi Officer (UNO).

The “Natore SDG Localisation Framework” can be a good example in this case. The 8th Five Year Plan of Bangladesh should have a particular chapter for mainstreaming the development of SDG-related targets. It is important to speed up the pace of implementing the SDG-related programmes and projects at the local level, given that there is not much time left in the run-up to the 2030 deadline. Without a strong, decentralised local governance system, a successful localisation of the SDGs in Bangladesh will be difficult.

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