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FOUNDER EDITOR
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Call a “drive” a “drive”

Health minister’s puzzlingly contradictory remarks

We are a little confused by the apparent disagreement between the health minister and health secretary in the term used for the government’s efforts to clamp down on healthcare institutions that are running without renewing their licenses or amongst other irregularities. While the health secretary has termed it as an ongoing “drive” against anomalies at private healthcare institutions, the health minister finds the word “drive” objectionable. Why is this so? What is actually objectionable is that he has said that he finds the term disagreeable because “drives are conducted in Chittagong Hill Tracts area; terrorists stay there and drives are conducted there.” The CHT is where a majority of our indigenous communities live and making such a comment is both insensitive and incendiary.

The issue is about whether law enforcement agencies should independently raid government and private hospitals, which the health ministry seemed to have initially not been very enthusiastic about. The newly formed task force has come to a consensus that these raids will be conducted jointly by the health and home ministry. This seems reasonable considering criminal activities such as fraudulent test reports and the procurement of fake masks have been taking place, as exposed by the media, which would require law enforcers to arrest those behind such scams. We therefore do not really understand the reason behind why the minister is so sensitive to the term “drive”, which is what it is essentially—a drive against corruption.

By objecting to the term, the health minister is implying that he is not much in favour of such actions, which is puzzling in itself. If indeed the taskforce makes surprise visits to these institutions and if irregularities are found and it takes action against those responsible, it may be possible to stop the anomalies that have been so publicised by the media and which sadly, the health ministry has not bothered to address for all these years, leading to catastrophic consequences for patients, especially during the pandemic. So where is the problem?

By publicly contradicting the health secretary, the health minister has unnecessarily exposed the former to controversy, not to mention his insensitive remarks regarding the CHT, which is a public *faux pas* and quite uncalled for. A minister should think before he speaks.

Flood victims still await government assistance

Urgent rehabilitation is crucial

We are worried about those flood victims who have not received any government relief yet, according to reports. It is unfortunate that amidst the pandemic, floods have wreaked havoc across the nation, and countless people have been made homeless as a result. Many of the victims took shelter on dams, dykes and educational institutions during the flood, and some have returned to their place of residence when the water receded, only to find their homes and croplands damaged or even worse, devoured by the mighty rivers. The flood-hit people, mostly from Bogura, Nilphamari and Sylhet, are in desperate conditions without any means of income or government assistance, while spending their days under the open skies.

According to the National Disaster Response Coordination Centre, over 54 lakh people under 163 upazilas of 33 districts have been affected by floodwater and the government has so far allocated Tk 4.18 crore, 16,510 tonnes of rice, Tk 2.88 crore for fodder and Tk 1.40 crore for baby food for people in the flood-affected districts. Moreover, 300 bundles of corrugated iron sheets and Tk 9 lakh have been allocated for rebuilding the victims’ houses. While it is reassuring that aid is being provided, not everybody who needs them the most are receiving it. Add to that the severe shortage of medical facilities and supplies to address the increasing number of patients falling sick to waterborne diseases, and the fact that there is a lack of rehabilitation programmes for the victims, and it seems quite clear that their situation will only worsen.

Authorities claim that government aid—money and food—was mostly directed towards victims of river erosion, and they were also planning to provide corrugated iron sheets soon for rebuilding purposes following approval from the Ministry of Disaster Management and Relief. But what about the other victims who are suffering and who cannot afford to repair their destroyed homes? And what good will money do when they are unable to commute or purchase their necessities? As rehabilitation remains a far cry in many regions, and as the government is yet to identify all the affected people, most of the victims continue to suffer helplessly. Therefore, the government should allocate the necessary resources to all the flood-hit regions in order to provide systematic assistance immediately. Those affected do not have time to wait—they are hungry, homeless and without basic sanitation facilities. The government must help them build their homes again and address their needs now.

LETTERS
TO THE EDITOR

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Extrajudicial killings are never the solution

Everyone has the right to the protection of law, regardless of their crime. The court will decide what punishment will be awarded to the criminal under the existing laws of the country. Extrajudicial killings are not the right way of punishment. It tends to raise suspicions in the general public that the reality is being altered. The law enforcement agencies must follow the rule of law and allow justice to prevail instead of endorsing such killings.

Md Zillur Rahaman, Dhaka

Murder on Marine Drive

It is high time to shine a spotlight on extrajudicial killings in Bangladesh



C R ABRAR

There have been some important developments following the murder of Major Sinha on July 31 in Teknaf. The family was able to file a case without much of a hindrance. The inquest report was made available within a very short time after the body was committed to the Cox’s Bazar Sadar Hospital. It contradicted the claims made by the Teknaf police in the First Information Report about the bullet wounds on the victim.

To console the grieving family, the prime minister telephoned the mother of the victim, assuring the latter that an inquiry will be launched and justice will be served. As a follow up to this commitment, a joint enquiry team was immediately formed. Within 24 hours, the team was strengthened by the induction of a senior official as the leader. In a matter of days, the judicial magistrate ordered the incarceration of the alleged perpetrators, the law enforcers involved in the “gunfight”. The chiefs of Bangladesh Army and Bangladesh Police jointly visited the site of the fateful occurrence. They announced that they too wanted “a fair enquiry... ensuring exemplary punishment”. The chair of a leading human rights organisation hailed this as “a rare example of justice”. The media (albeit erroneously) reported this as the first case in the long history of extrajudicial killings in the country in which the family of a victim pointed fingers at the police.

Extrajudicial killings (death by “encounters”, “crossfires” or “shootouts in self defence” by the members of law enforcement agencies) have become almost an integral (though not lawful) element of law enforcement in Bangladesh. Family members of more than a couple of thousand victims of extrajudicial killings have alleged that their loved ones were picked up from homes, streets and other public places by persons claiming to be of law enforcement agencies. In not a single occasion was the victim served with any warrant of arrest.

In some instances, the families were told that they were being taken for questioning and would soon be returned; only to be informed later that the

accused was killed either when he tried to flee as he was being taken to identify the hideout of his accomplices, caches of arms or drugs, or during an attack launched by his accomplices. In most cases, such encounters occur in the wee hours of the morning when eyewitnesses are found wanting. The other standard narrative is that the victims collapse during interrogation or commit suicide in custody. In many instances, the agencies subsequently deny involvement in detaining them. In other cases, sometimes days later, the decomposed body of the person taken to detention is found in a ditch, roadside, shallow grave or, as in the seven murder case of Narayanjanji, floating on the water, as perhaps the River Shitalakshya refused to be an accomplice in the dastardly act.

There are ample examples in which individuals from various walks of life (from pickpockets and petty traders to journalists, political activists and affluent industrialists) have been threatened with extrajudicial killing by errant members of law enforcement agencies if they did not comply with their wishes. While many saved their lives by conceding to such demands, a section who did not or could not, met with dire consequences. It is worrisome that those in charge of law enforcement are yet to acknowledge

The claim of the pervasiveness of extrajudicial killings is vindicated when powerful people connected with the ruling party and political establishment mete out threats of crossfire. In one instance not so long ago, even on the floor of the parliament, some lawmakers demanded that “rapists should be put to crossfire”. According to *Prothom Alo*, earlier last month, a ruling party MP candidly stated to the media that he ordered the killing of five “terrorists” in crossfire. All these are signs that “encounters” or “crossfires” have been internalised by some influential quarters as a method of law enforcement.

Article 27 of the Bangladesh Constitution, the supreme law of the land, reads “All citizens are equal before law and are entitled to equal protection of the law”. Article 31 clearly stipulates “To enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, is the inalienable right of every citizen... and every other person for the time being within Bangladesh”. It also clearly stipulates that “no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with the law”. It is pertinent to note that Article 35(3) clearly states that any person accused of criminal offence “shall have a right to a speedy and public

It appears that the government’s anti-narcotic drive has a direct correlation with the spike in extrajudicial killings. Transparency International Bangladesh has noted that 287 people had died due to “gunfights” with law enforcers since the anti-narcotic drive began in 2018. So far, no state functionary has been prosecuted. Overzealous and unbridled law enforcers also contribute to the increase in such deaths. Based on police sources, media reports inform that in Teknaf during the 22 month tenure of the Officer in Charge Pradeep Kumar Das, 204 people have died in 144 gunfights. Extrajudicial killings thus far have failed to gain traction in the justice delivery mechanism. Over the past decade, state authorities have not once responded to the higher court’s directive to determine whether crossfires or gunfights would be considered as extrajudicial killings. Rather, all three benches of the High Court were dissolved after the beginning of the hearing process of the writ petitions filed in connection with such incidents.

In a joint press conference, the chiefs of the army and police forces have claimed that the Sinha killing was an “isolated incident”. It is not clear what the two most senior functionaries of the state security services were alluding to. For common citizens, Sinha’s murder was quite in



PHOTO: COLLECTED

If these were indeed isolated acts and were carried out by wayward members of law enforcement agencies on their own whim or volition, what precludes the state to launch proper and impartial enquiries into the allegations lodged by the loved ones of the victims?

the reality that delinquent members of law enforcement agencies are increasingly getting tied up in settling personal vendettas and business disputes of private individuals, which often result in extrajudicial killings.

The failure to produce warrants while detaining a person, hindrances in reporting cases of persons allegedly taken by plainclothesmen or men in uniform, refusal to register cases and earnestly conduct investigations, and mounting challenges to writ petitions demanding investigations in cases of extrajudicial killings and enforced disappearances, appear to be indicative of the state machinery’s complicity in the acts. If these were indeed isolated acts and were carried out by wayward members of law enforcement agencies on their own whim or volition, what precludes the state to launch proper and impartial enquiries into the allegations lodged by the loved ones of the victims?

trial by an independent and impartial court or tribunal established by law”. The International Convention of Civil and Political Rights (1966), an instrument ratified by Bangladesh in 2020, stipulates “every human being has the inherent right to life”. The Covenant also says that “the right shall be protected by law. No one shall be arbitrarily deprived of his life”.

Despite such explicit constitutional prohibitions and international legal obligations, extrajudicial killings have been a reality under successive governments in independent Bangladesh. Over the last couple of decades, there has been a significant rise in such killings. Odhikar figures inform that 44 persons were killed in 2001. The figure rose to 355 in 2006, before ebbing to 84 in 2011. It registered an increase to 178 in 2016 before shooting up to a staggering sum of 391 in 2019. Up to June 2020, 158 people have been reported to have fallen victim to “gunfights”.

sync with the general aberration in law enforcement and the justice delivery systems of the country.

One hopes that Sinha’s family will secure fair justice, as promised. Perhaps time has come for the political leadership to acknowledge the stark reality of the day, in which constitutional provisions pertaining to rights of citizens and also of aliens are being systematically abused. It is also time for those in law enforcement and justice delivery structures to have a fresh look at the state’s pledge to its own people and the international community and uphold those in proper stride. The onus also lies on those at the helm of the state not only to reiterate their commitment made in February 2009 for “zero tolerance” with regard to extrajudicial killings but also to deliver on that promise.

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Harnessing the power of partnerships



RMG NOTES

One of the most disappointing aspects of the Covid-19 crisis, which has done so much damage to our industry, was with regard to some of the emails and letters businesses received from their apparel brand customers. Such letters would refer to their suppliers as “valued partner” or “trusted partner” on the one hand, while in the same letter telling this partner that they were cancelling numerous orders from them or wanted a huge discount from their orders.

Thousands of suppliers globally will have received correspondence of this nature—and I count myself in this group. It left me scratching my head and pondering the meaning of the phrase “partner”. We hear partner or partnership used so much in business, but to me it has become one of those phrases that lose all meaning because they are so widely used—a bit like “sustainable”.

If the Covid-19 pandemic did anything, it exposed one of the big lies at the heart of our industry—partnership in the true sense of the word is a very rare thing, and those that have clients who truly treat them as equal partners should cherish them. Such clients do not come along very often.

There are, of course, some household name brands in the apparel space which respect their suppliers, which have empathy for them, and which have been supportive and understanding of their individual situations during Covid-19. I have seen first-hand—or heard about—plenty of such examples these past few

months. I have seen clients paying for orders in double-quick time, of making long-term commitments and advance forecasts to suppliers, of keeping them informed of their thinking, of providing a sounding board and generally making them feel part of the “process”. This is partnership in the truest sense—brands and their suppliers looking out for one another and recognising there is genuine mutual benefit to such an arrangement.

Sadly, this has been the exception rather than the rule. First and foremost, I recognise that Covid-19 has been an extraordinary time, and brands have been forced to take decisions which they might not wished to have done.

But the issue of partnership in our industry very much transcends Covid-19.



PHOTO: COLLECTED

The lack of genuine partnership runs far deeper than that. There is a power imbalance within the apparel and textile sector which buyers and sellers are both very aware of. Put simply, this is a buyer’s market, with far too many suppliers competing for too little business, and

The lack of genuine partnership runs far deeper than that. There is a power imbalance within the apparel and textile sector which buyers and sellers are both very aware of.

Covid-19 has only exaggerated this problem. Whether consciously or not, many buyers take advantage of this power imbalance to their own benefit—driving down unit prices, playing suppliers off against one another and generally abusing the notion of equal partnerships. Few suppliers in our industry are large or powerful enough to stand up for themselves and, in any case, often lack the negotiation skills to ensure that they are equal partners in the supplier-buyer relationship.

In such a situation, the notion of partnership becomes redundant. More common in the industry is that brands say “jump” and their suppliers say “how high?” It has been this way for far too long, and I believe things need to change.

They need to change not because, at present, far too many suppliers are getting a raw deal. No, I believe the bigger reason that we need to move towards true partnership is because this is key to a more sustainable industry. Many of the challenges our industry will face moving

forward are far too big to be tackled by brands and their suppliers working in isolation. We all as an industry need to truly collaborate if we are to properly—and quickly—address sustainability challenges moving forward.

One of the clearest examples of why this is so important is in the area of costing. More sustainable supply chains cost more, certainly, in the short term. There is a capital outlay involved in moving towards renewable energy sources, or using safer, more environmental finishing techniques. Who should pay this cost?

If we don’t have true partnership, the cost will end up being borne by the supplier. So why not split the bill? Or why not suppliers and their brand customers work together to devise mutually beneficial solutions? When suppliers and their customers work together on sustainability issues in true partnership, great things can happen. I won’t mention specific names, but we have seen several brands work closely in partnership with their suppliers on water and energy saving programmes in recent years. We need more of this.

We cannot continue as an industry where brand-supplier relations are, in far too many cases, adversarial. Partnership—the exception at the moment—has to become the norm.

Looking ahead, our industry has some huge issues to tackle, and we need to get this right for all our benefits. Let’s work in true partnership to address these issues rather than just paying lip service to the idea of partnership.

Together we are stronger.

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