

## Why is Roads and Highways department ignoring govt orders?

*Project officials must stay at the project sites*

It is unfortunate that the Roads and Highways Department (RHD) is allowing its officials to operate from their headquarters in the capital instead of their respective project sites, as they were supposed to. The department is making this exception despite repeated directives from the government instructing project officials to stay at project sites. Reportedly, RHD has allocated office spaces for at least six projects located outside Dhaka at its newly-constructed headquarters in Dhaka. What we do not understand is why the department is ignoring the government orders and how the officials will work for projects in Rangpur, Pirojpur, Tangail and other districts while staying in Dhaka. Moreover, as office spaces are being allocated in the RHD headquarters for these projects, other wings of the department are not being able to function properly due to space constraints.

Already, there were allegations against many RHD project and field-level officials of not attending their project office regularly. The road transport and bridges minister was also very annoyed at this practice and raised questions about the necessity of so many project offices in Dhaka. Reportedly, in September last year, the Road Transport and Highway Division issued a directive saying that all project and field level officials must attend their respective offices regularly. Last year's government directive also mentioned that "faults have been found in the works for constructing quality roads and in their maintenance of ongoing projects" because the project officials did not perform their duties properly. However, it seems all the government directives fell on deaf ears as the RHD officials are still not staying at their project sites.

There is a common allegation against the government officials in the country that they often do not stay at their workstations as those are situated at remote places, and instead stay in the capital for a major part of the month. Many government officials do not stay at their designated quarters and take the house rent instead. And it seems the officials of the Roads and Highways department are no exception.

We think the government must take a strong stance on this and make it mandatory for all the government employees to stay in their respective areas. This should also apply to those who work under various projects for short periods. As for the Roads and Highways department, they must comply with the government directives and stop allocating office spaces for projects outside Dhaka. It is for such unethical practices that our road construction and development projects often get delayed and their cost escalates while resources are wasted. Such practices must stop.

## Hotline for extremism sympathisers and supporters commendable

*Deradicalisation requires more than criminalisation*

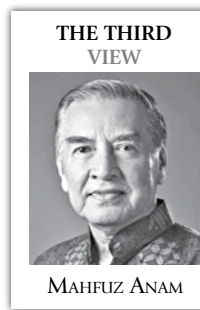
It is heartening that the Rab has dedicated a hotline number and email account as part of its Deradicalisation and Rehabilitation Programme where people, who are at different stages of the path to militancy, can call in and seek help. This is the first institutional deradicalisation initiative in the country, and promises to rehabilitate those who want to shun extremist ideology and praxis and return to their normal lives. However, it is not aimed at rehabilitating those who have already undertaken violent activities, but rather at those who are sympathetic to or supporters of extremism.

Currently, a team of 12 experts are running it, including six Rab officials, two religious thinkers, one psychologist, and one journalist. According to news reports, the unit will first warn sympathisers and supporters of the legal repercussions if they continue on the path to militancy and then work towards disengagement so that they do not meet or communicate with their associates. They will also be provided with financial support or job, following successful deradicalisation.

Experts have long argued that criminalisation alone cannot address the complex phenomenon of radicalisation. In fact, a Rab study found that only 25.7 percent of the militant activities could be stopped by the law enforcers. There are nuanced socio-political-economic-psychological reasons why people, particularly young people, succumb to extremist ideologies and become involved in dangerous and violent activities. It is thus imperative that any deradicalisation attempt takes a holistic approach and employs effective counselling strategies to help extremists or sympathisers to realise where they went wrong and how they can reintegrate themselves into the larger society. Rab ought to consider employing more counsellors to engage with extremism sympathisers and supporters and their families more effectively.

Now that the programme has been launched, it is important to ensure that the hotline number reaches those who need it the most, and for that, an effective publicity campaign is needed. As the programme takes shape in the coming months, we hope that Rab will continue to improve it, with input from relevant stakeholders.

# Al Jazeera story, government's response and the state of our journalism



THE THIRD VIEW

MAHFUZ ANAM

THE Al Jazeera report on Bangladesh titled "All the Prime Minister's Men", aired early Tuesday morning, revealed some vulnerabilities of our power structure that pivots around connections, cronyism and corruption. It has also, inadvertently, exposed the weaknesses of our media and the state of its freedom.

The Al Jazeera report brings out two important facts as to whether Bangladesh imported sophisticated listening devices from Israel, with whom we have no diplomatic relations, and whether power was abused to issue a passport under a false name to the brother of the head of a very important institution along with a fake NID card, bank account, birth certificate and other papers so that the said brother could stay and do business in Hungary. There are the added questions of how the fugitive brothers (there were more than one) could travel in and out of Bangladesh and join VIP functions without facing the law. All these are criminal offenses and any normal mortal would have been in jail for committing just one of them. But then, as the report reveals, these are no normal mortals whose stories are being told.

The surreptitious purchase of sophisticated surveillance equipment from Israel is something about which the air must be fully cleared as it violates one of the fundamental pillars of our foreign policy. The ISPR rejoinder denies any such purchase from Israel, and says it came from Hungary and was bought for a UN mission. So why buy from Hungary of all places? That country has never been known as a reliable producer of such items. To really prove the reportage false, the ISPR would be well-advised to mention the name of the Hungarian company from which the equipment was bought and make public the relevant documents. As the surveillance equipment was for a UN mission, making the documents public should not compromise our internal security, a reason often cited when journalists probe such matters. Denying without substantiating will not cut much ice with a discerning public.

Besides the government, the Al Jazeera report has also put us, the Bangladeshi media, on the dock, which is the main focus of my piece. Thousands of our readers want to know how come we are publishing the government and military's

its sparkles of strengths and plethora of weaknesses. I would have preferred fewer doses of innuendos and inferences and stronger ones of proof. Too much was claimed and too little served, at least in the first episode to which I confine my comments. The strong aspects of the report were that it proved some vital personal links and abuse of power and made some powerful and definitive points, any one of which would be sufficient for prosecution.

As expected, the report has sharply divided viewers and readers, many of whom were quite vocal. But as a media, who are we to sit in judgement of the merit of the Al Jazeera story? If we are able to produce better investigative stories and to tell the public what is being hidden from them, then we can criticise others. But do we hold the power to account? Do we question the people in authority for their actions? Do we make policy makers answerable to the people? Do we delve deep into why projects get delayed and their costs multiply three-four times their original cost? Have we found out who launders money abroad? Even when the Panama Papers pointed to the involvement of some locals, did we follow up on that? Did we find out about the owners of black money who are allowed to whiten it without any question

are asked to meet local police high-ups, or when police officials visit the houses of journalists to find out "how you and your family are doing", or send word to be "careful, because I care about you", or when politically linked local criminals tell you that "your day of reckoning is coming"—then one gets an idea under what condition our journalists have to work, for days, months and even years. (On occasions, we had to relocate our staff to adjacent districts to save them from the wrath of the high and mighty).

When questioning the quality of personal protection equipment (PPE) can constitute "spreading rumours", when reporting that a bus owner was operating his vehicles despite a total lockdown ordered by the government is construed as "defaming" the bus owner (leading to a defamation case under DSA, and then to the arrest of the reporter), when reporting theft of rice after the local authority filed a case can lead to a defamation case under DSA against an acting editor of a large online news portal and editor-in-chief of a well-established national news agency, when differing with the police version of a death news story can lead to arrests of the news editor and staff reporter of an online news portal—just some of the stories documented by Article 19—the real picture of the media situation comes out.

requirement of the law" to be accepted as a case. But most of the defamation cases against journalists do not. Yet these are accepted and cases are heard and adjudicated. (This writer had 84 cases filed against him for the same incident and all but one were accepted).

Here, we would like to point out that the higher judiciary needs to come forward in the aid of media freedom. The judiciary and an independent media reinforce one another, and can work together to strengthen democracy and people's rights. Remember how the US judiciary defeated Trump's repeated and relentless attempts to subvert people's rights and freedoms and the free press, and on each occasion, the courts thwarted the executive overreach. Without the judiciary's more robust support, especially that of the higher courts, the media cannot render the service to the people that it is duty-bound to.

The irony of the situation is that when Bangladesh faced the totally unknown threat of Covid-19, when the whole world reeled from the unforeseen consequences of this devastating new disease, and when the people were turning to the media for information, the use of the DSA was the highest ever—198 cases against 457 individuals in 2020, compared to 55 cases against 63 individuals in 2019, according



SOURCE: COLLECTED

*Perhaps the biggest threat against journalists and press freedom is the flagrant abuse of defamation provisions under the dreaded Digital Security Act, which can be termed as the "mother of all anti-media repressive laws". Police can literally pick up anybody, anytime, anywhere under this law because of the vagueness of its provisions and the enormous arbitrary powers given to the police to file cases and arrest people. Out of the 20 punishable provisions in DSA, 14 are nonbailable.*

condemnation of Al Jazeera without ever telling our readers what Al Jazeera said or reported. A normal journalistic practice, and one that we follow at *The Daily Star*, is that unless we carry the original story, in this case the Al Jazeera report, we do not publish any rejoinder, in this case the condemnatory statements of our foreign office and the military. They want to know, what prevented us from carrying the said report in the first place?

If we were a free media today, we would have delved deeper into the widely-talked-about Al Jazeera report and analysed it, point by point, and exposed it for what it really is—not a top-class work of investigative journalism. It has

asked, year after year? Have we found out why we keep extending deadlines for default loans and lower interest and one-time payment with each extension? What about the "Begumpara" in Toronto, or the illegal second-home owners in Malaysia?

No, we have done nothing because they all are involved with power, both financial and political, and we dare not nudge them. Sometimes we do our own investigative stories but only so long as those who pull the strings are kept out of the scene, or when the real culprit has no political or institutional clout, or when the object of our investigation has fallen out of favour.

So why are we in this state of "see no evil, hear no evil, speak no evil"? There are several reasons, but I would like to focus on the legal constraints and how one act in particular, the Digital Security Act (DSA), has brought us to the present state.

According to the latest findings (2020) of Article 19, a UK-based media watchdog, there has been a severe deterioration in three areas namely: a) journalists' safety and security, b) rights in digital space, and c) right to dissent.

The report states that last year, two journalists were killed, 78 were seriously injured and 166 received threats ranging from death to kidnapping to harming the family and to being implicated in a false case. There was a total of 35 cases involving 58 journalists. Twelve criminal defamation cases were filed involving 20 journalists. Thirty-one journalists had their equipment broken.

The above instances, however, do not come even close to describing the debilitating atmosphere of uncertainty and insecurity faced by journalists when such actions as "spreading rumours", "hurting religious sentiment", tarnishing "the image of the country", and affecting the "social standing" and "damaging the reputation" of persons and so on are accepted as "cognisable offenses", even though there is no clear definition as to what they mean and when a person is "violating" a particular provision of the law.

One can only imagine the arbitrary power such a situation gives not only to the police but to all those holding power. If we add to the above the fear created when district or upazila reporters

Perhaps the biggest threat against journalists and press freedom is the flagrant abuse of defamation provisions under the dreaded Digital Security Act, which can be termed as the "mother of all anti-media repressive laws". Police can literally pick up anybody, anytime, anywhere under this law because of the vagueness of its provisions and the enormous arbitrary powers given to the police to file cases and arrest people. Out of the 20 punishable provisions in DSA, 14 are nonbailable. When a case is filed under the nonbailable sections—nearly all of them are—the presiding magistrate's hands are tied and the accused is almost automatically fated to be sent to jail. He can obtain bail from the High Court after a very involved procedure which can take anywhere between a few weeks and several months. (The widely reported case of photojournalist Kajol is aptly illustrative here).

So, the reality is that just being accused automatically leads to arrest and/or a jail term which has nothing to do with one's guilt or innocence. In fact, a totally unfounded and false case can land one in jail for days, weeks, months...

For defamation cases, the law clearly states two things: 1) that only the aggrieved person, meaning the person who has been defamed, can lodge a case, and 2) only one case can be filed for each instance of defamation. On both counts, the defamation law is often made a mockery of. Anyone "feeling" defamed, even if that person has nothing to do with either the event or the person concerned, can lodge a defamation case. If we write against a corrupt religious leader, any one of his followers can feel "defamed" and lodge a defamation case. If we write about the misdeeds of a politician, a local leader, or a public representative, any one of his or her followers can file a case against any journalist.

We have often wondered why the magistrates accept such cases when the law clearly states that only the person defamed can file a case. There is also the provision that multiple cases cannot be filed for the same incident. Magistrates or judges can easily dismiss all such cases on the ground that they are not filed by the person actually defamed and that another case has already been filed before another court. Every complaint has to "fulfil the

to Article 19. In addition, the Directorate General of Nursing and Midwifery, Bangabandhu Sheikh Mujib Medical University, the Health Ministry and the Ministry of Public Administration all issued notices banning staffers to talk to the media without permission. So much for the free flow of information.

If we put it all together, the sweeping scope of the law, the vagueness of its provisions, the nonbailable provisions for 14 out of the 20 offenses under DSA, the arbitrary power given to the police, the acceptance of cases when the "requirement of the law" has not been fulfilled, persons not defamed allowed to file defamation cases, multiple cases taken for the same incident, the difficulties in procuring bail from the High Court that makes a person compelled to spend several days (minimum) in jail even if totally innocent, the disappearances, the physical assaults, the threats, the intimidations, and the general anti-free media attitude of politicians and bureaucrats (otherwise, why make such laws that can be so easily abused in their implementation?)—all these make for a very challenging situation for journalism in Bangladesh.

It is the laws, their vagueness and the arbitrariness of their interpretations and implementations that collectively make for the journalistic "black hole" in which we are forced to operate.

This elaborate exposition of the circumstances under which journalists in Bangladesh work is not an excuse for our shortcomings but a testimony to our resolve. Behind each story we publish, our correspondents risk an element of their personal safety; behind each editorial we write, there is a hidden fear as to how it will be interpreted; even behind each word we use, we have to think whose wrath we may encounter. (This newspaper suffered because of a word, one word, we used which was not liked by a certain institution).

Let the Al Jazeera story put us, the media, in an introspective mode, force us to think about our strengths and weaknesses, compel us to confront where we have gone wrong, and launch us on a mending trajectory with the values of our noble profession being our guiding light.

Mahfuz Anam is Editor and Publisher, *The Daily Star*.