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Compensation for rape survivors

When will it be a priority for the law ministry?

It is unfortunate that 14 years since Bangladesh Law Commission drafted the “Crime Victim Compensation Act 2007” to address, among other things, the pressing issue of rape victims’ need for compensation, there has been little progress in enacting it. The draft requires every district to institute a state fund and a committee to oversee the process of compensation for victims of violent crimes, including rape. According to the law minister, the draft is still being “examined by officials at the legislative division,” which begs the question: how much longer does the ministry require to appraise a draft law? Regrettably, the ministry does not seem to have an answer to the question. But one can surmise from their lackluster response that the issue of compensation for SGBV (sexual and gender-based violence) survivors has thus far not been considered a priority.

We urge the ministry to look into the matter urgently. Justice for sexual violence requires not just prosecution of perpetrators, but also redress for survivors, according to the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which Bangladesh is a signatory. Under the Women and Children Repression Act 2020, the perpetrators can be fined between Tk 10,000 and Tk 1 lakh. Not only is this amount woefully inadequate, but it goes directly to the state. As compensation is not mandatory, the court hardly ever orders the fined amount to be awarded to rape victims and their families. A 2020 study by Bangladesh Legal Aid and Services Trust (BLAST) of 44 reported rape cases filed under the law between 2000 and 2019, found that the court ordered the amount of the fine to be converted into compensation for the victims in only three cases. The convictions in two of those cases were later overturned by the High Court.

It is difficult, if not impossible, for an overwhelming majority of rape survivors in the country to pursue long and expensive court proceedings without state support. Many end up spending their life’s savings or whatever little property they have to fight cases, and very few have the means to access the medical or psychological support they desperately need.

It is the responsibility of the state to ensure redress through compensation for survivors of sexual violence. It is high time we prioritised the issue and involved relevant stakeholders in finalising a law that is just and survivor-friendly. There needs to be specific guidelines on the eligibility criterion and the process of disbursing/receiving compensation, and the state needs to ensure that the survivors can access said compensation without further harassment or bureaucratic hurdles.

Will our roads ever be safe?

Take steps to check unhealthy competition among buses

It is disheartening to know that three men were crushed to death in a horrible accident in Narayanganj’s Kanchpur area on the Dhaka-Chattogram highway on February 5. According to police, the victims were standing behind a Chattogram-bound Borak Paribahan bus, which was parked at the Kanchpur intersection to board passengers, when another bus of Homna Super Services hit it from behind, leaving the three men critically injured. Later they succumbed to their injuries. Reportedly, the accident took place as the two buses were competing with each other to catch more passengers.

The accident reminds us of the horrific road crash that happened in Dhaka’s airport road in 2018 when two students of Shaheed Ramiz Uddin Cantonment College were crushed to death as two buses of Jabal-e-Noor Paribahan were competing with each other to get more passengers. The death of the students led to a nationwide movement for road safety. Although the government then promised to take measures to bring discipline to our chaotic road transport sector amid pressure from the protesters, nothing much has changed in these two and a half years. The much-talked-about Road Transport Act still could not be fully enforced due to opposition from certain quarters protecting the interests of transport owners-workers, and because of a lack of initiative from the authorities.

The result is, a staggering number of people continue to lose their lives on our roads on a regular basis. Only recently, a young couple were crushed under the wheels of a bus in Dhaka after it hit their motorcycle. It breaks our hearts to think what will happen to their only child who has been made an orphan by the accident. The long list of road accidents that take place every day and the equally long list of victims only make it evident that no one in power actually cares for the lives of common people who have to commute by public transports.

In order to bring some form of discipline on the roads, there is no alternative to fully enforcing the Road Transport Act-2018. The confusions and controversies regarding the law must be removed by holding discussions with all the stakeholders concerned. The government must play a proactive role here. Without an effective law and its proper enforcement, our roads will remain as precarious as ever.

LETTERS TO THE EDITOR

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Rapists must be punished

Murder following rape has been a common occurrence in recent years. We hear about this horrible crime almost regularly. Recently, two such incidents were reported, involving a university student and a 15-year-old girl. The reason for the increase in rape cases is that rapists are not being held accountable as they ought to. If they are punished as per law, other men will not dare to commit such crimes.

Nur Jahan, via email



C R ABRAR

Men was the outcome of a mischievous conspiracy. Commentators and pundits were at pains to point out that it was a concerted effort of the defeated quarters to tarnish the image of the government and the state (for many those being synonymous).

The ordinary folks were further told by the Ministry of Foreign Affairs that the documentary was nothing but a “false, defamatory and politically motivated smear campaign” to destabilise the secular democratic government of Bangladesh. Echoing the same reasoning in a rejoinder, the Bangladesh Army Headquarters said it condemned in the strongest possible words the “concocted and ill-intended report by a vested group”. The security force further stated it was an attempt “to disrupt the harmony of different government organs with a view to obstructing the growth and development of the country”. Citizens were provided with the “clarification” that the video was prepared by putting together clips of different official, social and private events using technology. “Several disconnected events are edited together giving voices at the background”, it was claimed.

One does not understand the logic behind the MoFA assertion that the documentary “fails to even mention the horrific genocide in 1971...” and the relevance of the barbarity of Pakistani forces and their Jamaat collaborators to this particular report. Analyst Kamal Ahmed fittingly asked the question of whether a mention of 1971 would make the report more authentic in the *Prothom Alo* on February 5.

For the masses, it was a perplexing situation. While they were being provided with what appeared to be a stout rebuttal of an allegedly anti-state documentary, they were initially deprived of its contents as the mainstream media refrained from publishing them, thanks to the omnipotent Digital Security Act (DSA). Quite pertinently and candidly, an editorial commentary of this daily on February 3, 2021, noted: “We are facing the absurd situation of publishing the government response without publishing what the government is responding to”.

The state in Bangladesh has practically usurped the citizens’ right to access diverse sources of information, an essential



RAHEL AHMED

and I could feel the wave of growth the country was experiencing. I asked myself at that time if I was ready to return to my motherland and contribute to our growth aspirations. I fondly recalled my earlier days with the then ANZ Grindlays and then Standard Chartered Bank during the late 90s and early 2000s, where in the workshops and gatherings, I had come across many Indian colleagues who would brag about their return to Mumbai/Bangalore or Chennai from the thriving alleys of Wall Street or London.

This reverse drain of professionals occurred in India due to the economic development that the country started witnessing around that time. Most of them I spoke to were willing to be a part of the winning streak and be amongst their dearest ones.

I, amongst many others, wanted to be a part of the winning story of Bangladesh—its economic development that has awed the world over the past decade and more. I have no regrets about leaving my comfortable life and coming back to Dhaka to play my role in this splendid saga. I felt it was my responsibility.

I distinctly recall the rise of the RMC industry during the early 90s and how that not only propelled our export earnings and, for the first time, put us in the global trade landscape with our own brand being cast, but also influenced a large number of underprivileged women of our society to step outside their homes and embrace economic independence. Many of them not only became bread earners in their families, but also earned a seat of respect with the economic support they could provide to their families. That was development.

Masses, intellectuals and the Orwellian state

Al Jazeera episode and the right to information

Ingredient of a vibrant and democratic polity. By mobilising a plethora of laws (such as the DSA, Special Power Act, sedition and defamation laws) and administrative practices, the state has arrogated the role to decide the type of information and interpretation of events that people should be exposed to. The draconian and not-so-subtle methods employed to implement this unconstitutional agenda generate sufficient

Likewise, 15 celebrated upholders of the spirit of war of independence accused the channel of “presenting distorted information with malafide intention” terming it “devoid of substance” and “against the spirit of the Liberation War, secularism and as anti-Bangladeshi”.

In the television talk-shows, representatives of this cohort of intellectuals found the documentary as an attempt to tarnish the image of a

individuals and organisations are entitled to criticise such shortcomings, their inability to take into cognisance examples of other well-documented and widely reported abuses of power is illustrative of a tendency to shield the powers that be, regardless of the severity of the allegations.

Everyone is entitled to hold opinion about the personal background and intention of individuals involved in the Al Jazeera documentary, but there should not be any doubt that the onus rests on the concerned authorities to clear their position on the substantive allegations made in the piece. The claims of falsifying passport, national identity card, marriage certificate and bank account details by abusing state authority must be unambiguously clarified. Likewise, credible evidence must be furnished about the source country of the surveillance equipment. No less important is that law enforcement officials must come up with convincing proof that fugitives were not provided safe passage to attend a high-profile social event in Dhaka.

The official explanation about the purchase of highly intrusive mobile phone surveillance equipment “for one of the Army Contingents to be deployed in the UN Peacekeeping Mission” has been debunked by the UN itself. On February 4, a spokesperson for the UN said that this was not the case and that its peacekeepers do not operate “electronic equipment of the nature described in the Al Jazeera reporting”. The Bangladesh security force’s response has triggered the UN calling for a full investigation into evidence of corruption and illegality that was exposed in the documentary. If there are follow-up consequences, would anyone be held responsible? One wonders why the patriotic intellectuals who are generally quite vociferous in protecting the image of the country have opted to remain silent on this issue.

The claims by some intellectuals that the concerned channel engages in sensationalism and does not enjoy much credibility is belied by the fact that it was Al Jazeera’s reporting that exposed the 1MDB scandal of the Najib government and the corruption of Maldivé’s former strongman Abdullah Yameen, as pointed out by analyst Kamal Ahmed in *Prothom Alo*.

The Al Jazeera episode has laid bare the stark reality that the right of Bangladeshi people to access information and a diverse range of interpretation of events stand severely curtailed. The state, supported by the partisan intelligentsia, has effectively restricted that right by legislative actions and administrative practices. Time has come to reclaim the right that has been one of the principal aspirations of the War of Liberation.

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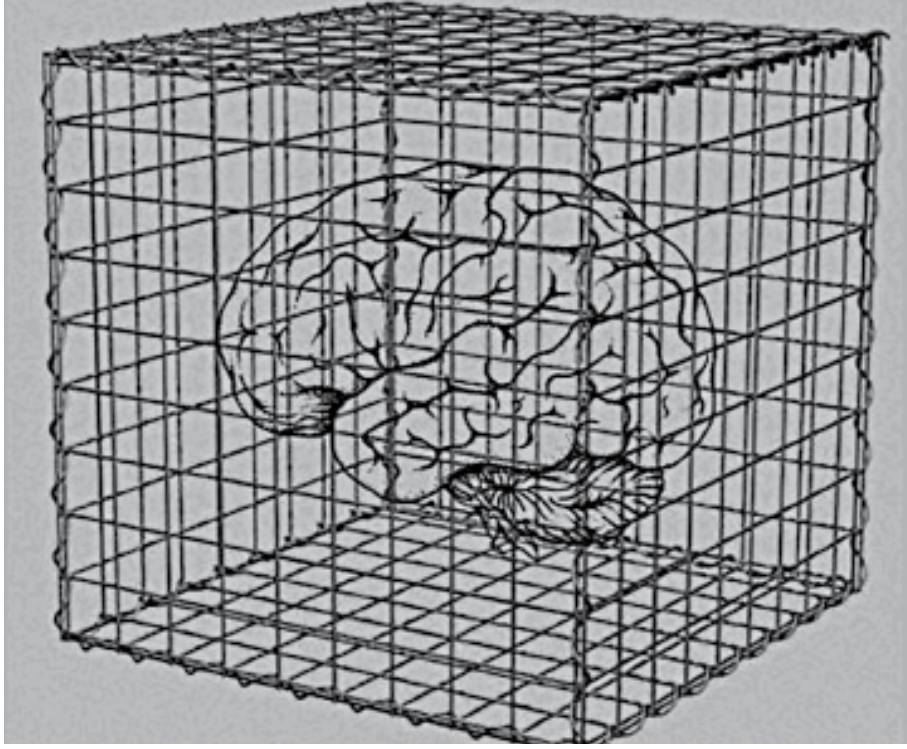


PHOTO: STAR

pressure on active citizens to remain silent, and on the media to self-censor.

Curiously, a good segment of the intellectual elite in Bangladesh is quite comfortable with such a dispensation. Instead of expressing their displeasure with the DSA and its wanton application, they make every effort to justify the freedom-curtailing laws and practices. Their Quixotian saber-rattling with the religious obscurantist forces (which to certain extent draws sustenance from the government patronage) and the bogey of Islamic terrorism come in handy in such rationalisation.

It is of little surprise that soon after the Al Jazeera telecast, this powerful and vocal segment of the intellectual elite wasted no time in finding “a nefarious conspiracy of defeated forces” against the government and the state. Instead of calling on the concerned authorities to present their case on the serious charges of corruption and abuse of state power highlighted by the documentary, an association of teachers called on the government “to take action against all conspirators”.

government that is forging ahead with the national development agenda by the forces that are jealous of this achievement. Some tried to insinuate a senior politician for his family relationship with one of the protagonists. Others accused Al Jazeera of presenting a one-sided story, notwithstanding the fact that in the end the documentary clearly publicised that all those cited in it were invited to present their views but most refrained from taking up the offer.

It appears both the state and its intellectual legion are in cahoots assuming that the national interest is better served by dishing out “facts” to the masses as the former deem appropriate. Therefore, they have taken it upon themselves not to allow the masses to know the “other side of the story”, lest they are corrupted by it.

It is true that the documentary in question suffers from severe limitations. Its overt dependence on narratives of one or two individuals who brought serious charges against senior state functionaries fell far short of ethical journalism. While

Feel the winds of change

How Bangladeshi dreams are growing bigger by the day



RAHEL AHMED

It was around mid-2014.

I was a non-resident Bangladeshi (NRB) banker completing seven years in the UAE, working for regional banks there. I was an NRB, but my heart was in Bangladesh

However, at the same time, these women became prey to consumerism, which is natural. But they also supported the birth of several mid-scale local toiletries manufacturers who got a ready segment to cater to. That led to an expansion of consumers in the local market—they not only needed make-up and hair oil, etc but also converted from sandals to more decent footwear and vanity bags, thus supporting relevant

I recall the late 70s and all of the 80s, when political polarisation and unwanted interferences from non-democratic forces didn’t allow us to focus on our economic development, while our peers in East Asia were racing towards their economic goals. During this time, some infrastructural development surely happened, but that wasn’t sufficient to foster the potential we have as a nation.

Wage remittance and RMG steadily



Ongoing construction works of the Padma Bridge, one of the major infrastructural development projects initiated by Bangladesh.

PHOTO: STAR FILE

manufacturers.

While we slowly started to become a basket of providers to the globe from a bottomless basket (as we were once called), there were visible signs of the impact of economic development that we could see happening around us.

In a similar fashion, the rural economy over the corresponding period of time started to change through the introduction of policies from the state as well as the assistance delivered by NGOs. They played a significant role alongside the government to slowly bring access to finance for rural populations, and also to make them aware about the long-run negative impacts of not controlling birth rates, as well as many other social issues.

became major drivers in Bangladesh, but that wasn’t the game changer as of yet. Early 90s onwards, the political weather remained heated and that had its ill impacts on our potential development. Amidst all this, a niche of the upper class started flourishing and we saw Dhaka skyscrapers taking over the landscape, overlooking the slums. At this point, the private sector was struggling to unleash our prospects in the economy due to some inherited problems and infrastructural weaknesses, like the energy crisis.

However, despite all such odds, it is the resilience of our first-generation (in most cases) entrepreneurs who beat all calamities and continued to build their own fortune from this fertile land of ours.

This development slowly started to impact their lifestyle and spending. During one of my regular visits to Bangladesh (while I was working abroad) in 2010/11, I could feel the wind of change more strongly than ever before. I could see a purpose glittering in the eyes of passersby while I walked the streets of Dhaka.

I came across a new generation of young people. These young minds were infused with the purpose of personal growth—they wanted to earn a decent living and aspired to a better lifestyle, one which would enable them to visit foreign destinations like Kolkata or Bangkok for vacations.

So, I returned and joined in the quest for growth in the land that is often termed as the best-kept secret of Asia. In all the forecasts by relevant bodies, Bangladesh stands out today as one of the best performing economies, not only in South Asia but also in the world. Since my return, I have heard one common feedback from all expats visiting the country for the first time, or visiting since earlier, that one can see the change not just in Dhaka but all over the country. It is no longer the flood-stricken or cyclone-devastated country that it used to be depicted as. It is rather the buzzing coffee shops alongside the ongoing mammoth infrastructure work of Dhaka city, as well as the developed and connected rural economy, that remain in everyone’s minds now.

Rural lifestyles have also significantly changed ever since digitalisation and infrastructural development aided prosperity. The pace of financial inclusion in our country has become a role model for the rest of the world. Bangladesh is on an upward growth trajectory. Despite the shock of the pandemic, our dreams have not diminished. Rather, we have demonstrated our strength and resilience once again, leading to Bangladesh being recognised as one of the fastest growing economies in the world by the IMF in 2020. As we celebrate the 50th year of our nationhood, our past achievements are writ large, but Bangladesh’s is a story that is only just beginning. The best is yet to come.

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