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Disparities in testing facilities, ICU beds, oxygen supply

Outcome of centralising healthcare service in Dhaka

WE are once again suffering the deleterious outcome of concentrating the bulk of health service facilities in Dhaka. And we are learning our lessons the hard way. The sad part is that it is costing lives. It is hard to convince oneself about the logic of almost 70 percent of the country's RT-PCR testing facilities being based in the Dhaka division. Surprisingly, out of a total of 128 RT-PCR facilities, essential for accurate diagnosis of Covid-19, only 39 are serving the remaining seven divisions of Bangladesh, with Chattogram accounting for 10 percent of them. This a very worrying situation indeed given that that the focal point of the pandemic has surged in other districts and towns particularly the bordering areas.

Such an anomalous situation came to light with the initial attack of the virus early last year. It is quite apparent that, in spite of the tremendous investment in the health sector, with hundreds of health centres sprouting up in the nooks and corners of the country, the essential facilities were lacking when it came to the crunch. Thus, the districts and towns were crying for both human resources and equipment with the onset of the pandemic. The disparity in the number of ICU beds and emergency care facilities, along with the shortage of trained nurses and doctors, between Dhaka and other districts and divisional towns became very shamefully stark. Such disparities also exist in oxygen supply. Reportedly, almost 50 percent of the nearly 11,000 oxygen cylinders in the country is available in Dhaka and Chattogram. Very few hospitals in the country have central oxygen supply facilities.

We believe that quick and extensive testing is a sine qua non for preventing the spread of the virus. Without proper testing, identifying, isolating and treating patients would not be effective. Thus, testing facilities have to be expanded urgently. Side by side, other healthcare facilities should be procured and added to the district and divisional hospitals. After all, keeping the outlying areas inadequately served can never make Dhaka safe or secure.

All this should have happened months ago given the unpredictability and quick spread of the virus. It is time to hold those officials accountable who failed to carry out the orders of the PM given in June 2020 to construct more ICU beds all over the country as well as set up high-flow oxygen support in public hospitals. Their inaction has left the country gasping for breath literally.

Sexual assault during remand!

Individuals in custody must be protected from all kinds of abuse

THE allegations of a woman charged in a murder case being sexually assaulted and subject to other forms of physical torture while in remand are extremely serious and need thorough, independent investigation. But why did this happen in the first place? While there is no ambiguity about sexual assault being a punishable crime, there seems to be a general, tacit acceptance of the practice of torture during interrogation or remand despite court directives to the contrary.

Section 167 of the Criminal Procedure Code (CrPC) lets law enforcers torture individuals during remand period. The High Court had issued a 15-point directive on April 7, 2003 against this provision. The then government had filed an appeal with the Supreme Court on August 2, 2003 against the high court verdict. Finally, after 13 long years, the Supreme Court upheld the High Court directive through issuing some guidelines regarding custodial torture on May 24, 2016. But, as the above-mentioned case shows, these guidelines are routinely ignored by the policemen of this country.

A *Star Weekend* report published on July 20, 2018 provides ample evidence of torture during remand period and terms it as a regular practice of the law enforcers. The report mentions Ain O Salish Kendra, according to which in 2017, a total of 53 people died in custody, 20 of whom were convicts and 33 were detainees. In the first half of 2018, 25 people had reportedly died in police custody, 14 of whom were detainees. The recent death of writer Mushtaq Ahmed in police custody proves that custodial torture continues with impunity. According to Barrister Sara Hossain (a Supreme Court Lawyer), rights of the arrested and detained individuals are guaranteed by Article 33 and 35 of our constitution—including being kept safe from torture. Whether proven guilty or not, any individual in custody has the right to be protected from torture. The police have to follow the laws of the land and directives provided by the courts.

Although the Superintendent (SP) of Barishal has said that necessary actions will be taken if the allegations are found to be true, he also added that he is yet to get any official order. Our hope will be that the police department will not sit on this issue but carry out a thorough and immediate investigation and if the allegations are proven true, the culprits must be given exemplary punishment. All law enforcement agencies must abide by the constitutional and court directives and completely shun the barbaric practice of torture of individuals in custody.

Longer TRIPS transition period for LDCs overlooks post-graduation challenges

MACRO MIRROR



FAHMIDA KHATUN

ON June 29, members of the World Trade Organisation (WTO) extended the deadline for Least Developed Countries (LDCs) to protect intellectual property under the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) until July 1, 2034. Members agreed to extend the present transition period, which was scheduled to end on July 1, by 13 years. The TRIPS Agreement that facilitates trade in knowledge and creativity, covers areas such as copyright, trademark, geographical indicators, industrial design, patents, layout designs of integrated circuits and undisclosed information. It may also be mentioned that the transition period for pharmaceutical products was earlier extended by the Council for TRIPS until the end of 2032.

On behalf of the LDC Group in the WTO, Chad requested the extension on October 1, 2020. The LDC Group requested an extension of the transition period so that LDCs are exempted from applying TRIPS provisions till an LDC graduates instead of a fixed period which is applicable to all LDCs. Article 66.1 of the TRIPS Agreement provides flexibility to LDCs. These countries have been exempted from applying the provisions of the TRIPS Agreement twice since 2005—the first time from 2005 to 2013 and then from 2013 to 2021. While granting such exemptions, the special requirements of LDCs were taken into consideration. Their economic, financial and administrative constraints and the need to create a technological base have been mentioned by the WTO for such exemptions.

The other request from the LDC Group was exemption of an additional 12-year period after an LDC graduates so that the country can graduate in a smooth manner by overcoming shocks during the new circumstances. However, WTO members did not agree to the LDC request for continuation of the transition period after a country graduates from LDC status to the developing country category.

This is unfortunate since during the initial period after graduation, LDCs face challenges in terms of the loss of several international support measures. These include loss of preferential market access for LDC products in several developed and developing countries, access to concessional finance, TRIPS waiver, LDC-specific funds and technology transfer, among others.

It is widely discussed that though the

pandemic has affected all economies, LDCs are more vulnerable to the crisis. These countries are facing health and economic shocks which are reflected through low economic activities, loss of employment and income of people, financial stress, fiscal deficit, and increased poverty. Social challenges such as poor healthcare, learning loss of students, violence against women, burden of unpaid care work, increased child marriage, and greater inequality have also become prominent in these countries during the pandemic. According to the United Nations Conference on Trade and Development (2020), the pandemic could

graduate in a sustainable manner. In such circumstances, LDC-specific support measures need to be continued for a longer period. One of these measures is the continuation of the TRIPS transition period during post-LDC graduation.

Advanced countries are working towards building their economies in a better way than the pre-pandemic period. Not only do they have access to enough vaccines to fight the pandemic, they are also investing heavily in human capital and green technology. LDCs do not have access to affordable knowledge products, healthcare facilities, and green technology. Article 66.2 of the TRIPS

and poor countries in the world. This requires conscious efforts of the global community.

Bangladesh played an important role in driving the extension of the exemption period for LDCs to implement the obligations of the TRIPS Agreement. Though Bangladesh has fulfilled LDC graduation criteria during the triennial reviews of the United Nations in 2018 and 2021, and is expected to graduate in 2026—it will need the LDC-specific flexibilities for a few years during its post-graduation period. This will help the country to prepare for absorbing the shocks to be felt due to the sudden



create an additional 32 million extreme poor by 2020 in 47 LDCs. This will increase the number of extreme poor to 377 million people, more than half of the number of poor worldwide. The pandemic is feared to take away some of the achievements in case of the Sustainable Development Goals (SDGs). Under such circumstances, LDCs require even more flexibility than before. A shorter transition period as provided to graduating LDCs in the past is not enough.

LDCs have become more vulnerable in view of the ongoing Covid-19 pandemic. Several studies have apprehended that achievements made by LDCs so far could be reversed due to the impact of the pandemic. This may not be reflected in the average statistical numbers but the inherent strength of their economies will be weaker. Hence, newly graduated LDCs will require a longer time to

Agreement refers to technology transfer to LDCs by developed countries so that a sound and viable technological base is created in LDCs. This is yet to be observed in a significant way. There has been a general lack of interest on the part of the developed countries in transferring technology. Rather, redundant and obsolete technologies are often dumped onto LDCs.

As the advanced countries aspire to "build back better" as part of their recovery plan and remain committed to global goals such as the SDGs, their commitment towards enhanced support to LDCs will be crucial. LDCs are facing uncertainty in getting vaccines while several developed countries have purchased more than their requirements. Therefore, the post-pandemic period will not only exacerbate inequality within countries but also between the rich

withdrawal of various international support measures.

At the national level, Bangladesh will have to work towards preparing itself to overcome the challenges following graduation. These include a host of issues, such as diversification of its exports and markets, higher resource mobilisation and its efficient utilisation, increased capacity and productivity, technological adoption, and stronger institutions. As far as TRIPS is concerned, Bangladesh should also develop and strengthen its IP regime with support from the WTO and also by engaging national experts. At the global level, Bangladesh will have to continue its engagement along with the LDC Group for the extension of TRIPS flexibilities both for current and graduating LDCs.

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Views expressed in this article are personal.

We need to lead, not follow, in the digital age

RMG NOTES



MOSTAFIZ UDDIN

WE make clothing in Bangladesh, and we do it exceedingly well. But how good are we at marketing and selling this clothing? The traditional route to market for Bangladesh apparel makers has been through agents and other middlemen, who in turn connect us with global fashion brands and retailers. Exports via these avenues have formed the backbone of the Bangladeshi economic success story for the past 30 years, and there is no reason why this should not continue for many more years to come.

However, selling directly to brands will always be a critical part of the business proposition for Bangladesh.

So, in an industry which is changing at lightning speed, I believe it is time our garment makers begin thinking deeper about their route to the market (and to end consumers). I also believe our policymakers should put more focus in this area, by ensuring we have the right skills and capabilities to thrive in the digital age.

This week, I read an interesting report from the United Kingdom about Amazon. It was focused on individuals who have created multi-million-pound businesses, selling their products via Amazon. In some cases, revenues of more than 10m Euros annually had been achieved.

I have discussed Amazon as a potential sales route for garment makers in the past so I will not go over it in too much detail here. In summary, Amazon allows other sellers to list their products on its website, and will even do the delivery (or "fulfilment") for them using its huge logistics network.

The massive scale of Amazon means that if a seller can get the products and the

marketing right, they can find themselves selling huge amounts worth of goods quite quickly.

Can Amazon also be a direct route to customers for Bangladesh RMG sellers? I believe we need to be thinking more broadly in this regard, while considering all routes to market and the issue of digital marketing generally.

In the past, it was enough for our garment makers to focus on their core business—making clothing—and to let others worry about digital marketing and selling. I now think this issue has become so central to our industry that it's too big

to grips with developing websites which are ripe for search engine optimisation (SEO). Better SEO makes it a lot easier for a website to be found.

Additionally, I would like people within the Bangladesh RMG industry to become leaders in digitisation in the same way they are leaders in garments manufacturing. Let's really set our sights high in this area.

The second thing I would like to see is more support for Bangladeshi garment businesses which choose to sell directly to consumers, through the internet. This could be in the form of grants, free access to training and other support networks.



I believe our business leaders should push the boat out in this area and see if it is possible to foster some major digital success stories in our garment sector.

There is a company from China called Shein. You may not yet have heard of it but this Chinese online fashion seller is now valued at around USD 30 billion. The company has sales of more than USD 10 billion annually—despite having been formed just seven years ago.

Shein is turning fast fashion on its head by selling directly to consumers from its

base in China. The business asks for its clothing manufacturers to be located no more than a five-hour drive away from its sourcing hub in the Chinese city of Guangzhou. This is to allow for better speed to market.

The company also stipulates that its suppliers be able to complete the design and production process in around 10 days, again giving it a head start on traditional fast fashion brands.

When I read of stories like this, my first thought is—why not Bangladesh? Imagine a newly developed online fashion player, based in Bangladesh, coordinating its own, finely-tuned supplier network to respond quickly and seamlessly to the wants of international consumers. Shein is a Chinese success story in online fashion selling, and there are many more like it out there.

Where are the equivalent stories from Bangladesh? These stories do not exist because we have yet to properly embrace the digital space. We rely on others to do it for us. This has to change in the next few years. If we continue to focus purely on one aspect of the supply chain—RMG manufacturing—I believe we risk being left behind.

I wish to be clear here that I am not advocating for our shifting away from traditional RMG to becoming fashion brand business models. Rather, I am suggesting that we explore and embrace digital avenues in order to tap into potential new business opportunities.

The pace of change where the internet is concerned is rapid, and it can be bewildering at times trying to keep up with developments in our industry. This is certainly no place for the faint-hearted.

But the question I would ask of our industry leaders is not "can we afford to embrace digitisation?", but "can we afford not to?"

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