

Three months after the Hashem factory fire, has there been any 'justice'?



'JUSTICE' IN PRACTICE

TAQBIR HUDA

Forcing victims to make a blanket surrender of any further claims (with or without their knowledge) in exchange for Tk 2 lakh highlights the immense power disparity that continues to define industrial labour relations.

TODAY, October 8, marks three months since the deadly Hashem Foods fire, which claimed the lives of at least 54 people. Out of those killed, at least 17 were children. Out of these 17 children, at least 11 were girls.

This deadly fire exposed the sheer prevalence of child labour in Bangladesh, which has seen a rise globally for the first time in two decades due to the school closures and economic hardships caused by the pandemic, according to a report by the ILO and UNICEF. Even before the pandemic, in the National Child Labour Survey 2013 (the latest such survey to have taken place in this country), 3.45 million children aged five to 17 were found to have been engaged in child labour.

The week starting October 4, 2021 has been declared as the National Child Rights Week, which will end on October 11—on which falls the International Day of the Girl Child. Therefore, this week, and this day in particular, is as good a time as any to ask: what has happened so far by way of "justice" in response to this deadly fire in which so many people, including girls, lost their lives?

On July 10, 2021, eight people, including the owner of Hashem Foods Factory, his four sons and three Sajeeb Group employees, were arrested in a case filed by the police under three

sections of the Penal Code 1860: Section 302 (murder), Section 307 (attempt to murder) and Section 326 (voluntarily causing hurt to constrain to an illegal act). Since all these offences require intent to murder or cause hurt, it was bound to fail. If, however, a case was filed under Section 304a (causing death by negligence) of the Penal Code, the case would have had an actual chance to succeed. By July 19, most of those arrested were released on bail.

On July 11, four NGOs filed a writ petition against the relevant public authorities, challenging their failure to detect and shut down the death trap of a factory, and against the factory owners, seeking Tk 5 crore in compensation for each of the families of those killed, and Tk 1 crore for those injured. At the time, the single-judge virtual bench of the Supreme Court expressed that its jurisdiction was limited and that it was necessary for a list of the deceased and injured workers to be identified before any order of compensation could be made.

A Citizen's Investigation Committee comprising 19 eminent citizens was subsequently (but separately) set up, and a thorough investigation was conducted over 30 days. On August 31, it came to the conclusion that the fire was no "accident", but "murder caused by negligence". During the press briefing at the Dhaka Reporters Unity, the Committee's members read out from their report, categorically stating that: "The devastating incident took place due to indifference, negligence and greed of the owner. That's why we're not terming it an accident, but rather a systematic killing". The Committee's investigation also found



An elderly woman with a photo of her teenage daughter, who was killed in the Hashem factory fire in Narayanganj on July 8. She was one of at least 17 children who died in the fire.

PHOTO: STAR

that all families were given Tk 2 lakh in compensation from Sajeeb Group but that they had to sign a declaration, one of the terms of which reads as follows: "durghotonay nihoter ghotonay amader Hashem Foods Limited kortripokkher birudhey kono dabi oboshisto nai" (I have no further claims against Hashem Foods Limited in connection with the death in this accident).

One such recipient family member had earlier told reporters, "I didn't understand what was written on the stamp [paper] at that time. If I had known, I would never have signed it."

It is worth noting that Sajeeb Group was able to limit their liability to pay compensation to a measly sum of only Tk 2 lakh for each worker killed by the deadly fire in their factory precisely

because that is how little value our own labour law attaches to the life of a worker killed in an industrial "accident". Such an absurd legal limit deprives the very workers (and their dependents) our labour law is meant to protect, while benefitting the very industrial employers our labour law is apparently supposed to hold accountable.

Nevertheless, forcing victims to make a blanket surrender of any further claims (with or without their knowledge) in exchange for Tk 2 lakh highlights the immense power disparity that continues to define industrial labour relations. It is an attempt to absolve the company from other claims that may arise out of labour law, such as unpaid wages,

death benefit and compensation from the mandatory group insurance scheme. Most importantly, it is also an attempt to block the victims from benefitting from the writ petition filed by four NGOs on July 11 seeking Tk 5 crore in compensation for each of the families—which still remains pending. Therefore, even when so many lives are taken, including those of children as young as 12 who were burnt to death while producing lollipops, a corporation will do what a corporation does best: force the working class into submission and purchase impunity at a wholesale price.

In August 2021, 45 charred bodies (or the scattered bones that remained) were handed over to the families after lengthy DNA testing. Thereafter, the families of three "missing" workers pleaded to the police that they were yet to receive the remains of their loved ones. As a result, a new search operation was launched, and on September 7, the CID discovered two skulls, bone fragments, hair and other human remains underneath a pile of waste on the fourth floor of the Hashem Foods Factory—two long months after the fire. These three "missing" workers were Mohiuddin, Sajjad Hossain and Laboni Akhter. This discovery presents yet another grisly reminder of what it is like to live and die as a worker in this country. First, you are locked up to burn in a preventable fire, then your remains rot for months, alongside industrial litter, because even in death you are nothing more than factory waste. Laboni was 14 years old.

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PROJECT SYNDICATE

India's Taliban Problem

AWAKENING INDIA



SHASHI THAROOR

IN the weeks since the Taliban's theocratic terrorists returned to power in Kabul, the people of Afghanistan, particularly its women and girls, have been subjected to unimaginable suffering as the world's attention turns to other issues. But many other countries, and especially India, have reason to worry.

The Taliban's victory, following 20 years of unsuccessful American-led "nation-building" efforts in Afghanistan, will not only greatly embolden their fellow jihadists, but will also shake up the region's geopolitics. For evidence of the destabilising impact of Kabul's fall, just look at the reactions of Afghanistan's neighbours.

Pakistani Prime Minister Imran Khan's response—notably his statement that the Taliban's return to power was akin to throwing off "the shackles of slavery"—highlights what was already known: Taliban-run Afghanistan will be a creature of Pakistan. When the Taliban ruled the country from 1996 to 2001, their "Islamic Emirate" functioned as a wholly owned subsidiary of Pakistan's Inter-Services Intelligence (ISI) agency. This time, Pakistan's control is supposedly a little less absolute, but that did not prevent ISI chief Faiz Hameed from traveling to Kabul soon after its fall to preside, triumphantly, over the formation of the new Taliban government.

Less overtly but arguably more importantly, China has been working to make the best of a delicate situation. The Chinese have invested USD 62 billion in the China-Pakistan Economic Corridor (CPEC), the single largest

project of its transnational Belt and Road Initiative, and are anxious that the Taliban do not jeopardise it. Significantly, Foreign Minister Wang Yi formally received a Taliban delegation in July.

With economic and strategic gains ripe for the taking, China has announced that it will do business with the Taliban. It is seeking to tap Afghanistan's considerable underexploited mineral resources,

to disturb the functioning of the CPEC. With the Taliban government desperately in need of patronage—80 percent of the previous Afghan government's USD 5.5 billion budget was financed by external assistance—China seems ideally suited to fill the breach.

These regional dynamics, with Pakistan and China becoming increasingly close, should be of enormous concern to Indian

recruiting ground for more militants and terrorists, should the ISI seek to deploy them again. The last time the Taliban were in power, India made common cause with Russia and Iran in actively supporting the Panjshir Valley insurgency of the Northern Alliance under the late Ahmad Shah Massoud. This time, however, an increasingly pro-Chinese Russia has taken a neutral stance on Afghanistan's issues with India.

Iran, under its recently elected hardline president, Ebrahim Raisi, seems willing to accept the new Islamic emirate as long as the Taliban refrain from the anti-Shia persecution that characterised their previous reign. If Afghanistan's Shia Hazaras and culturally Persian-influenced Tajiks and Uzbeks are saved the worst of what the Taliban inflicted upon them a quarter-century ago, Iran may stay neutral. Both Iran and Russia are, in any case, pleased that the United States has received its comeuppance in Afghanistan.

India could try to reach out to the new government in Kabul, despite recently denying that its external affairs minister met with Taliban representatives in Doha in June. Other Indian diplomats certainly were in touch with Taliban officials, two of whom—Baradar and Sher Mohammad Abbas Stanikzai, the deputy foreign minister—are in the new Afghan government.

Baradar spent eight years in Pakistani detention and may be presumed to have no great love for his jailers. But while some Taliban officials have spoken soothingly of wanting good relations with India, others have stated that their Islamic emirate will stand up for India's Muslims, especially in Kashmir.

As I have argued previously, Pakistan cannot afford to be complacent about the Taliban's victory. The emergence of the Tehreek-e-Taliban Pakistan,

which seeks to overthrow the Pakistani government for being insufficiently Islamist, and of the Islamic State-Khorasan, which bombed Kabul airport in August, should be triggering anxiety in Islamabad. Moreover, the end of the US troop presence in Afghanistan reduces America's logistical dependence on the Pakistani security establishment, depriving the ISI of support and resources.

India has invested USD 3 billion in Afghanistan—in dams, highways, electricity grids, hospitals, schools, and even the parliament building. With all this now in Taliban hands, Indian policymakers may be forgiven for feeling despondent. And Prime Minister Narendra Modi's government has done itself no favours with its consistently anti-Muslim rhetoric and domestic policies, which are likely to stoke resentment across the Islamic world.

The Quad partnership—comprising India, the US, Japan, and Australia—strengthens India's maritime presence in the Indian Ocean. But the main security threats to the country are on its land borders with China and Pakistan, where the Quad is unlikely to be of much use.

India now has a Taliban regime to its northwest, a nuclear-armed, terrorism-supporting state to its west, and a hostile superpower to its northeast, and it faces ongoing threats to its territorial integrity. In this environment, maintaining national security and regional stability will pose an unprecedented challenge for Indian diplomacy in the months and years ahead.

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'Any Afghanistan-Pakistan-China axis involving policy coordination is a major risk for India'.

FILE PHOTO: AFP

especially rare earths, and reopen the Mes Aynak copper mine. There is even talk of extending the CPEC to Afghanistan.

The warm overtures appear to be mutual, with Mullah Abdul Ghani Baradar, Afghanistan's new first deputy prime minister, calling China a "trustworthy friend," despite its systematic persecution of its own minority Muslim population. China's priority vis-à-vis Afghanistan is to ensure that the Taliban offer neither support nor refuge to Uyghur dissidents from Xinjiang, and do nothing

policymakers. Pakistan is a long-term adversary that has actively funded and fomented armed militancy against India, hosting (among others) the organisers of the murderous 2008 Mumbai terror attacks. China, meanwhile, is a systemic rival to India and poses economic, military, and strategic threats. Any Afghanistan-Pakistan-China axis involving policy coordination is a major risk for India.

The Taliban's takeover of Afghanistan gives Pakistan not only the "strategic depth" its military has long sought against India, but also a useful

Shashi Tharoor, a former UN under-secretary-general and former Indian Minister of State for External Affairs and Minister of State for Human Resource Development, is an MP for the Indian National Congress.

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QUOTABLE Quote

BLAISE PASCAL (1623 – 1662)
French mathematician

The strength of a man's virtue should not be measured by his special exertions, but by his habitual acts.

CROSSWORD BY THOMAS JOSEPH

ACROSS

- 1 Stately home
- 6 "Great!"
- 11 Conductor Seiji
- 12 Goofy
- 13 Home run, in slang
- 14 Categorizes
- 15 Yale rooster
- 16 Print units
- 18 Skill
- 19 Summer sign
- 20 Like
- 21 Spike of film participants
- 22 Open shoe
- 24 Ran, as color
- 25 Lacking luxury
- 27 Skilled

DOWN

- 1 Travel stops
- 2 Flowering bush
- 3 Saguaro and Sequoia
- 29 Glorifies
- 32 Afternoon break
- 33 Fire proof
- 34 Light touch
- 35 One-million link
- 36 Island ring
- 37 Penny prez
- 38 Victim of Corday
- 40 TV's "Uncle Miltie"
- 42 Tibia's end
- 43 Having tattoos
- 44 Surgery tool
- 45 Lab work
- 4 Need to pay
- 5 Neon, for one
- 6 Space of "Carrie"
- 7 One, in Italia
- 8 Practices for one's license
- 9 Menu choice
- 10 Took it easy
- 17 Blue-gray cat
- 23 Expected
- 24 Lingerie buy
- 26 Museum show
- 27 Zoo resident
- 28 Split start
- 30 Laptop's kin
- 31 Spirited horses
- 33 Modify
- 39 Pub stuff
- 41 Hydrocarbon suffix

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YESTERDAY'S ANSWERS

R	O	B	O	T	F	I	A	T	S
A	B	O	D	E	A	N	N	O	Y
N	I	X	O	N	U	N	D	E	R
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A	M	A	Z	E	E	V	E	N	S
T	Y	P	O	S	D	A	R	T	S

BEETLE BAILEY BY MORT WALKER

HAVEN'T YOU DUG YOUR FOXHOLE?
NO, I'M STILL DRAWING UP THE DIAGRAMS FOR IT.
ARE YOU FALLING FOR THAT EXCUSE?
I DUNNO, I'M CURIOUS TO SEE FOXHOLE FLOOR PLANS.

BABY BLUES BY KIRKMAN & SCOTT

LOOKS LIKE SOMEBODY MISSED HER DADDY TODAY.
CAN YOU AT LEAST DESCRIBE WHAT'S HAPPENING IN THE GAME?