

## The long wait for compensation

*Why is the state failing to support rape victims?*

THAT rape and sexual assault is an endemic issue in the country can be seen by just how regularly one reads about such cases in our daily pages. According to Ain O Salish Kendra, from January to September 2021, 1,085 women and 462 children were raped in Bangladesh—and these are only the reported cases. In many of these instances, the rape survivors suffer from long-lasting physical complications and have to undergo expensive medical treatment. On top of that, they have to fend for themselves during long and difficult trial proceedings.

Yesterday, this daily reported on the heartbreaking story of a child who was raped in 2016, at the age of five, and who, to this day, suffers from incontinency and requires major urinary tract reconstruction surgery. The costs for the medical tests alone are many times more than what her family makes in a month. Yet, her rapists are still not behind bars, and she has barely received any support from the authorities.

How much longer will rape survivors like this child have to suffer in silence, with no access to compensation for the crimes committed against them? According to a report in this daily, a law drawn up to address compensation for victims of violent crimes, including rape, has been in the draft stages for 14 years now. Although fines can be imposed on perpetrators under the Women and Children Repression Prevention Act 2000, and judges can choose to convert this amount into compensation for rape victims and their families, research from BLAST suggests that in 93 percent of such cases, the money is not converted into compensation. Rights activist also argue that the amount of this fine, which goes up to Tk 1 lakh, is not compensation enough for a crime as violent as rape.

In February this year, the High Court issued a rule asking the government to explain why it should not be directed to outline a scheme to ensure compensation for rape victims. We are surprised to hear that several months have gone by with no written response from any of the respondents. We sincerely hope that, once the HC holds a hearing and disposes of the rule, a landmark verdict will be reached, but that will only be the beginning. The assessment of compensation must be guided by a standard principle, but even before that, we must acknowledge the right of every rape victim to receive compensation, and this right must be codified in law. It is unacceptable that the draft law that would recognise this right has been kept hanging for 14 years now.

Research suggests that only three percent of cases relating to violence against women and children result in a conviction. The inability to pay for lengthy trials while also supporting the rape victim is one of the major reasons behind this shockingly low rate. The fact that so many women and children are being denied justice is a shameful failure on the part of the state and the justice system, and it must be rectified immediately.

## Efficient utilisation of LoCs a must for proper development

*Both Bangladesh and India should do more to accelerate project implementations*

AT the just-ended Bangladesh-India line of credit (LoC) review meeting, officials of both Bangladesh and India expressed their hope that the utilisation rate of the LoCs extended to Bangladesh by India would significantly increase in future. While at the meeting, both sides said that there has been considerable improvement in the speed of project implementation, a report published by this newspaper on Saturday shows that there is still much room for improvement.

Reportedly, four LoCs worth USD 7.862 billion had been extended to Bangladesh by India for undertaking important infrastructure development projects in various sectors since 2010. Out of this amount, approximately USD 865 million has been disbursed as of October 25, 2021. Also, during the last three years alone, India has awarded Bangladesh USD 990.85 million worth of contracts under the LoCs and another USD 325.58 million will be finalised soon. However, in the past decade, Bangladesh could utilise only six percent of the three Indian LoCs, collectively worth more than USD 7 billion, due to slow implementation rate, according to a report published in this daily on September 6, 2021.

Of the 43 projects taken up under three Indian LoCs, the government has reportedly spent USD 410.76 million to complete 14 projects related to the procurement of buses, trucks and other vehicles since 2010, while the remaining 29 projects are suffering from slow implementation. According to another report by this daily, the implementation of the 44-kilometre Dhaka-Tongi-Joydebpur rail line under an Indian LoC has seen 31.2 percent of the work completed since its construction began 11 years ago. And the current state of many of the India-funded projects is the same.

While delay in project implementation has become a norm in Bangladesh, and the India-funded projects are no exceptions, authorities in Bangladesh also face additional problems in executing these projects, as they have to take approval from the Indian authorities at every step along the way. There has to be an easier way around this. Moreover, in order to expedite the implementation of the India-funded projects, India needs to reduce the time it takes to formulate project details and improve the overall quality of planning, while the Bangladesh High Commission in India should also be proactive in providing its support.

# WORLD CITIES DAY

## Dhaka needs new urban-forms



KAZI KHALEED ASHRAF

IF the city is the new challenge of the time, the “edge” of the city is at the heart of it.

It is clear now that most of the challenges of the future will be environmental. The proliferation and expansion of cities will be the most critical one. What will be the nature of future cities and towns? How will the expanding city impact the extra-urban landscape? How will villages transform? Will the future city and village merge into a third settlement type? It appears to me that all these questions are intersecting at the edge.

A few days ago, I was visiting

That kind of astounding figure from Purbachal reminds us that the transformation of Dhaka and its watery regions, along with its physical and social landscape, has been relentless and brutal. But it also makes us think if we can create such a totally new landscape, and at such a monumental scale, why can't we make one that is unique, addresses development needs, and is attentive to the original terraqueous terrain?

In a place where water is the fundament, and hydrological planning a prerequisite for any development, a dry ideology is instead celebrated. Buildings are built by filling in wetlands. Rivers and canals are encroached upon in the name of industrialisation. Water bodies and channels are polluted indiscriminately. It appears that nature and development—*prokriti* and *progoti*—face each other in

environmental to climate, and from the technological to migrational, Bangladesh can still arrive at novel and humane cities.

Most planners and architects trained in conventional methods remain bewildered by the geographic question, and are unable to conceive alternative city-forms. Architects are basically content in their allocated lots and plots to be ironic or spectacular. Creating an eye-catching apartment or commercial building is not enough to make a better and equitable city. When once architecture and the city formed a twinned, the parameters of one enhancing the other, there is now a contention. While architects make stunning architecture, the city goes to hell.

Few years ago, I wrote a piece in a Chinese architectural journal in which I summarised the condition of Dhaka in the following way:

design discourse. Such a hydraulic vision for cities has to begin from the edge of the precious landscape of wetlands and agricultural terrain, urging for a conception that integrates urbanism, agriculture, and flood terrains.”

It seems clear that the location for the urban turmoil is the “edge” of the known city, an edge that is constantly shifting. The biggest challenge in the re-composition of Dhaka lies in how to understand that edge, and from there how to develop a new city form, something better than Purbachal.

Most urban planners and policymakers in Dhaka focus on the core city. Even when they are dealing with the edge, they see it in the image of the core. Official planning is unable to conceptualise this edge as its own ecology. Without that realisation it is easy to participate in the destruction of the city's hydro-geographical wealth. An audacious vision for Dhaka has to begin from the edge in which the norm of privileging the core has to be reversed.

The famous Dutch architect and urbanist Rem Koolhaas claimed that the edge of the city is where the action is. He meant the frazzled fabric of the post-industrial Euro-American city, or its tattered suburbia. In Dhaka, the geography of the edge is determined by the built-city marching up to meet the “non-urban,” a magnificent but precious terrain of land-water event made of wetlands, floodplains, canals, and agricultural fields. The edge is where the dry meets the wet, the “developed” meets the “rustic,” and infrastructure meets the structure-less. This is also where the urbanite meets the farmer, the land grabber discovers his opportunity, and the uprooted often makes her habitation. Site/s of the biggest battle in the city, the terrain of the edge is determined by the presence and flux of water. No planning scheme will work for Dhaka if this simple equation is not recognised.

Nothing short of imagining a new city-form will offer a salvation for Dhaka. The edge conditions of Dhaka present the possibility of re-negotiating the social and economic, as well as conceptual, separation between city and its conventional anti-thesis, whether the village or agricultural plains. The edge is where new forms of space organisation will have to be imagined, along with newer types of economic and social opportunities. Neither fully a village-form nor completely a core city-form, the new form can be a third settlement type. With dense habitats on a precise footprint, but enhancing the edge ecology, the new edge will also bring solutions to the crises at the core. It's a matter of imagination.

Kazi Khaleed Ashraf is an architect and urbanist, and directs the Bengal Institute for Architecture, Landscapes and Settlements. Part of the text appeared in “Designing Dhaka: A Manifesto for a Better City” (2012).



A new city-form for the aquatic areas of Dhaka.

PHOTO: BENGAL INSTITUTE

Purbachal—the Dhaka of tomorrow. With new gridded road layouts, plotted out land waiting for habitation, but until then a vegetable garden, and the profusion of temporary installations of eateries, it already appears to be a brand-new landscape. The scale of operation is incredible. Over 24 sq kms of a terraqueous condition has been converted into that brand new landscape. Sanjoy Roy, geographer at Bengal Institute, calculates that the volume of earth-fill is 79 million cubic metres. Wetlands, which were 6.82 sq km in 2005, were reduced to 1.76 sq km in 2021. Forested lands and homesteads, which were 7 sq km in 2005, were brought down to 1.91 sq km in 2021. Roy estimates that the total landfill in Purbachal is equivalent to 32 Great Egyptian Pyramids of Giza!

a tragic opposition. Additionally, the complexities related to climate change remains unaccounted for. In order to create a balance among progress, nature and climate change, an estuary of these three is necessary. A newer way of thinking about life and living that is commensurate with our landscape is required. Only then we will have developed a Bengali urbanism.

Life in Bangladesh is impossible without considering water and its flows. This has become more urgent in the time of climate change. Settlements and habitats here will have to include rivers, canals, wetlands and paddy fields in their formations. Considering the richness of the land and the dynamics of the hydro-geography, such formation is inevitable. In adapting to diverse changes, from the

“A hydro-geographical landscape calls for a different measure in design thinking and practice. Considering that an aqueous urbanism entails an epistemic shift, this article locates the city of Dhaka as a point of departure for such a thinking. What distinguishes Dhaka from other cities in similar growth outbursts is its deeply intertwined relationship with a landscape moulded by powerful rivers, epic floods, silting and land-shifting of monumental proportions. In that fluctuating hydrological world of the delta, cities and settlements have been structured by the dynamics of rivers, canals, wetlands, floodplains, agricultural fields, *chars* (silted landforms) and human habitation. Such a deltaic milieu calls attention for imagining an aqueous urbanism, and even a new water ethos in contemporary

## Why I am going to COP26



KAZI AMDADUL HOQUE

ON the edge of the largest mangrove forest in the world, home of the famous Royal Bengal Tiger, I met Krishna Rani.

The rhythm of the tides of the Bay of Bengal, the ebb and flow of the river, and the fertility of this great golden delta had nurtured her through most of her peaceful life. On a first impression, the site of her home—on the shore of a river which dances with the glorious colours of the setting sun, in the cradle of the great Sundarbans—could be a cottage for tourists.

But when I listen to her story, the glamour glow of the Unesco world heritage site and its tigers fades away, leaving a harsh and bitter story of negligence, and domination of the powerful over the helpless.

In the last stages of her life, Krishna has become confused by the turn of events. What was a promising youth, with a happy marriage, healthy children and abundance of land around her, has become a story of loneliness and scarcity in a matter of a few years.

In 2009, the great Cyclone Aila sent waves crashing over embankments all over the southern coast of Bangladesh, taking lives and leaving people homeless. Krishna and her husband had enjoyed prosperity and security from the acres of paddy fields around their home. But after Aila, the land's fertility started to decline. It happened at a bad time. Her husband had just taken exorbitant loans to marry off their daughters—two in close succession. After the rains he took another loan to sow his next crop. The harvest was miserable.

The yields continued to decline, and the family never really recovered. Eventually they lost most of their land. Two of their sons moved on in search of a better life. Another stayed on to support them as best as he could, working as a day labourer in between eking what he can from the land they had left.

There were other signs of change. The water in the tube wells began to develop a salty hint. Krishna's husband had aged quickly. Being irrecoverably indebted was harsh on him. He died a decade after Aila.

Krishna, who lived well her whole life, had no way to deal with poverty. The conditions continued to decline.

The water grew steadily worse, vegetables stopped growing in her yard, fish was increasingly difficult to find in the river. She developed an ache in her stomach.

She developed another strange condition that she had never known, and which was too embarrassing to talk about. She would bleed during her bowel movements. She heard that others in the village were also experiencing this strange condition.

The year after her husband died, their home was damaged by another great cyclone, Amphan. Recently, there have been terrible storms almost every year. She lives in fear of the embankment walls collapsing again.

The embankments grow weaker.

with the enormous changes that have happened in her environment? What part has she played in the intensification of the storms and the salinisation of her soil?

She has emitted zero carbon. But she is paying a hefty carbon tax. We are the ones who are responsible for her condition. Those going to COP26.

I am going to COP26 because I really want to shout out at world leaders on her behalf.

For the last two and a half decades, the Conference of Parties has been dealing with the climate crisis. The negotiations go on and on. Meaningful decisions are few and far between. And it seems we have even given up trying to find

remain uncertain. There are repeated appeals to honour the pledges made by world leaders for the countries in vulnerable conditions. In 2009, developed countries agreed to contribute USD 100 billion a year in climate finance to poorer countries by 2020; but the target was not met—even though it was not nearly enough to address the urgency and scale of the crisis. In 2021, political and business leaders once again committed more than USD 400 billion to the expansion of renewable and clean energy, the UN announced.

National and global governance needs to be refined to address this new crisis. National and international legal frameworks must be reviewed periodically to respond to emerging climate issues. Pronouncements made at international climate conferences should be accessible to the masses.

One in every seven people in Bangladesh is at risk of displacement by 2050 due to climate change. All these people are being traumatised. Policymakers and scientists must work together to find which populations will be affected, and to find solutions.

I want to say these things at COP. Let political leaders continue their negotiations and dialogue. At the same time, all of us—individuals, nations and corporations, with whatever power we have—need to maximise our effort to make sure the suffering, loss and damage of Krishna Rani is addressed. It should not be treated as a local issue, but a global one.

In the meantime, there are plenty of adaptation solutions at the local level that have to be implemented effectively. The world can see and learn from these local solutions, inherited and refined over generations through indigenous knowledge and lived experiences. Local people and ecosystems managed to coexist for centuries. They need patronisation in a structured manner. This world should not tolerate suffering, when we know the reason for it. We should anticipate and prevent it. Instead of statecraft and strategy, deals and treaties, it should be humanitarian values and obligations that should drive climate action, based on the ability of each nation. Climate action goes beyond responsibility. It's an obligation.

Kazi Amdadul Hoque is the senior director of strategic planning and head of Climate Action at Friendship, a Bangladeshi social purpose organisation.



A woman fetches potable water for her home.

PHOTO: AJ GHANI/FRIENDSHIP

Sometimes there is no protection against the tides. Last year, for several months, the high tide would invade her home twice a day. Now the embankments have been fixed, but a putrid water remains trapped inside, not far from her house. The same river which once brought security and luck, now keeps reminding her of her loss.

Krishna has never been to the city. Her air conditioner is the wind filtering through the mangroves. Her washing machine is a pond. There is no electricity in her kerosene-lit hut.

She doesn't need electricity or a high-tech lifestyle, or a washing machine, but she needs protection, assistance for adaptation, and food security. She needs access to safe drinking water. She needs to grow vegetables for a balanced diet.

Her suffering makes me think, what's her fault? What does she have to do

a solution for loss and damage. Even though there are plenty of funds that exist on paper at the international and national levels, the bureaucracy hinders access to those funds. These funds should not follow commercial banking protocols, but they should follow a humanitarian protocol that should be easy to access. Only 10 percent of climate funding makes its way to the people who really need it.

Meanwhile, Krishna continues to live in pain. She represents 13.3 million people from the coastal regions of Bangladesh, who are at risk of being forced out of their homes by 2050 due to salinity, sea level rising and other adverse impacts of climate change.

There is no legal platform where she can claim her rights. And there is nobody to take up her issues seriously. Even global funding commitments