

Department of pollution and collusion?

Graft allegations against the Department of Environment demand scrutiny

THE degree of corruption that the Department of Environment (DoE) is immersed in, according to a new report by the Transparency International Bangladesh, perhaps explains why the country's environment is being polluted so mindlessly and at such a fast rate, without any meaningful intervention from the concerned authorities. The report said that instead of offering services as per the relevant law, the department has been taking bribes to issue necessary certificates to factory owners. It is a gross violation of its mandate and is completely criminal.

The study found significant amounts of irregularities, corruption and inefficiency in the country's lone regulatory body for monitoring, supervising and protecting the environment. Given this reality, should it be any wonder why Dhaka is one of the most polluted cities in the world? The TIB report also revealed that to obtain site clearance and environmental clearance in the lead-up to establishing factories, interested parties had to pay DoE officials hefty bribes ranging from Tk 1,08,000 to Tk 1,66,000. These certificates are, of course, mandatory for businesses and others to obtain under the Environment Conservation Act-1995.

In Bangladesh, factories are categorised as green, orange and red to reflect their level of pollution, with factories categorised as red being the worst polluters. Among the factories categorised as orange and red, 57 percent were granted environmental clearance by the DoE even though those did not submit environment management plans, which is mandatory for obtaining the clearance. There is no way this had happened accidentally. DoE officials are clearly involved in various irregularities and bribe taking which has led to this situation. And TIB has reportedly acquired proof of the officials cancelling fines of polluters and also taking bribes from polluters to allow dysfunctional effluent treatment plants to operate. If TIB could unearth such massive level of corruption, we wonder what prevented the government from doing so.

While all these irregularities are happening at the DoE, it is the environment and the people who are suffering. Even during the last COP summit, Bangladesh was seen as a country leading the charge to protect the environment for the sake of our planet and its inhabitants. But with such irregularities taking place in our own backyard, what right do we have to lecture others around the world?

The TIB revelations are so horrid that we cannot but call for a complete overhaul of the DoE. The government should launch immediate investigations into the allegations brought forth by the report, carefully analyse the evidence they have acquired and conduct its own investigations into the alleged irregularities. Any officials—or influential persons—found to be involved in any sort of corruption should be severely punished. And all environment laws must be enforced properly henceforth.

Deaths by drowning demand policy attention

Awareness-building is essential to prevent it

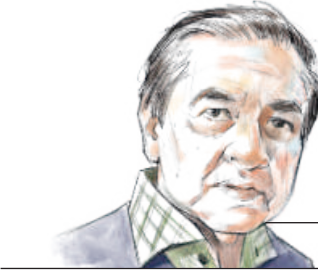
WE are alarmed to learn that as many as 2,155 deaths have occurred countrywide in the past two years due to drowning—and that 83.5 percent of the victims were children—as per a report by the Society for Media and Suitable Human-communication Techniques (SoMaSHTe). However, perhaps what is equally concerning is that the media apparently reported only 1,426 of these deaths. This means that not only are incidents of drowning persisting—especially in rural areas, where water bodies of different sizes are in abundance—but people are also still largely unaware of the threat due to inadequate reporting.

Unfortunately, Bangladesh has one of the highest rates of under-five drowning. This is not shocking, since children under the age of five cannot be expected to comprehend the dangers of going near water bodies. As the aforementioned report also found out, 80 percent of the under-five victims drowned within 20 metres from their homes. There is also the matter of flooding during the monsoon season, which is a time when drowning incidents become even more frequent. Given that the United Nations, on April 28 last year, felt the need to dedicate a day to raise awareness about drowning globally (July 25), we can understand how this issue has been affecting other countries as well.

Although the Ministry of Women and Children Affairs has reportedly developed a detailed, pro-forma project, which will enable institutional supervision of children under five through 8,000 community-based day care centres, the Tk 309 crore project is currently awaiting approval from Ecneec. Given the threat, this needs to be fast-tracked. Meanwhile, we cannot just put the issue of children's drowning on the back burner and wait for this one project to take off.

We would like to draw the government's attention to the frequent incidents of death by drowning, and urge relevant authorities to begin building awareness regarding the issue among those in affected areas. Families that have young members, especially in rural areas, must be informed about the dangers of letting children roam too close to water bodies. Younger children must be monitored carefully, while older children should be taught to swim safely. Local government bodies should take the initiative to conduct awareness drives if we are to see a decrease in drowning deaths.

What are our president's powers?



THE THIRD VIEW
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MAHFUZ ANAM

THE question in the title of this column was triggered by a press comment following our president's dialogue with National Awami Party (NAP) leaders, published on December 27, 2021. Ivy Ahmed, its executive president, quoted the president as saying, "You are aware of my powers. I will try to materialise your demand with(in) all these limitations."

So what are our president's powers? Is he as powerless as the constitution makes him out to be? Like others, our constitution is a composite of ideals and principles and a legal framework to realise them. The spirit of democracy, freedoms, rights, economic prosperity, equality, tolerance, diversity, etc are all as much a part of the constitution as its specific articles, clauses and sub-clauses are. Seeing one delinked from the other will lead to missing the bigger picture.

Our constitution says, "In the exercise of all his functions, save only that of appointing the Prime Minister pursuant to Clause (3) of Article 56 and the Chief Justice pursuant to Clause (1) of Article 95, the President shall act in accordance with the advice of the Prime Minister." So, it is very clear that our president has no power save the above mentioned two.

But there is a bigger picture. Outside the legal powers, there is another power that the president enjoys, and in which he has no rival: moral authority. There is no other office that rivals that of the president in this regard. In fact, his office is designed to exert more moral authority than the legal ones. His most coveted status in the hierarchy of leaders, most luxurious accommodation, the best of everything that the country can afford and hundreds of staffs and perks unmatched within the country, and most significantly, his immunity from prosecution for any action or omission—placing him, for all practical purposes, above law—are all designed so that he is beyond all controversies and suspicion, thus protecting his pristine status. The "moral authority" of this office makes it the final source of justice, fair play and national stability—an office to which rival political parties and contending sections of society can turn to for guidance and solution: the ultimate crisis solver.

That is why, even though a president is appointed by the government of the day, the office of this highest constitutional post is allowed to remain above all political play and not be seen to be used by the government for its partisan end. This, in fact, imposes an ethical responsibility on the executive branch to exert restraint, foresight and circumspection in how it relates to the office of the president.



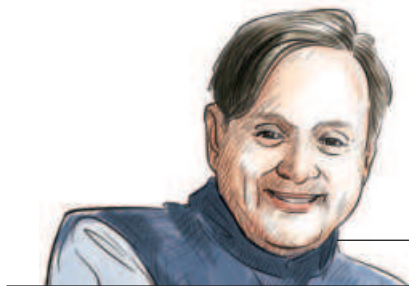
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Bangabhaban, the official residence of the president of Bangladesh.

PHOTO:
AMIRUL JOY/
WIKIMEDIA COMMONS

Just as in imparting justice, and also in conducting national elections, the process has to not only be correct, but also seen to be correct.

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India's Chauvinist Crusade



AWAKENING INDIA
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SHASHI THAROOR

Hindutva votaries see India as a Hindu nation that has been historically beset by invaders and interlopers, who want to change its essential character.

THE restrictive, illiberal trend that has come to characterise India over the last five years has a new data point. Prime Minister Narendra Modi's government decided that Christmas Day was a good time to deny renewal of a licence for the Missionaries of Charity to receive foreign funding.

Founded by Mother Teresa, whom the Catholic Church canonised in 2016, this order of Christian nuns has been operating in India since 1950. But because Modi and his Bharatiya Janata Party (BJP) swear by a "Hindutva" ideology—committing them to a vision of India as a Hindu nation—the government has been conducting a sweeping campaign against organisations that its bigotry will not abide.

Because all NGOs in India need official permission to receive foreign funds for their operations in accordance with the Foreign Contribution Regulation Act (FCRA) of 2010, the government can wield significant power over civil society. And Modi's national security adviser, Ajit Doval, has made it clear that the government intends to use that power. In a recent speech that stunned the country, Doval singled out NGOs as "the new frontiers of war," arguing that "it is the civil society that can be subverted, suborned, divided, manipulated to hurt

the interests of a nation."

The government has seized on unwanted NGOs' Achilles' heel: many are sustained in large part by international donors, foundations, and charities. Hence, in 2015, the union home ministry revoked the foreign-funding licence for Greenpeace and, in 2020, froze Amnesty International's accounts, effectively crippling their Indian operations. In June 2021, it did the same to the highly respected Commonwealth Human Rights Initiative.

But while these secular groups were targeted for their liberal policy orientations and human rights work, the government has reserved a special level of hostility for foreign-funded religious NGOs, which it suspects of trying to convert unwitting Hindus.

In the action against Missionaries of Charity, Modi and the BJP have broken sharply from previous Indian governments, all of which hailed Mother Teresa's noble (and Nobel Prize-winning) work ministering to the poor, dying, and destitute.

In response to media queries about the Missionaries of Charity decision, the home ministry claimed that "some adverse inputs were noticed" while reviewing the charity's renewal application. In December, a police complaint was filed against the organisation in Gujarat, alleging that the Missionaries were forcing Hindu girls to convert. But the group denies the allegations, insisting that it has "not converted anyone or forced anyone to marry into the Christian faith." Formal charges have yet to be filed in court.

While the government has made clear that it will crack down on efforts to use charity as an inducement for conversion,

a single vote cast. Surely, a world record. In the case of the last Election Commission, in addition to all the previous complaints, there were also questions of financial impropriety, not to speak of allegations and suspicions of large-scale vote-casting the night before in the last general election held in December 2018.

Just as in imparting justice, and also in conducting national elections, the process has to not only be correct, but also seen to be correct. An ideal many of our CECs, especially the last two, seem to have been oblivious to.

It is our view that by conducting the dialogue itself, and especially because he has no power to ensure its ultimate outcome, the president has allowed himself to be dragged into a process which is structurally political and inevitably

controversial. This is proven by the fact that several political parties have already refused to partake in the dialogue, saying that they have no faith in the acceptability of its outcome—no doubt, an embarrassment for the occupant of highest constitutional office.

So what options did the president have? Could he have declined to hold the dialogues? That would have been a cause of serious embarrassment for the government. But he could have negotiated some process that would have added more credibility to the outcome.

Here, we feel, the "Moral Authority" of the president could have played a positive role. The government knew very well that involving the president lent enormous credibility to the process. The president, in turn, could have significantly added to the credibility of the whole exercise by ensuring that the process remained without interference. The president could have insisted that the government commit to enact a law on formation of the Election Commission within the shortest possible time. The government, we think, in deference to the importance of the president's office, would have acquiesced to that.

At least it was worth a try, to fulfil the letter and the spirit of our constitution.