

Will Rohingya repatriation remain a myth?

The world must put pressure on Myanmar to expedite the process

IT is most unfortunate that even after four and a half years have passed since the repatriation agreement between Bangladesh and Myanmar was signed in November 2017, the process to take back stranded Rohingyas still could not be initiated. Although bilateral talks between the two countries resumed in January this year – after a two-year suspension due to Covid and the military takeover in Myanmar – no substantive outcome came out of it. Bangladesh has been asking Myanmar to expedite the verification process to fast-track the repatriation of Rohingyas for quite some time. But the Myanmar authorities seem to be reluctant to do so. It appears they are just wasting time in the name of verifying Myanmar nationals, who fled around five years ago after enduring a brutal military crackdown in the Rakhine State.

Meanwhile, international funding for the Rohingyas is declining rapidly. While the humanitarian agencies need more than USD 881 million this year to support the Rohingyas in Cox's Bazar and Bhasan Char as well as the host communities there, according to the UNHCR, they have only received 13 percent of the required fund as of last month. With the funding for the refugees waning, the government is facing a huge pressure in taking care of such a large number of refugees. The recent rise in violence, drug peddling, human trafficking and other criminal activities in and around the camp areas has also become a security threat for Bangladesh.

Under the circumstances, both Bangladesh and the international community must put greater strategic pressure on Myanmar to take back its citizens, and it must do so by ensuring that the conditions in the Rakhine State are safe and conducive for their return. Reportedly, Bangladesh had handed over the names of 8.4 lakh Rohingyas to Myanmar officials, but so far, they have only verified around 42,000 of them. And despite some attempts to take them back, many Rohingyas refused to return because of the uncertainties surrounding their citizenship and safety. This is only fair. Why would they go back to their country if they are not given citizenship? But having to take their responsibility indefinitely is also unfair from Bangladesh's perspective. The onus rests with Myanmar to solve this unique problem which it created.

In order to resolve the current stalemate, both Bangladesh and Myanmar should hold regular meetings through their Joint Working Group and Technical Working group. And the role of the international community cannot be underestimated either. They should put significant pressure on Myanmar to expedite the verification process and grant citizenship to the Rohingyas. The world must act unitedly to reduce the plight of the forcibly displaced Rohingyas and to repatriate them to their own country.

Another gag on press freedom?

Proposed hefty fines for journalists are unrealistic

WE'RE alarmed to learn that the Press Council Act, 1974 is being amended with a provision for fining a journalist up to Tk 10 lakh if found involved in any "illegal and criminal activities". The likelihood of this happening has been confirmed by the chairman of Bangladesh Press Council, who said the draft of the amendment may be placed in parliament after it is approved by the Cabinet Division. As per a report by this daily, he also claimed that all journalist-representatives in the council had "agreed" to it and that the issue had been "regularly discussed with the current committee", although some committee members denied having any such discussion. It appears that a discussion to increase penalties did take place five years ago, but none on the proposed amendment.

The mystery surrounding this issue aside, the fact that the press council felt the need to impose such penalties for activities which should already be covered by the existing criminal law is disconcerting. It may involve changing an existing norm too as, according to one member, Press Council cases can only be filed against organisations, not against any journalist. We understand the importance of enhancing the power of the press council, especially when it comes to upholding ethics and fairness in journalism. But often, the threat to ethical journalism is from the system, not from individual journalists. Currently, the council can rebuke a journalist if their wrongdoing is proven but nothing beyond that.

But such hefty fines potentially add to a growing list of legal tools being used to create a culture of fear for journalists, who are already walking a tightrope with various draconian laws and regulations. It may contribute to further shrinking the space for them. They need to work independently to cover stories important to citizens, with no fear of retribution from any quarter whatsoever.

That said, we wholeheartedly support any move to ensure responsible journalism. But hefty fines and repressive laws for individual journalists or media organisations are not the way to go about it. There is no denying that journalists practising objective journalism can strengthen democracy in the country. No country or regime can thrive by throttling the voice of the people. Thus, we find the proposed amendment to the Press Council Act as problematic, and therefore oppose it. We hope it will be rejected by the Cabinet Division.

EDITORIAL

Mizanur's unacknowledged detention



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KAMAL AHMED

WELL-known civic rights activist Mizanur Rahman's narration of his harrowing experience of being picked up by police and tortured under custody, published in this newspaper's online version on June 15, gives us some disturbing snapshots of the unlawful actions of our law enforcement agencies. As a keen follower of developments related to human rights, I am reminded of the term used by the Committee Against Torture (CAT) of the United Nations for these kinds of arbitrary and unlawful abductions by members of law enforcing agencies. It's called "unacknowledged detentions." Though Mizanur's four-and-a-half-hours-long unacknowledged detention came to an end to the relief of his family, the pains and psychological distress he suffered would no doubt stay with him forever.

Is this unacknowledged detention of Mizanur an exception or deviation in policing practices? Unfortunately, recent trends suggest it has become a preferred tactic to bypass the mandatory legal requirement of producing the suspect before a magistrate within 24 hours. People disappear like characters of a fictional thriller and, if luck favours, they reappear, shown arrested just hours before from some strange place and produced before a court with a petition for remand. The UNCAT, in its concluding observation published on August 26, 2019 said, "The Committee is seriously concerned at numerous, consistent reports that the State party's officials have arbitrarily deprived persons of their liberty, subsequently killed many of them and failed to disclose their whereabouts or fate. Such conduct is defined in international human rights law as enforced disappearance, whether or not the victim is killed or reappears later."

In Mizanur's case, when police picked him up from Bikrampur Plaza, he was misled into believing that it would be just a normal chat with the Deputy Commissioner. But soon he realised that something was not right and managed to inform his daughter. Soon afterwards, he was surrounded by several other police personnel and huddled into a car. In the car, they started misbehaving with him and snatched away his mobile phone. While his family members contacted the local police station, Shyampur Thana, law enforcement members expressed their ignorance about his detention. Though, at that time, he was either in their custody or was just being handed over to the Detective Branch (DB).

Unlike other victims of unacknowledged detention, Mizanur gave a vivid description of the demeaning



Mizanur Rahman, famous for his unique protests demanding safe drinking water from Dhaka Wasa, is also known to have taken part in other civic protests and for expressing opinions critical of the government and state entities, including the police, for corruption and irregularities.

PHOTO: COLLECTED

behaviour he was subjected to by a senior officer at the Shyampur police station and the physical torture he had to endure there. In his words, "At one point, the female officer ordered that I be beaten up. A policeman was standing there with a stick. Once ordered, he beat me hard several times." He added, "I have so far fought a lot to live with self-respect. Being beaten like this was unacceptable

police ever picking him up without a warrant, interrogating him without the presence of his lawyer, subjecting him to dehumanising or cruel behaviour and beating him under custody, keeping him blindfolded and hand-cuffed. All these acts are defined as torture under our law. It all happened despite the fact that Mizanur was not a suspect for any criminal acts or named in any

cases anywhere in the country. He is, however, famous for his unique protests demanding safe drinking water from the supplying authority, Dhaka Wasa. He is also known to have taken part in other civic protests and for expressing opinions critical of the government and state entities, including the police, for corruption and irregularities.

What Mizanur encountered since he was picked up from Bikrampur Plaza till his release are punishable offences under our own law, the Torture and Custodial Death (Prevention) Act, 2013. There are further stipulations by the Supreme Court in implementing the Act due to reported allegations of such violence, particularly in the context of custodial situations where law enforcement agencies seek to obtain confessional statements from the arrestees following arrest or detention. The UNCAT, too, in its final observation, recommended that the government should "[u]nambiguously affirm at the highest level... that law enforcement authorities must immediately cease engaging in the practice of unacknowledged detention."

The Supreme Court's guidelines were issued in 2016, three years before the UNCAT's recommendations.

We need an end to unacknowledged detention and custodial torture. And it should begin with an independent investigation into Mizanur's unacknowledged detention. Without accountability of the perpetrators of such unlawful brutality and torture, they won't end.

The Myth of the Strong Woman

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SOHANA MANZOOR

YEARS ago, when I was about eight years-old, I heard a teacher say that a woman's lungs are stronger than a man's. It sounded strange even to my young and untrained ears. When I asked my mother, she first snapped at the absent teacher, but then explained how in our world, a boy child is valued far more than a girl. And it starts at the cradle – people rush in when a baby boy cries, but not a baby girl. Hence her lungs are stronger because they get more exercise.

The explanation still did not make sense. I was yet to understand what being a woman meant. In our country, most girls are raised with the expectation of fairy-tale marriages. A dream is spun for her with hopes of beautiful dresses, jewellery, a loving husband, and children. She is also taught that however educated, she cannot be happy or fulfilled until she is married. It's as though that fairy-tale is meant to compensate for being taught that girls are softer and lesser than boys in every sphere of life.

After marriage, with her dreams of a happy household, the girl suddenly is faced with the politics of her in-laws. In most cases, she needs permission from her husband and in-laws to even visit her parents. She is tested in various ways by her new family members. These tests are mostly demeaning and often abusive. Her life is dictated by the expectations of others in her new family – including when to have children, whether she can continue her studies, or have a career.

People nod in approval when they find a "selfless" woman. In other words, a woman's selfhood must be sacrificed for the welfare of the society. The ideal existence society intends for her is one of self-abnegation.

PHOTO: COLLECTED

However, if she complains about these ordeals, she is told that the happiness of a woman lies in making other people happy, not herself. The definition of "happily ever after" suddenly changes – it was never her happiness that was intended, but that of others – her husband, her children, and her in-laws. People nod in approval when they find such a selfless woman. In other words, a woman's selfhood must be sacrificed for the welfare of the society. The ideal existence society intends for her is one of self-abnegation.

When I was growing up, I heard people describe my maternal grandmother as a woman of great prowess. She had given birth to fourteen children, including two that died in infancy, and managed her huge household with capable hands. She rose early in the morning before anybody else, and was the last one to go to bed. As a child, I only saw her as a loving *nanu* who readily fulfilled my wishes. But now when I look back, I also see that she was a woman who was denied her own dreams. Married off at age 12 and unable to fulfil her own desire for higher education, she devoted herself to raising her children to be successful in life. That was the best that she could have.

Many would say that times have changed now and women have become independent. As I look around, I see that things have become even more difficult when women are working and taking care of the household at the same time. She is continuously urged to be perfect, even more of a goddess than her mother and grandmother. If something goes wrong with her children, it is invariably her fault because she did not give them enough time. Few notice her financial

contribution to the family and even condemn her for buying sarees or personal items with her earnings. I have heard educated men make snide remarks like, "Women work because they are not happy with their husbands' earnings," or "Working women make bad mothers."

To be successful as a woman means withstanding societal pressure from all quarters, and having to brace themselves for each day as if nothing is wrong. Women are supposedly the weaker sex, but the reality is that to be independent and successful in a patriarchal setting, a woman has to be far stronger than her male counterparts. To establish herself, she has to encounter far more obstacles than a man.

A strong woman, then, is one who has endured extreme difficulty, even harassment or abuse, and learnt to live with it as best she can. Have you wondered why these women are sometimes referred to as crazy or eccentric? A sane man apparently cannot imagine leading the life of a woman because that life is too restrained and limited. And yet a woman is made to live such a life because she is not a man.

By hailing these women as "strong" and worthy of admiration, society recognises their suffering with grudging respect, while also endorsing and perpetuating their ordeals: "She is a strong woman and she can bear anything." Just because women have bravely borne ill treatment doesn't mean that it is justified. It is high time to look upon a woman as a full human being, not just as somebody's mother, wife, sister, or daughter who will sacrifice her life and ambitions for the "greater good" of society.