

The Daily Star

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# Welcome changes in Evidence Act

## It's high time to end harassment in the name of character evidence

THE so-called "immoral" character of survivors of sexual violence can no longer be brought into question, digital evidence can be produced in courts, and questions on the character of witnesses in general can be raised only with the permission of the court. These proposed amendments to the Evidence Act have been approved by the Cabinet and will now be placed in parliament. While long overdue, this move deserves our highest praise and has been welcomed by rights activists who had been campaigning for these amendments.

A culture of victim-blaming has permeated the system that is meant to give justice to survivors. It is difficult to forget the controversial comments of a Dhaka Tribunal judge last year about giving rape survivors a 72-hour window only to report cases - a recommendation that was later removed from the full verdict after widespread condemnation, including from the law minister. Activists have long argued that defence lawyers attacking survivors with demeaning and obscene questions during cross-examinations is a huge deterrent in the process of justice that has only contributed to normalising sexual violence. Against this backdrop, the protection now given to survivors in court is a milestone to be celebrated.

However, this is only the first step towards tackling a deeper issue - the lack of sensitivity shown to survivors of violence in courts. To this date, there are no proper protocols or guidelines on protections that should be afforded to survivors in court in order to preserve their dignity and avoid re-traumatisation. The idea that a woman of "bad character" cannot be raped is the very pinnacle of patriarchal and gender-biased thought, and it has been part and parcel of our justice system for a long time. While removing it from the law is a huge step forward, more needs to be done to make these spaces safer for women who are already struggling with social stigma and the trauma of violence. It should be noted that the amended version of Section 146(3) still allows for the moral character of witnesses to be questioned if the court permits. It is now up to the judges to ensure that this is done only when absolutely necessary and is not allowed to become a regular line of cross-examination.

Precautions should also be taken with regard to digital evidence. In a world where almost everything is digitised, it is critical to allow it in courts, but the collection of such evidence must be done through transparent means. As we know all too well from the Digital Security Act, it is not difficult to misuse and abuse digital information. While digital evidence can be a crucial part of the process of justice, it must not be used as an excuse to ignore growing concerns over data protection and privacy.

# A matter of life and death

## Govt should fast-track its drowning prevention programme

IT is heart-breaking to note that as many as 38 children die every day in Bangladesh due to drowning. According to the World Health Organization and Unicef Bangladesh, that brings the total to around 14,000 deaths among children every year, making it the second leading cause of child (under five) mortality in the country. Unfortunately, Bangladesh has one of the highest rates of under-five drowning in the world. Despite these alarming statistics, the fact that we as a nation have failed to do anything about it over the years is extremely disappointing.

Globally, drowning claims the lives of over 2,30,000 people every year. In order to bring global attention to it, the UN declared second World Drowning Prevention Day was observed on July 25, 2022. The majority of deaths by drowning, however, occur in low- and middle-income countries. In a country like Bangladesh, where large areas of land remain submerged due to yearly floods, the absence of awareness among people as well as lack of swimming skills can prove to be lethal, especially since children in rural areas living near water bodies are exposed daily to the risk of drowning.

According to a report earlier in the year by the Society for Media and Suitable Human-communication Techniques (SoMaSHTe), 80 percent of the under-five victims drowned within 20 metres from their homes. What is deeply concerning is that people are also still largely unaware to this threat due to inadequate reporting of such incidents in the media and elsewhere.

Given that death by drowning is preventable through low-cost solutions, according to the WHO and Unicef, there really is no excuse for us to continue ignoring this issue and not implementing these solutions. The government, in partnership with other organisations - like the media, NGOs, and others - needs to urgently increase awareness about it among families and communities. Providing swimming skills among children and adolescents would also go a long way in preventing such unnecessary deaths. Since a lack of supervision of children while their guardians are busy with other work is what often leads to such tragic deaths, ensuring childcare facilities for pre-school children can make a significant difference.

Reportedly, the Ministry of Women and Children Affairs has developed a detailed, pro-forma project, which will enable institutional supervision of children under five through 8,000 community-based day care centres. This project should urgently be fast-tracked, as it literally concerns a matter of life and death, particularly for children.

# The root cause of our power sector's ills



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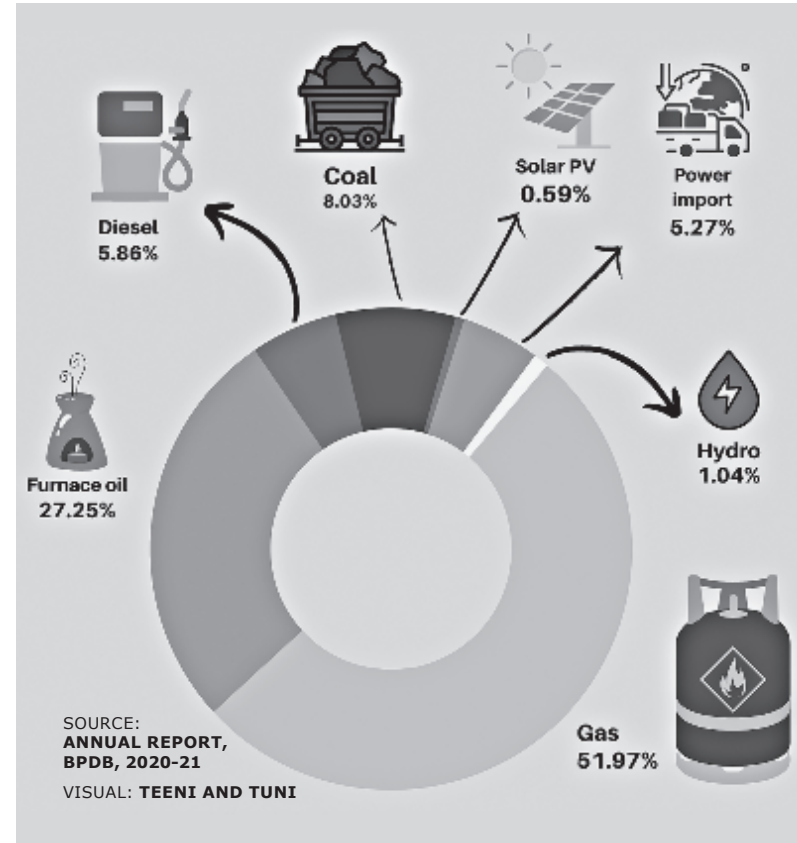
IJAZ HOSSAIN

UNTIL recently, load-shedding was something that people in Bangladesh had forgotten - at least in Dhaka. Why, then, are we facing the present power crisis, and why should it hit us so hard? Simply put, we ignored the issue of fuel supply for the power plants. There are grid-connected power plants with more than 22,000MW generation capacity, but our consistent electricity production is less than 17,000MW even from our oil-fired power plants, because we haven't planned for sufficient gas supply.

Power is measured with megawatt (MW), but electricity is measured with megawatt hour (MWh). We have had growth in power, but not in electricity generation. To generate electricity, one needs fuel - and we have failed in planning for fuel supply for our power plants. If said fuel is imported, supply disruption must be integrated into that planning.

According to Bangladesh Power Development Board (BPDB) data on the production of natural gas and the import of LNG in Bangladesh since 2008-09, gas production peaked in 2015-16, and then started to decline. LNG import started in 2018-19, and has been increasing every year. The need to manage the declining gas production and increasing LNG import is of utmost importance. We are now alert to the dangerous situation that started developing at least five years back. Our daily production is 2,300 mmcf, and in the best possible scenario, on an average, we can import, gasify and supply 1,000 mmcf of regasified LNG daily. That makes a total of 3,300 mmcf of gas per day, but our daily demand is more than 3,800 mmcf; some believe it is more than 4,500 mmcf per day if unsatisfied and suppressed demands are fully met.

The figure here shows the power plants in Bangladesh as of 2020-21, disaggregated on the basis of the fuel



they use. The heavy reliance on natural gas is clearly evident (52 percent). With gas production declining, the continued high dependency on gas in the power sector is a serious mistake. Approximately, 42 percent of the total gas supply goes into grid power generation.

For a long time, the BPDB has been relying on oil-fired power plants to meet the demand. Using oil-fired power plants means that the cost of electricity will go up. In the least-cost principle of electricity generation, planning oil-fired power plants should not enter the energy mix. If there is no other option, then roughly 20 percent of the power

plants and 10 percent of generation can be from oil-fired power plants to essentially meet the peak demand. But in Bangladesh, we have been using oil-fired power plants for over 10 years for baseload power. This clearly shows that the government has not been able to build a sustainable power sector where uninterrupted electricity is available at affordable prices.

power sector is that the BPDB has rarely ever consulted Bangladesh Oil, Gas and Mineral Corporation, also known as Petrobangla, before setting up a gas-fueled power plant. In many instances, despite Petrobangla's warning that they may not be able to ensure gas supply, the BPDB went ahead and allowed private companies to build power plants. This is highly irregular, because without primary fuel guarantee, it is not possible to get financing. The guarantee for fuel was given by the BPDB even though gas supply was Petrobangla's responsibility.

After the discovery of the Bibiyana gas field, less than three trillion cubic feet (Tcf) of gas has been added to the 2P (proven+probable) reserves, but more than 10 Tcf of gas has been consumed. In the last five years, less than 0.5 Tcf of gas has been added to the reserves, but more than 3.5 Tcf has been consumed. Clearly, if we are to depend on gas as our main fuel, emphasis must be given on finding new reserves. Unfortunately, instead of emphasising on that, the domestic production of natural gas has been neglected. Bangladesh Petroleum Exploration and Production Company Ltd (Bapex) was not provided with sufficient funding to increase gas exploration.

More disturbing is the fact that almost nothing has been achieved on the deep offshore front. Of course, the offshore is an unknown region, but the government should have initiated a survey followed by drilling. But none of that has been done in the deep offshore region we won from Myanmar and India. All these point towards one thing: the government is more eager to import LNG than to find gas at home, which requires high-risk capital. Undoubtedly, the need for vigorous exploration is of paramount importance to avert a situation like the one we are in, or at least to lessen the impacts of supply disruption and price volatility.

Natural gas resource studies conducted by two reputed organisations from the US and Norway have indicated that there is a 50 percent probability of finding 32-40 Tcf of gas in Bangladesh - excluding the deep-sea region. We have found around five Tcf since the study was completed. Therefore, there are still good chances of finding more gas in the country. How then did Petrobangla come to the conclusion that there is no more gas in Bangladesh?

# Time to pay more attention to climate displacement



## POLITICS OF CLIMATE CHANGE

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THE issue of human displacement due to the adverse impacts of human-induced climate change used to be a topic of anticipatory actions, but it has become an active problem here and now. This is because the world has now entered the new era of losses and damages that are attributable to the fact that global temperature has already risen over one degree Celsius due to greenhouse gas (GHG) emissions. Although the Paris Agreement was put into effect to keep the global temperature rise below 1.5 degrees Celsius, this target is rapidly becoming impossible to meet - unless all countries enhance their respective pledges to reduce their emissions even



According to experts, internal displacement due to climate change will increase significantly in Bangladesh by 2050. FILE PHOTO: REUTERS

**Just this week, our foreign ministry, in collaboration with the International Organization for Migration (IOM), held a successful high-level policy dialogue on the topic, which needs to be followed up by our missions in key developed countries such as the US, the European Union, the UK, and France.**

faster than before. Unfortunately, this seems unlikely to happen.

Thus, it is now a high priority for all countries, especially Bangladesh, to take serious measures to deal with such loss and damage, and in particular with the issue of potential displacement of

the Warsaw International Mechanism (WIM), which has set up a task force on displacement due to climate change, which has produced its reports with recommendations for actions to "avert, minimise and address" loss and damage. This needs to be a priority in the upcoming 27th United Nations Climate Change Conference (COP27). At COP26 held last year, Bangladesh

held a successful high-level policy dialogue on the topic, which needs to be followed up by our missions in key developed countries such as the US, the European Union, the UK, and France. Such high-level policy dialogues can be jointly organised by the Bangladesh mission in each country together with the IOM.

Another arena where Bangladesh can play a proactive role under the leadership of the environment, forests and climate change ministry is to propose a special report by the Intergovernmental Panel on Climate Change (IPCC) in its upcoming seventh IPCC cycle. Such a special report can be done by the IPCC in just two years, and we have a good example of the highly influential IPCC special report on 1.5 degree temperature rise, which was proposed some years ago by the CVF member countries.

Finally, we need to be taking the issue of human displacement due to climate change seriously at home in terms of developing some high-level framework to enable the many separate, but relevant initiatives by different government ministries and agencies to bring some synergy to these disparate efforts to ensure a whole-of-government approach to the issue of human mobility and climate change. Indeed, we can go a step further and promote a whole-of-society approach which includes private sector, civil society, academics and researchers as well as media to make Bangladesh a pioneer in taking up the issue of human mobility under climate change as it has already become a global role model on adaptation to climate change.

The issue of forced displacement due to climate change impacts is one that can be turned from a challenge into an opportunity if we take the right kinds of anticipatory actions to minimise the adverse impacts and enhance the positive opportunities for potential future climate migrants.