

## UN rights chief hits the nail on the head

Govt must allow impartial investigation into abuse allegations

UN Human Rights Commissioner Michelle Bachelet, before concluding her four-day visit to Bangladesh, made some pithy observations about the country's rights situation although, earlier, she had hinted that she wasn't here to criticise but to discuss. We're glad that she chose to do both, in her own way of course. In so doing, she added moral weight to the fight against the widespread human rights abuse that has become something of a norm over the past decade. What we find particularly relatable is her position on the "continued and alarming" allegations of enforced disappearance, extrajudicial killing and torture against state agencies.

In her press conference, Bachelet spoke of her "deep concerns" over these allegations as well as the lack of due process in investigations and judicial safeguards, which she said she conveyed to the government. She also mentioned how successive UN human rights reports have documented "a narrowing civic space, increased surveillance, intimidation and reprisals often leading to self-censorship". She spoke of the Digital Security Act, and how laws and policies are restricting the freedom of expression and effective operation of NGOs. She stressed the importance of protecting minority groups and indigenous peoples from violence.

Importantly, besides highlighting the need for drastic improvements in these areas, she called for an "impartial, independent and transparent investigation" into the abuse allegations, expressing her office's readiness to help design a "specialised mechanism" in line with international standards to investigate them.

The question is, will the government listen? So far, in public comments at least, government ministers have steadfastly ignored the elephant in the room: the very existence of enforced disappearance and extrajudicial killing in the country. Nothing from their reaction betrayed any willingness to acknowledge them, let alone undertake impartial investigations, although they did vaguely mention taking action if such allegations are raised. Why coy about it if they have nothing to hide? What do they fear will come out if such investigations are carried out? Even Bachelet has urged the government to acknowledge these allegations, which is the least it can do given the mounting evidence of such abuse.

Its continued refusal to undertake meaningful action is an affront to the victims. Its failure to undertake human rights screening of its security personnel and agencies, and make them accountable, is also an affront to democracy and everything it stands for. Economic progress means nothing if citizens' rights and safety are not ensured. For too long, we have had to deal with a near-total lack of accountability in public institutions, leaving them exposed to political machinations. This cannot go on indefinitely. We urge the government to turn away from this destructive practice and institute a robust system to address any and all allegations of rights abuse. It must prove, not just express, its commitment to human rights.

## No alternative to Rohingya return

Bangladesh should not be made a victim of its own generosity

PRIME Minister Sheikh Hasina has rightly pointed out to the United Nations High Commissioner for Human Rights, Michelle Bachelet, that Rohingya refugees in Bangladesh must eventually return to Myanmar. It's been almost five years since the Myanmar military carried out its most recent genocidal campaign against the Rohingyas, forcing around a million of them to flee to Bangladesh in search of safety. For a resource-constrained country like ours, hosting so many of refugees for five years has been a great challenge indeed.

The UN high commissioner, while expressing her disappointment over the lack of progress in regard to the repatriation process, warned the government to remain vigilant against the increasing anti-Rohingya rhetoric in Bangladesh, including stereotyping and scapegoating Rohingyas as the source of crime and other problems. This is an important point that needs to be discussed. Firstly, it should be recognised by all that the present circumstances are in no way the fault of the Rohingyas. Rather, they are the victims of barbaric actions by the Myanmar military and extremists. However, the reality that their unending presence here could lead to negative thinking also has to be recognised. This type of thinking is not beneficial to anyone, however, except maybe for those who want to exploit their vulnerability or those responsible for creating the crisis in the first place, as the focus shifts from them to the Rohingyas and their hosts. But that only makes quick repatriation all the more important.

The UN high commissioner also correctly observed that repatriation must occur once the conditions for their safety have been ensured in Myanmar. Otherwise, more Rohingya lives will be lost, and those who may survive the brutality of the Myanmar military will once again be forced to flee to Bangladesh. But this is where the international community, including the UN, must play a much bigger role. As far as Myanmar is concerned, right now it has no incentive to create such safe conditions for the Rohingyas – as it is the Rohingyas who are being forced to live in untenable and difficult conditions, and Bangladesh that is having to pay for it. Therefore, the international community has to put effective pressure on Myanmar so that it changes its Rohingya strategy.

Bangladesh can perhaps afford to host the Rohingyas for another year or two provided it receives a regular supply of assistance for the Rohingyas. But there has to be a definite timeline for their repatriation. We call on the international community to urgently work towards that end.

# No government has ever fallen for being self-critical

UN rights chief's suggestion is important; let's implement it



### THE THIRD VIEW

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### MAHFUZ ANAM

UN High Commissioner for Human Rights Michelle Bachelet has left us a "laundry list" of things to do. Generally, when we are advised to do things – out of courtesy, I am avoiding the term "lectured" – following the visit of a dignitary, it does not leave a good taste in the mouth. No one can feel good about getting an earful from a visitor, however well-intentioned. This feeling verges on outrage when we see traces of duplicity as to how these "to-do" lists become long or short, harsh or mild, direct or nuanced depending on the country they are addressed to. Would such a list, on similar issues, be given to global or regional powers? Would China, Germany, France, Spain or India be similarly spoken to?

If we want to stop being lectured by international bodies, then we as a people, and much more so our government, must listen to our own critical voices. Our government must allow – not as a favour, but as a part of our right – others to speak. It must be open to alternative suggestions, dissenting observations, and even forceful rejections by national experts, stakeholders and the media. Terming every critic as a "conspirator" does not help in opening channels for vital feedback.

There is no human rights violation, there is no extrajudicial killing, there are no custodial deaths, no enforced disappearances, no violation of the law – such narratives do not serve any purpose. By denying the facts, we create grounds for foreign "lecturing" and open ourselves to external pressures. Can it be denied that deaths in the hands of Rab have practically stopped after the US sanctions? People, families and the media have been clamouring for years about extrajudicial killings. There have been hundreds of demonstrations, protests by forming human chains, press briefings and petitions against enforced

disappearances and extrajudicial killings in Bangladesh, and nothing happened. And like magic, it suddenly stopped – even if temporarily – when certain restrictions were imposed by outside powers. So what will the people conclude? That we and our protests don't matter. Only when international pressure comes upon our government may we see some results.

Literally everything the UN human rights chief said, we – human rights activists, civil society and the media –

seriously is to set up an independent, specialised mechanism to probe extrajudicial killings. Implementing this one suggestion would bring about many changes, especially the setup of an accountability mechanism – something that has gone missing from every part of our government.

Among others, the thing that clouds Sheikh Hasina's many achievements is the lack of accountability. As the head of the government and repository of all powers (our constitution provides for a very powerful executive head), it is expected that she would be subjected to the most stringent of accountability. (We saw how Boris Johnson, the former UK prime minister, was held accountable both by the parliament and, more importantly, by his own party). But that is not our reality. Not only that we cannot have it, even to expect it is sacrilegious. However, if the prime minister really wants to

subsidise the essentials for the poor and the lower middle class. Where will it get the money from? While we approach the global lenders, we also need to hold ourselves accountable as to how we spent our hard-earned resources over the last decade. Paying thousands of crores of taka as "capacity charges" to a few companies, that also for years and in US dollars – which started for three or four and is now continuing for 13 years – is just one example of where the lack of accountability can lead to. It may have been necessary for a specific period and in a far smaller scale, but never for the amount and for that long a period.

Coming back to the UN human rights chief's suggestion, we believe such a body will bring accountability in our law enforcement agencies. Extrajudicial killings along with enforced disappearances are the two most dreaded of a plethora of consequences that our people suffer from because of our allowing the police, Rab, intelligence agencies and surveillance bodies to run amuck. The poor, the day labourers, low-income people and those who have small businesses are mostly the victims of abuse of their power, one of whose effective methods of oppression is implicating people in false cases and then charging money to exonerate them.

To want to tell one's own story is natural. To think that such a story is very important is understandable. But to think that that is the only story is dangerous. We are now in that dangerous zone. The stories that our ministers told the UN high commissioner for human rights were so far from the truth, so removed from reality and in such contrast to the daily experience that they ended up insulting the families who lost their near and dear ones and reinforcing the impression of the international "human rights" community that the facts given out by our government cannot be trusted.

We must move away from the culture of denial and develop the confidence of being self-critical. No government in the world has ever fallen for being self-critical. On the contrary, it fell from power for being self-enamoured. That happens because the most dangerous aspect of the culture of denial is that what is meant to mislead others ends up misleading themselves, which destroys their own connection with reality.



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ILLUSTRATION: BIPLOB CHAKROBORTY

have said before, and for years. We have written volumes on them and have published thousands of editorials and op-eds on these very subjects. None of them have been taken seriously. In fact, the most powerful and insightful of them have been disdainfully brushed aside as coming from habitual critics who cannot "tolerate the government's unprecedented success."

Of all Michelle Bachelet's suggestions, the one we would like to see our government take up

have an effective administration, what she needs the most is accountability in every sphere of her government: administration, law enforcement, dispensation of justice, banking, health services, education, etc. Lack of accountability can be said to have devastated this government, and is mostly responsible for our chaotic response to the present economic crisis.

The government will need to invest a lot of money to overcome the present economic crisis. It has to heavily

## How many deaths are too many deaths?



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### MIR AFTABUDDIN AHMED

A couple of years ago, a close friend of mine, who had just completed his engineering degree at the University of Toronto, passionately explained to me the significance of ethics and accountability in his field. You see, Canadian-trained engineers participate in something called the Ritual of the Calling of an Engineer – a ceremony where metallic rings are presented to fresh graduates with the intention of invoking the ethical obligations and civic duties associated with their profession. The history behind this is deeply distressing – and one which remains rooted in the hearts of Canadian engineers, above and beyond their technical skills and aptitudes. The Quebec Bridge, a high profile industrial project in the 20th century, collapsed in 1907, leading to the death of 86 workers. The blame categorically fell on design faults and planning miscalculations on part of the engineers employed in the project. Since then, the Iron Ring has represented a symbolic reminder to engineers of their moral pledge towards society and the importance of integrating this philosophy in their lines of work.

The reason I recount this story is because of the shock and anguish I felt when reading about the death of a family in Dhaka recently. Five people were killed as their car was crushed by an 80-tonne girder of the BRT project. I will avoid recounting the countless catastrophes and safety violations across the roads and

highways sector of Bangladesh in the recent past – the media has pointed these occurrences out at every step of the way, and Bangladeshis are well-informed on this front. Yet, the moral ambiguity and seeming lack of accountability of the stakeholders associated with infrastructure projects like these – from engineers to public safety representatives – is telling of the serious ambivalence that policymakers have towards road safety and, more generally, public safety.

The World Bank country director for Bangladesh and Bhutan recently stated that road accidents were the leading cause of permanent disability and the fourth leading cause of children's deaths in Bangladesh, according to studies and research done by the multilateral institution. A 2019 World Bank report indicated that road crashes and serious injury costs were estimated to be roughly 5.3 percent of the GDP in 2016. More than the economic cost of unsafe roads, the increasing loss of lives is perhaps a slap in the face of the decade of development as promoted by the ruling regime. The Road Safety Foundation suggested that the numbers of road crashes and casualties in 2021 increased by 13.43 percent and 15.7 percent, respectively – a shocking 6,284 people lost their lives in 2021 to such incidents. Therefore, it is not surprising to see Bangladesh being ranked 106th out of 183 countries when it comes to having the most road-crash-related deaths. Broadly speaking, there are three

core tenets of road management that we need to discuss as a nation – namely, the designing aspect of roads and subsidiary infrastructure, safety measures undertaken by the consumers of roads and highways such as drivers and passengers, and the oversight and accountability measures crafted by public sector representatives. All tenets mentioned are interdependent when it comes to ensuring road safety. And a lack of focus and policy attention, or in another sense, a lack of interest to address systemic flaws in the roads and highways sector, is symbolic of the unsustainable nature of how we have perceived our developmental journey. Accidents and civic violations of safety will continue. Corruption will linger, paving the way for this sector to be a cash cow for fraudulent public sector representatives.

In 2018, the Anti-Corruption Commission (ACC) ascertained that engineers and officials of the roads and highways department were building subpar roads across the country, with the intention of misappropriating public funds. This is merely one example of a much larger disease that has engulfed the public sector. The standard response from the government is an empty promise in the form of a statement that ends with the phrase "action will be taken." But when repeated instances of endemic corruption, particularly with respect to the bidding of infrastructural contracts and the sidestepping of safety concerns, are seen across rural and urban projects, one begins to question whether the state itself is a beneficiary of such illegitimate activities. Therefore, as a starting point, Bangladesh needs to put its focus on the foundational aspects of road designs and engineering, because it seems that certain engineers and public sector representatives have forgotten their oath to the public and, as such, are sidestepping the ethical

obligations of their profession.

Coming back to the recent BRT incident in Uttara, the lack of safety and traffic management in the project is nothing but sheer negligence, according to the director of the Accident Research Institute at Bangladesh University of Engineering and Technology (Buet). Following the incident, stakeholders associated with this project have said that, yes, traffic on the road should have been stopped or circumvented. But this social autopsy is simply not enough; what should happen can happen. But unless policymakers make it happen, it simply will not happen!

This brings me to my point about accountability and oversight – frankly, from what we see, read and experience, there is no accountability or oversight in this sector. A clear policy roadmap towards establishing efficient management of roads and highways, and associated projects undertaken in and around communications systems, which prioritise the safety of citizens and the well-being of communities, has to take centre stage. This has been repeated across all sections of society for decades now, yet as our political leadership boast about our economic resilience even amid a cost of living crisis that has grappled the nation, we have failed, and will continue to fail, in ensuring any sense of stability and safety mechanism across roads and highways.

The cyclical process of corruption, poor road management, ambivalence towards road safety, accidents, deaths and finally, condemnations with empty promises frustrates the entire nation – to an extent where there is little to say. These deaths are preventable; such accidents are avoidable. There is no partisan politics or ulterior motive behind this assessment. Unless such is done, these incidents will continue to occur. Innocent people will continue losing their lives to what is nothing short of murder.