

## Ensure safety at all project sites

### Stopgap solutions can't bring about structural reforms

AFTER the avoidable loss of five lives – six lives, if we count the guard who was similarly killed last year – by the fall of a girder of the Bus Rapid Transit (BRT) Line-3, the authorities finally seem to be prioritising safety precautions at project sites. Reportedly, the Bangladesh Bridge Authority (BBA) has issued directives to reinforce safety at all its project sites, the Dhaka North City Corporation (DNCC) has called a meeting of all implementing agencies, and the Road Transport and Highways Division (RHD) has insisted that the contractors submit a safety plan to be approved before work can resume on the BRT project. These are undoubtedly welcome moves, but we can hardly pat the state agencies on the back for doing what they should have done at the beginning of the projects – not after lives have already been lost needlessly.

Why must a safety plan be submitted now, and why must directives be issued to maintain international safety standards at project sites? How can a Tk 4,268 crore project lack a safety plan and dedicated officers to ensure compliance, when this should have taken precedence at the initial design and implementation stages? Despite previous accidents at the sites, why did the authorities not evaluate their blind spots and take urgent steps to hold the contractors and officers who were negligent accountable? If, as the DNCC mayor claims, he had conveyed his concern to the project implementation authorities on “several occasions,” why did the authorities not respond or take action? What, if anything, did the mayor do to follow up on his concerns when he saw that no action was being taken? They must answer to the public, and they must do so now.

Shifting the blame onto the contractors alone, as the probe committee report appears to have done, and taking stopgap measures to tackle a PR nightmare will not bring about the structural reforms necessary to make our roads and highways safe. If the authorities are really serious about ensuring public safety, they must own up to their omissions and hold those in positions of power responsible for the grave oversight that has led to the unacceptable loss of lives. Instead of pointing fingers at others, they must point it towards themselves and ask what needs to change within their respective institutions. They must examine what's missing in how development projects are currently conceived, designed and implemented, and also check corruption at all stages of the process.

Most importantly, the government and all the relevant implementation agencies must now urgently take stock of all the ongoing development projects across Bangladesh and take proper measures to ensure that international safety protocols are being followed at each and every site. Whatever action they take at the BRT site must be replicated across all development sites in the country for any measure to be truly meaningful.

## Govt rewarding corrupt officials?

### From unchecked neglect of duty to Integrity Award in six years!

IT is disappointing, though hardly surprising, to know that corrupt government officials are getting away with their misdeeds with barely a slap on the wrist. The newest “shining” example of this phenomenon concerns the Bangladesh Land Port Authority, under the shipping ministry. Reportedly, Mohammad Mahfuzul Islam Bhuiyan, deputy director of the organisation, was reprimanded in a departmental case in 2014 for negligence of duty. But in 2020, he became the recipient of the organisation's Integrity Award. One can only wonder the amount of good the official must have done in the span of six years to undo his spotty record so well. And he is not alone. Kabir Khan, another land port officer, has received a recommendation to be promoted to deputy director of planning for the organisation, even though he has been accused of corruption, irregularities, and sexually harassing a female colleague in the past. According to the victim of his last misconduct, no action was taken against him, despite her filing a complaint with the then chairman of the land port authority.

Of the 58 people accused in departmental cases by the land port authority, 32 were acquitted. Accusations against these officials ranged from misconduct, theft and embezzlement to neglect of duty. The most “severe” punishment any of the accused received was a suspension. This is due to the predictable fact that most of the accused are able to bend the rules of the organisation to avoid being sentenced for their misdeeds. What is most abominable is that the authorities' failure to punish corrupt officials extends to allowing those who have sexually harassed female colleagues to get away scot-free.

Even if the land port authority Chairman Md Alamgir's claim that most such cases are often the result of power struggle between officials is true, that is still concerning. Why are the people meant to serve the public's interest so hell-bent on climbing the ladder to get to higher positions? Are they unable to serve the public well from their current positions? Can they only do their jobs better by dragging down fellow officials? If so, there is something insidiously wrong with the system.

We hope the Anti-Corruption Commission's (ACC) ongoing investigation into the matter will face the accused officials with due justice. But the nonchalance of the land port authority is also something that needs to be checked by the government. For the government authorities' attitude towards corruption to be so lax is a detestable disservice to the public.

# Don't 'criminals' have the right to access justice?

## India's attempt to rationalise border killings



Dr CR Abrar is an academic and human rights expert.

CR ABRAR

OVER the last couple of months, new rail and river transport services between Bangladesh and India have secured a major fillip, bolstering the bilateral relations. While such linkages are purported to benefit both parties, the recent bilateral talks between the director generals (DGs) of the Border Guard Bangladesh (BGB) and the Border Security Force (BSF) convey the ominous message that border killings are likely to continue. This is despite the previous pledges made by the Indian authorities to bring it down to zero.

After the DG-level conference between BGB and BSF, at a press conference held on July 21, the visiting BSF DG asserted that “those killed at the border were criminals.” He claimed that they (victims of border killing) were involved in crimes such as smuggling, drug dealing and trafficking. When asked how that verification was done, he said the BSF verified their identities



**Rights activists and border scholars have noted that the BSF's excessive use of force is the precipitating factor in the persistence of killing Bangladeshi nationals at the border. The justification provided by the BSF chief that his force has to resort to violence in self-defence is not supported by facts.**

with Dhaka Metropolitan Police (DMP), Kolkata Police and border intelligence agencies. Denying any targeted killing, the BSF chief further stated that only those involved in trafficking tried to cross the border illegally, and that every shooting incident happened at night when the BSF personnel came under attack. The BSF DG further said India had already started using non-lethal weapons to bring down border killings. He did not lose the opportunity to assert that “BSF as well as BGB are absolutely professional border guarding forces. We uphold the best of (the) traditions of human rights whenever we are guarding the border” (*Dhaka Tribune*, July 21, 2022).

In April 2018, both parties agreed not to resort to lethal weapons in dealing with cases of border-crossing. The BSF authorities justify the use of lethal weapons on the ground of

“self-defence.” In other words, it claims that the security force resorts to lethal weapons when “they come under attack by the miscreants.” The BSF prefers to term such fatalities as “undesirable deaths” instead of killings.

The killing of civilians along the Bangladesh-India border has been a sensitive issue for the people of Bangladesh. In July 2019, the home minister informed the parliament that a total of 294 Bangladeshis had been killed by India's BSF along the border in the preceding 10 years. The minister further stated that 66 Bangladeshis nationals had been killed in 2009, 55 in 2010, 24 each in 2011 and 2012, 18 in 2013, 24 in 2014, 38 in 2015, 25 in 2016, 17 in 2017 and only three in 2018. The expectations generated by the drop in the figures in 2017 and 2018 were severely dampened by the twelvefold spike to 34 in 2019 (from three in 2018). Annoyed by the persistent killings, the foreign minister stated that “India promised [that] not even a single person would die in the border area. Unfortunately, border killing is a reality. We are concerned.” He further stated that Bangladesh would demand that the Indians deliver on their promise. Between January 2020 and June 2022, as many as 72 Bangladeshis were killed by BSF firing, and 51 more were injured.

The points made by the BSF chief at the July 21, 2022 press conference raise a few interesting questions. It is mind-boggling that, by claiming that all those killed at the border “are criminals,” the head of BSF has acknowledged that his force has concurrently arrogated the roles of petitioner, judge, jury, and executioner. The DG's branding of all those killed as drug dealers, smugglers,

and traffickers is no less disconcerting. One wonders if the Indian law allows summary execution of those three categories of perceived criminals – or even of the verified criminals, as the DG asserts. If his claim about the law enforcement agencies' validation of the criminal identity of the individuals concerned is genuine, then one may ask

lethal force. The report reminds us that “[i]n fact, even India's domestic laws, which allow ‘all means necessary’ in case a person attempts to use force to resist arrest, specifically forbid causing the death of a person who is not accused of an offence punishable by death or life term.”

The Odhikar-HRW report further notes that the victims of border killing, the alleged criminals, were either unarmed or armed with only sickles, sticks and knives. In dealing with them, the Indian border guards were likely to have used excessive force. In many instances, the victims were shot in the back, suggesting they were running away. The report states that in none of the cases that it investigated could the BSF “show that it had recovered lethal weapons or explosives from the victims that could pose an immediate threat of death or serious injury that might justify killings in self-defence.” Thus, the report concludes that the BSF approach is a “shoot to kill” policy that violates national and international standards on the right to life and presumption of innocence which are applicable in India and Bangladesh.

The gruesome killing of Felani, a 15-year old returnee domestic worker from Delhi, by the BSF in Kurigram on January 7, 2011 triggered outrage in Bangladesh and also in India. The Indian rights organisation Manobadhikar Surokkha Mancha (MASUM) filed a writ petition in July 2015 with the Supreme Court of India. There has been little progress since the initial hearing in October 2017. Her family is yet to get justice and compensation.

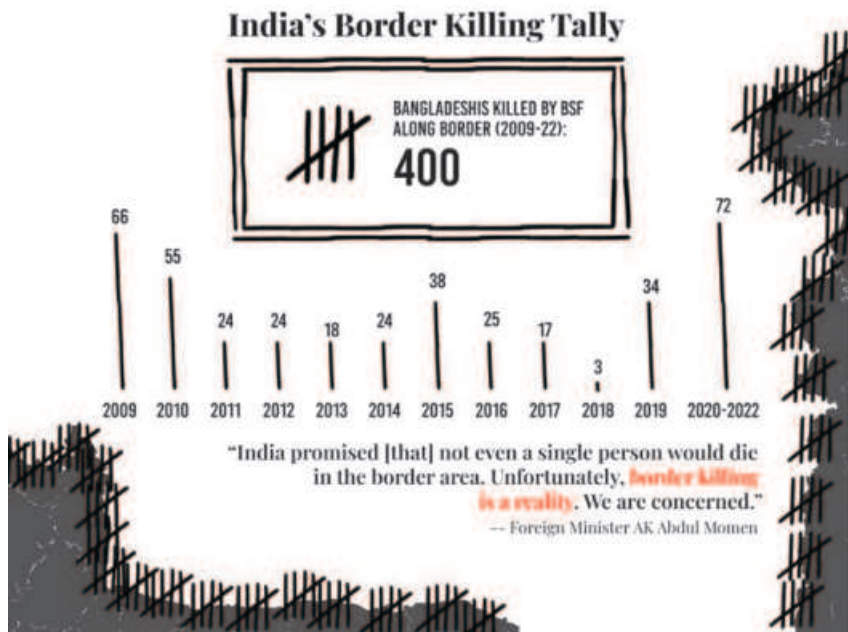
Based on the information available, one can surmise that, so far, India has not provided details of any BSF personnel prosecuted for killing a Bangladeshi national to the Bangladesh government. Along with other security forces, the BSF members are exempt from criminal prosecution, unless specific approval is granted by the Indian government. This near-total absence of accountability of the BSF personnel only perpetuates the incidence of border killing. As the Felani case revealed, BSF's internal justice system fails to prosecute its own members.

India's “no crime, no death” border management mantra was first articulated by the visiting Indian foreign minister in March 2021. In no uncertain terms, S Jaishankar linked this “regrettable problem” (border killing) to “crime” and said both the countries should aspire to achieve “no-crime-no-death border.”

This bizarre and untenable Indian theorisation of killings along its border with Bangladesh may be a “deft display of diplomacy to help India to absolve itself of the responsibilities” of this practice, but it surely defies all protocols of international border management and even the national laws of India. This further alienates Bangladeshis who wish for friendly bilateral ties based on the principles of respect, dignity, and sovereign equality.

under which law his force is authorised to use lethal weapons against them. It would be worthwhile if the BSF DG would clarify – even after having advance knowledge of the criminal intent of the victims – what precluded his force from nabbing the “suspects” before they embarked on such acts, and how the BSF members were sure of the identity of the criminals in the dark of the night, presumably from a distance. The onus also rests on the DMP authorities to confirm if the BSF authorities do secure their support in identifying such “criminal elements,” and if the names of those Bangladeshis killed at the border were on the list that they might have vetted. Perhaps a legitimate question is also whether it falls within the remit of the DMP to engage in such extraterritorial collaboration in law enforcement, as claimed by the DG.

Rights activists and border scholars have noted that the BSF's excessive use of force is the precipitating factor in the persistence of killing Bangladeshi nationals at the border. The justification provided by the BSF chief that his force has to resort to violence in self-defence is not supported by facts. The 2010 Odhikar-Human Rights Watch (HRW) report titled “Trigger Happy” documented a number of cases in which “survivors and eyewitnesses have alleged that BSF engaged in indiscriminate shooting without warning... [and] instead of attempting to arrest them, BSF officers immediately opened fire.” BSF claims that its personnel have to open fire when miscreants evade arrests. But suspicion of a crime and dodging of arrest cannot alone justify the use of



VISUAL: SHAER REAZ

# VAW is not just a women's issue



Debra Efroymsen is the executive director of the Institute of Wellbeing, Bangladesh, and author of “Beyond Apologies: Defining and Achieving an Economics of Wellbeing.”

DEBRA EFROYMSON

ACTS of violence against women are regularly featured in the news. How to increase safety for women is a regular topic of discussion. Whether it is domestic violence or sexual assault, the focus is on the victim – or to use a better term, survivor.

American author and educator Jackson Katz points out in an excellent TED Talk that there is a problem with all of this. Missing from the picture, too often, is the man carrying out the acts of violence.

A moment's reflection reveals the oddity of the situation. We don't devote most of our attention to the victims of theft or murder while ignoring the thief or murderer. We don't talk about how to create cities where people are safe from theft or homicide. But somehow, when women are involved, the spotlight shifts to the one assaulted, while the

one doing the assaulting magically vanishes from sight.

There are a couple of problems with this situation. For one, placing all of the attention on the victim leads to victim-blaming. What did she do to instigate the violence? What was she wearing when the rape occurred? The suggestion is that if only women changed their behaviour, the problem would disappear.

Another problem is that formulating violence as a women's issue allows men to absent themselves from the solution – if a man is not violent himself, it is not his problem. He has no need to speak up; his voice may not even be welcome. After all, it's a women's issue. When other men make crude remarks about women or trivialise violence, he stays silent or laughs.

But all this violence is a men's issue, too. It's an issue because men are usually – though by no means always – the perpetrators. It is a men's issue because men and boys themselves are often the victims of violence as well. It is a men's issue because men need to stand up and be vocal about their refusal to accept that violence is a normal part of masculinity. Just as there is a growing movement to say that it is not enough to not be racist – we need to be anti-racist – it is not enough simply not to engage in deplorable behaviour. We all need to speak up against it. And since men still possess more power in society, their voices remain more powerful, and thus more important.

There is another thing we all can do: challenge the language that focuses on women and leads to the exclusion of men. When we hear people refer to violence against women, we can remind them that we need to talk about violence carried out by men. When we hear people talking about making places safer for women, we can remind them that we need to talk about reducing male violence. We cannot afford to exclude men from this issue. Men are (normally) the ones carrying out the violence; they need to be a

major part of the solution.

People in power also need to be held accountable for addressing violence in their institutions, be they religious, educational or other. Those in power must bear responsibility for what occurs under their watch.

In addition to encouraging men to take a strong stance against violence, we need to put forward positive images of masculinity. There is too much that is toxic in masculinity as typically defined: too much aggression, naked strength and violence. Even the image of men as protectors suggests that women are weak objects requiring protection. We can instead promote images involving sharing and caring, women and men working together with mutual respect towards common goals. Men as well as women carrying out household work and raising children, making decisions together, working together as equals.

We have quite a long way to go, and I am unaware of any society that has eliminated violence, but some societies definitely do much better than others. It's time to learn from those that are doing better, and to ensure that men, as the ones with the most power, are held responsible for their actions as well as for their silence.