

The Daily Star

FOUNDER EDITOR: LATE S. M. ALI

Don't let traffickers off the hook

Why are so few human trafficking cases reaching a conviction?

It's alarming that despite having a specialised legal infrastructure to prosecute human trafficking cases, Bangladesh has been registering appallingly low conviction rates. As per data from the Anti-Human Trafficking Offence Tribunal in Dhaka, around 1.5 percent of cases that it dealt with have resulted in convictions, meaning an overwhelming majority of accused criminals have been left off the hook. Reportedly, the Dhaka tribunal disposed of around 858 cases from March 2020 to August 2022. Of them, only 13 resulted in convictions, with 20 accused handed different jail terms.

This is from just one special tribunal, however. Bangladesh has seven such tribunals tied with seven divisional cities which, according to the home ministry, have a combined total of around 5,781 cases still pending as of June. Although all 64 districts in the country are supposed to have a tribunal of their own, the fact that even the most visible of existing tribunals hasn't had any visible effect is quite telling. It demonstrates the futility of existing legal interventions in curtailing human trafficking, but also the perfunctory manner in which the seven tribunals were formed in 2020, amid a then-looming threat of US sanctions, although it was a major provision of the Prevention and Suppression of Human Trafficking Act passed eight years earlier.

There is, clearly, a very bureaucratic vibe about how the government has been approaching this issue. It has ticked boxes that improved its standing in the US Trafficking in Persons (TIP) reports, but brought little change on the ground. After the release of the latest TIP report on July 19, 2022, US Secretary of State Antony Blinken recognised Bangladesh's efforts but cautioned that the country is yet to fully meet the "minimum" standards for elimination of trafficking. It is the second part of his observation that worries us.

The problems in the legal fight against trafficking are legion. For example, the general focus still seems to be more on disposal of cases than reaching convictions – the appearance of efforts rather than meaningful efforts. Although state officials like to attribute lack of convictions to the non-cooperation of victims, a report by *The Daily Star* shows the reasons are more diverse. It identified a combination of factors including absence of proper evidence in charge sheets, non-appearance of witnesses, out-of-court settlements, threats from the accused, and lack of expertise in dealing with the cases. One can assume that if state prosecutors and investigators performed their duties properly and with sincerity, a lot of the trials would have gone in a different direction.

Overall, Bangladesh is taking baby steps when it should be taking giant strides given the complicated nature of these transnational crimes. There is no denying the importance of convictions in preventing them. It can send a powerful message that no one guilty of committing or abetting trafficking can get away without punishment. We urge the government to make more meaningful and sustained efforts, including removing systemic loopholes in the legal and administrative processes, so that no one can exploit laborers seeking to work overseas.

Is BCL untouchable?

Its attack on Abrar memorial event shows nothing has changed since the murder

We are shocked at the way Bangladesh Chhatra League (BCL) men attacked an event organised to mark the third death anniversary of BUET student Abrar Fahad on the Dhaka University campus on Friday. Reportedly, after the attack, BCL activists again assaulted the members of Bangladesh Chhatra Odhikar Parishad – which organised the memorial event – when the latter went to Dhaka Medical College Hospital for treatment. And the police, instead of stopping the attackers or taking any action against them, detained 20 Chhatra Parishad men for interrogation. Among them were some who went to the hospital to take care of the injured! Surprisingly, Chhatra League men didn't bother to stop even there. On Saturday, they filed two cases against the members of Chhatra Odhikar Parishad and the police have already sent detained leaders and activists of the organisation to the court.

These incidents speak volumes about the vicious environment in our public universities where student wings of the ruling Awami League often terrorise other student organisations as well as general students to establish their supremacy on campus. The question is, what prompted the BCL to carry out this particular attack? Is it because the event was a reminder that it was BCL leaders and activists who had beaten Abrar – a second-year student of electrical and electronic engineering – to death in 2019 and thus subjected them all to intense scrutiny? And what message did they want to convey to the students through these attacks and lawsuits? Did they want them to know that they have no right to express their opinion or organise any programme that goes against the interests of BCL?

Only a few days ago, the BCL men swooped on rival Bangladesh Chhatra Dal leaders and activists on the DU campus while they were on their way to meet VC Prof Md Akhtaruzzaman. The recent happenings in Eden Mohila College have also exposed how BCL leaders carry out their seat business and extortion in public universities. Seat trade has always been a tool for them to fill their coffers and establish their dominance. Although BCL members carried out many of their atrocious activities under the very nose of the authorities, we rarely see them take any punitive/disciplinary action. Rather, on many occasions, university administrations took their side despite overwhelming evidence suggesting their involvement, which is condemnable.

We urge the authorities concerned, including the police and DU administration, to take appropriate action against the BCL leaders and activists involved in the attacks on the members of Abrar Fahad Sriti Shangshad. We would also like to urge the government to expedite the process of executing the verdict on Abrar murder case after completing all the necessary procedures. Violence on campus should never be condoned or tolerated, no matter what party seal the attackers are carrying on their shoulders.

We need 'green' private-sector climate risk financing

Tapan Sarker is professor and head of Finance Discipline at the School of Business, University of Southern Queensland, Australia.
Saleemul Huq is director, International Centre for Climate Change and Development at the Independent University, Bangladesh.
Syed Saad Andaleeb is distinguished professor emeritus at Pennsylvania State University, US.

TAPAN SARKER, SALEEMUL HUQ and SYED SAAD ANDALEEB

With the increasing frequency and impact of natural disasters around the world caused by climate change, the use of innovative climate and disaster risk financing tools has become ever more important to improve financial preparedness and build community resilience to imminent future disasters. For Bangladesh, a country highly vulnerable to climate risk, notably cyclones and floods, innovative climate financing must be envisaged to mitigate the risks associated with climate change.

According to a recent Intergovernmental Panel for Climate Change (IPCC) report (2022), roughly half of the world's population – especially in the communities of Africa, small islands, and coastal areas, central and South America, South Asia, and Arctic regions – are already being affected by severe climate change, resulting in scarcity of food and water insecurity. The limited financial capacity of these regions places severe constraints on their ability to provide basic services and resources where they are needed most. The report further highlights that human mortality from natural disasters for the period 2010-2020 was 15 times higher in these vulnerable regions. The International Disaster Database (EM-DAT) also reported 12,386 climate-related disasters globally over the last century, with 20 million deaths and economic losses of USD 4.130 trillion, the brunt borne by the developing countries.

Securing financial assets to combat climate change is not easy, particularly for developing economies such as Bangladesh. While governments at various levels play a key role in mobilising public funding, they often fail to catalyse private capital flows to accelerate investment in climate resilient infrastructure. As a credible source of funds, climate experts are increasingly interested in leveraging private finance, calling for more effective government policies and tools to stimulate private investments, especially in quality infrastructure that has been found to have a positive impact on improving disaster resilience. However, large infrastructure projects often pose a variety of risks for the private sector, such as political regime change that may affect the viability of such projects through subsidy cuts, increased regulatory barriers, and withdrawal of tax incentives, to name a few. To unlock the potential of private sector investments, it is important to address the burden of risk by sharing it with the public sector.

This calls for a radical paradigm shift by designing effective financial



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instruments to upgrade and fortify environmental quality and strengthen public finance that also leverages private finance. For this to happen, systemic modifications, policy reforms, and institutional arrangements are crucial. Thus, various forms of private sector financing options need to be considered to achieve environmentally or socially sustainable outcomes, as well as the United Nations' Sustainable Development Goals (SDGs).

It is important to note that the private financial sector has significant resources and the potential to create economic wealth while meeting public interest needs for long-term sustainability and social wellbeing. Mobilisation of economic and corporate constituencies takes place within certain boundaries and national and institutional structures in the system of financial regulations and corporate law. The European Union (EU) mainstreaming agenda in sustainable finance, for instance, aims for ambitious outcomes, resulting from the simultaneous reorientation of investors as well as their investee companies and the prioritisation of sustainable objectives. Private enterprises can optimise stakeholders' wealth, socio-environmental responsibility, and fulfilment of SDGs. The private sector has thus been set the challenge of responding positively in support of the SDGs while at the same time acting in the interests of its stakeholders. Thus, the private sector is both a potential partner and key player and can contribute to

development objectives in multiple ways for the achievement of the SDGs, such as stimulating healthy habits and job creation, providing investment opportunities, and sharing the resources and knowledge required to shape innovative solutions to global climate challenges.

private sector engagement. Large upfront costs to invest in projects can be encouraged through incentives like transparent financial intermediation, stable political and regulatory bodies, and administrative simplicity. Ambiguous private-sector financial intermediation results in doubts

Continuing robust public policy support is critical to successfully addressing the SDGs. By providing a policy framework supportive of innovation and by removing barriers, the government can encourage the private sector to deploy essential capital and technical capacity to scale up the economy. Leveraging private sector finance provides a good initial indication of the strength of the sustainability-related market signals, and the adaptability and potential effectiveness of sustainability policies.

Policies that provide permanent and continuous incentives on an economy-wide basis exert stronger influence, as opposed to those which provide a temporary incentive or affect a limited segment of the economy. For example, a one-time grant to a specific firm favours that firm but does not provide an incentive for other actors within an industry. In contrast, a carbon tax applied economy-wide incentivises all firms to reduce emissions.

In the developing countries, private finance is only possible with an appropriate risk-adjusted return, with public support to overcome operational expenses and other obstacles, including climate-related research and development. Because the initial cost of adopting a low-carbon development path tends to be high, the necessity for early public intervention is vital.

Today, a wide variety of impediments hinder incentivising

about counterparty solvency and increased uncertainty about asset valuation. Due to the low-income level of people in developing countries, financial intermediation is often rudimentary or non-existent.

While green and climate finance is growing by leaps and bounds at the global level, the private sector in Bangladesh could benefit from accessing such global funds, particularly in the renewable energy sector. Such funds are often provided by the Global Energy Efficiency and Renewable Energy Fund (GEEREF), which seeks to use public finance to leverage private investment in renewable energy, guided by the European Investment Bank (EIB). Bangladesh is eligible to utilise such funds, but the private sector does not have much experience or expertise to access them, and so needs to develop the expertise to do so. Hence investment in building the capacity of the private finance sector, along with creating a supportive and enabling environment by the government, would enable Bangladesh to attract many tens of billions of US dollars over the next 5 to 10 years. This would enable private sector investment growth and allow Bangladesh to transition from the least developed country status which is likely to take place in the next few years. In turn, this will end the country's reliance on grant-based overseas development funds that it has been used to receiving for decades.

Churchill and India: Manipulation or betrayal?



Andrew Sheng is a distinguished fellow at Fung Global Institute. He writes on Asian affairs.

ANDREW SHENG

History is often written by the victor, and there can be no finer examples than Winston Churchill's books on the Second World War and British imperial stories, in which he played no small role. But truth cannot be seen from only one perspective. This is why Kishan Rana's book: "Churchill and India: Manipulation or Betrayal" (Routledge, 2022) is such an important contribution to an emerging global history different from just Euro-centric narratives. Superbly researched, Kishan connected the dots to find that Churchill's record on India reflected part of his own limited experience with Indians, formed through his leadership of Indian Muslim troops as part of his early career, and his grand, but often self-serving, view of world affairs from imperial London.

Churchill was right on the Nazi German threat but flawed on resisting India's road to independence. The Last Lion could not stop the slow but unstoppable deterioration of the British Empire, not with the emergence

of the United States, which wanted no rival. In the post-Second World War period, America actively ensured that European states shed their colonies so that none would be strong enough to challenge her dominant status. American hegemony remains a classic "divide and rule" strategy, learnt well from the British.

Kishan's book chronicles the Indian context and perspectives, which were swept aside because Britain was pre-occupied with the European war. Distant colonies cannot be defended from imperial over-reach, so India was lucky that Japan was too pre-occupied by China and stretched managing the newly conquered South-east Asia to launch any full-scale invasion of South Asia. Subra Chandra Bose's Indian Independence Army, formed from Indian soldiers captured by the Japanese in the Malayan battle (one of the biggest disasters of British military history), marked a significant turning point in the Indian road to independence.

Managing huge empires has monumental consequences, much of which has been swept under the carpet until Indian historians began digging deeper into the fiascos. The 1943 famine in Bengal, in which more than 2 million Indians starved to death, happened under Churchill's watch as prime minister. The India-Pakistan

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split (which Churchill encouraged) resulted in the displacement of 10-20 million people and loss of life estimated between several hundreds of thousands and 2 million. The historical facts that India's GDP

remained in absolute terms roughly the same at USD 1 trillion, and declined from roughly one quarter of global GDP when Britain took over to only 4 percent of world GDP at the time of independence, speak volumes about Britain's inglorious management of her glorious empire. Historian Utsha Patnaik calculated that Britain gained USD 45 trillion in today's money from her stewardship or occupation of India.

Kishan has done a great service to history by meticulously judging Churchill's record. For Britain, he was a faithful, loyal, even great servant. For India, under the yoke of empire, it is not so glorious. The colonised must suffer because they must, even if the coloniser betrayed their interests. This explains why India today is "on her own side", rather than the side of the North Atlantic allies in the Ukraine War. Those who preached human rights, freedom and rule-based international order were all brutal former colonisers. War and invasion rightly should be condemned. But history remembers who did the invasions first. No power comes to the present with clean hands. Lord Acton was right – there are no permanent friends or enemies, only permanent interests.

This is a book to be savoured, and like a true detective story, it tells the tale of great men with grand vision and their seemingly small faults.